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NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY
REPORTER'S TRANSCRIPT OF TELECONFERENCED MEETING

Taken at

555 East Washington Street, Suite 4400
Las Vegas, Nevada

On Friday, April 29, 2016
At 9:03 a.m.

Reported by: Rachel Anstee Mann, CCR No. 816

1 NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY
2 REPORTER'S TRANSCRIPT OF TELECONFERENCED MEETING,
3 taken at 555 East Washington Street, Suite 4400,
4 Las Vegas, Nevada 89101, on Friday, April 29, 2016, at
5 9:03 a.m., before Rachel Anstee Mann, Certified Court
6 Reporter, in and for the State of Nevada.

7
8 APPEARANCES:

9 CHAIR ADAM JOHNSON
10 MEMBER MARC ABELMAN
11 MEMBER NORA LUNA
12 MEMBER ELISSA WAHL
13 MEMBER ROBERT MCCORD
14 ROBERT WHITNEY
15 DEPUTY ATTORNEY GENERAL GREGG OTT
16 NYA BERRY

17 TELECONFERENCED APPEARANCES:

18 MEMBER MELISSA MACKEDON
19 MEMBER KATHLEEN CONABOY
20 DIRECTOR PATRICK GAVIN
21 DANNY PELTIER

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1 PROCEEDINGS

2 CHAIR JOHNSON: I will call the meeting to order
3 at 9:03 a.m., and we will begin with roll call.

4 Member Wahl?

5 MEMBER WAHL: Here.

6 CHAIR JOHNSON: Member Luna?

7 MEMBER LUNA: Here.

8 CHAIR JOHNSON: Member Abelman?

9 MEMBER ABELMAN: Present.

10 CHAIR JOHNSON: Member McCord?

11 MEMBER MCCORD: Present.

12 CHAIR JOHNSON: Vice-Chair Mackedon?

13 MEMBER MACKEDON: Here.

14 CHAIR JOHNSON: And Member Conaboy is going to
15 be on her way.

16 Can we get started with the Pledge of
17 Allegiance.

18 (The Pledge of Allegiance was
19 recited by those in attendance.)

20 CHAIR JOHNSON: All right. We will get started
21 with public comment. I know we have a couple pieces here
22 in the South.

23 I just wanted to make it known that we will
24 actually take public comment for Agenda Item No. 5, which
25 is the Silver State item. We'll take public comment for

1 that item during the item. So if you have public comment
2 for Agenda Item No. 5, please hold it until we get to that
3 agenda item.

4 Do you have any public comment in the North?

5 MR. PELTIER: No, we do not.

6 CHAIR JOHNSON: All right. We have two pieces
7 of public comment here in the South. We have
8 Braxton Pacatte -- I'm sorry?

9 MR. PACATTE: Pacatte.

10 CHAIR JOHNSON: Pacatte, Braxton Pacatte, and
11 also Denise Pacatte.

12 MS. PACATTE: Hello gentlemen.

13 MEMBER LUNA: Good morning.

14 CHAIR JOHNSON: Good morning.

15 MR. PACATTE: Morning. Members of the Board,
16 thank you for the --

17 MS. PACATTE: One at a time or --

18 CHAIR JOHNSON: Yes.

19 MR. PACATTE: Thank you for the opportunity to
20 speak before you.

21 We're here because we became aware of a
22 discrepancy --

23 CHAIR JOHNSON: Do you mind just saying your
24 name for the record, please.

25 MR. PACATTE: My name is Braxton Pacatte.

1 CHAIR JOHNSON: Thank you.

2 MR. PACATTE: We're here because we became aware
3 of a discrepancy of how tests were administered, scored,
4 and graded in our daughter's Accelerated Math 6 class at
5 the beginning of the year. We spent seven-eighths of the
6 school year trying to get something done, and we have
7 failed because the Doral Saddle administration and the
8 Doral School Board have failed us and the kids that
9 they're charged with educating.

10 We've done everything that was outlined by this
11 body to us when we came at a meeting on December 4th of
12 2015. We've dealt with Doral, with the school, with the
13 teacher, with the administration. We've filed a grievance
14 with their Board and we came and spoke with our own agenda
15 item, but it's as if we've done nothing.

16 They don't want to deal with the problem we've
17 made them aware of and they know it's problem. They just
18 want to make sure nobody finds out about it.

19 We were told by a Mr. Colin Bringhurst when he
20 came and essentially hijacked a meeting, that nothing we
21 could say at that time was important.

22 Our grievance was turned into a personnel issue,
23 just so our documents -- because we filed several support
24 documents -- they were kept secret because it was now
25 deemed inaccurately to be a personnel issue. So our

1 documents have not seen the light of day and our testimony
2 in that meeting did neither see the light of day so they
3 remain secret.

4 For the entire first semester in our daughter's
5 math class, no student was required to answer every
6 question on any test in that Accelerated Math 6 class.
7 Kids were getting 100 percent on their tests when they
8 only answered half of the questions. The tests were
9 graded on a curve when no one got 100 percent. Kids were
10 getting 100 percent with 7 out of 7 when there were 24
11 questions on the test. So if nobody happened to get all
12 the questions they answered correctly -- correct, then no
13 one got 100 percent.

14 And then the test was graded on a curve, so
15 whoever had the highest score in the class now got
16 100 percent. It seemed like, gee, every time the test was
17 taken somebody or people got 100 percent. Data was
18 mislabeled and test scores were manipulated to
19 inaccurately reflect the amount of mastery demonstrated by
20 the students, making it seem that the class as a whole was
21 performing far better than, in fact, they were.

22 So with the trouble with these tests scores, we
23 came to the teacher and we subsequently went to the
24 principal of the school --

25 CHAIR JOHNSON: Three minutes.

1 MR. PACATTE: -- and we were told --

2 CHAIR JOHNSON: Thank you so much.

3 MS. PACATTE: Okay. Good morning, School
4 Board -- or Charter School Board. Thank you for hearing
5 what we had to say today.

6 I'm Denise Pacatte and we're here on behalf of
7 our daughter Mandy Pacatte and some issues that we had
8 with the Doral Academy Saddle Campus. My husband already
9 outlined a good portion of why we're here.

10 It took us all the way until January 7th, we had
11 a meeting with Bridget Phillips; Ms. Tomasetti;
12 Erin Bedich, who is the cochairperson on their School
13 Board; and Boone Cragun, who is the chairperson of the
14 Doral School Board. I know that their presence there was
15 informal because they can't take any action until
16 something is put on the agenda.

17 We still had not been informed of the grievance
18 policy. It took us all the way until January 29th when
19 Mr. Bringhurst from Academica came in, highjacked our
20 meeting, and gave us the grievance policy. Their
21 grievance policy is nowhere on his website. It is nowhere
22 to be found.

23 He told us to find out if they have a grievance
24 policy, you go and look up all their Board meetings and
25 find out when it's on the agenda. We found it on

1 August 4th of last summer. It doesn't outline what the
2 grievance policy is or even who it's for so that's
3 unreasonable. It's not on their website. It should be on
4 their website under "parents." You know, you click on it,
5 it says, "grievance policy." Because I've been looking
6 for how to file a formal complaint.

7 We followed it to a T. And like he said, it was
8 a closed session so it's never going to hear the light of
9 day. And they deemed that they just deferred it back to
10 the administration, that they're doing the right thing,
11 that they're going to handle the situation, and we're not
12 allowed to appeal it with the Board, which is why we're
13 here today. Because we believe this is very wrong.

14 In the meeting on January 7th, Erin Bedich made
15 it abundantly clear that she works for CCSD, that this is
16 how things are done at CCSD.

17 Well, the reason we have our daughter in this
18 charter school, why we drive 60 miles a day round trip to
19 get her to the school, is not to be following CCSD off the
20 cliff. We should be doing a 180 and not following what
21 CCSD is doing because they're failing the kids in this
22 county.

23 And something else that we found out a week
24 before the -- no -- about the time of the Board meeting,
25 March 25th, that the accelerated math class was on page

1 187 of the SpringBoard math book. They use the exact same
2 math book that the regular paced class takes. Here we are
3 on the fourth quarter, they're in Unit 3, page 187. The
4 regular math class was on page 321 in Unit 5.

5 Now, my daughter has not been happy. She's been
6 bored in that class. We've been telling them that all
7 year. They've done nothing about it. She should have
8 been put in pre-algebra, but they wouldn't let her go into
9 pre-algebra because she didn't hand in a couple of
10 assignments in the fifth grade. She was ten years old.

11 So let's -- and we've been telling them and they
12 see her test scores. She scored in the 99.5th percentile
13 for GATE and she was tested for the highly gifted program,
14 scored in the mid-90's on the WISC-IV test, and they're
15 going to hold her back because she didn't turn in a couple
16 of tests.

17 MR. PACATTE: Homework.

18 MS. PACATTE: Homework, not tests. I'm sorry.
19 Homework.

20 Anyway, the day after the meeting, my
21 daughter --

22 CHAIR JOHNSON: Three minutes.

23 MS. PACATTE: Okay.

24 CHAIR JOHNSON: Thank you, Ms. Pacatte.

25 MS. PACATTE: Okay. All right. Thank you very

1 much.

2 THE CHAIRMAN: Thank you so much.

3 Is there any other public comment here in the
4 South?

5 Seeing there is none, I'll take a motion to have
6 a flexible agenda.

7 MEMBER ABELMAN: So moved.

8 CHAIR JOHNSON: Second?

9 MEMBER MCCORD: Second.

10 CHAIR JOHNSON: All right. So we actually put
11 the motion up for the second for the flexible agenda.

12 I'll now actually take Agenda Item No. 5 next -- oh, I'm
13 sorry. Sorry. Agenda Item No. 7.

14 MR. WHITNEY: Mr. Chair?

15 CHAIR JOHNSON: Yes?

16 MR. WHITNEY: I'm sorry. This is Robert Whitney
17 for the record. You took a motion and the second but
18 there's no vote.

19 CHAIR JOHNSON: Oh. All in favor of the
20 flexible agenda?

21 MEMBER MCCORD: Aye.

22 MEMBER CONABOY: Aye.

23 MEMBER ABELMAN: Aye.

24 MEMBER WAHL: Aye.

25 CHAIR JOHNSON: Aye.

1 MEMBER MACKEDON: Aye.

2 MEMBER LUNA: Aye.

3 CHAIR JOHNSON: Motion has passed.

4 Now I'll move on to Agenda Item No. 7, which is
5 a presentation from our Superintendent of Public
6 Instruction from the NDE.

7 DR. CANAVERO: Hello, Chairman Johnson, and
8 members of the State Public Charter School Authority
9 Board, Director Gavin. It's certainly a pleasure to be
10 here. It's been a long time since I've been able to be at
11 one of your meetings and certainly appreciate the
12 opportunity, and thank you for accommodating my schedule.

13 I'm joined by Lauren Hulse, another familiar
14 face to you as well.

15 So I've got a few sort of topics to cover and,
16 of course, would love to engage in any conversation or
17 questions that you might have relative to our work at the
18 department, your work, and sort of the coordination
19 thereof.

20 I'll just begin with a quick update for you on
21 kind of the broader initiatives. In my mind, I tend to
22 organize the Governor's initiatives and our budget into
23 three main areas, one of those around investments, of
24 course, and others around accountability and then reform.

25 And so the department, quarterly now,

1 publishes -- we call it the Legislative Session Programs
2 and Initiatives Quarterly Update. And it's a packet on
3 really the major initiatives and our progress and our
4 State's progress in implementing those initiatives from
5 districts all the way through. And it largely reflects
6 20-plus separate programs and our progress therein.

7 So we publish this, it's on our website. This
8 is the most recent version, it's April. There's a
9 February version and now we're on this sort of quarterly
10 kick by which we've caught up in April and we will
11 continuously update this document and our progress. It
12 will be a great way for you, members of the public,
13 members of the charter community, to kind of keep track of
14 what it is that we're doing, not only in those areas that
15 you receive funding, but in other areas, especially those
16 areas that you may wish to be included in.

17 You know, in addition to that, we've
18 consolidated all of our work in terms of the investments
19 that have been made, and this is also publicly available
20 on our website, and it shows by districts. And districts
21 are in rows, the specific initiatives are in columns. And
22 it gives you an idea as to which districts are receiving
23 funds aggregated at the district level.

24 You're included. So State charters are included
25 on the lower bottom row. And it just demonstrates of

1 those investments, 210 million are included here,
2 6 million of additional funds have been provided or
3 received to State Public Charter School Authority
4 sponsored charter schools and initiatives around Zoom,
5 Full Day K, Read by 3, Nevada Ready 21, Turnaround, Social
6 Worker block grants, Great Teaching and Leading, Teacher
7 Supplies Reimbursements, College and Career Ready grant
8 apps, and GATE.

9 So it just gives a good summary. So you
10 might -- a lot of folks use this, especially in the press,
11 and have used these quarterly updates so it might be
12 something of interest to you.

13 Another area of interest, I'm sure, is the
14 Senate Bill 508, which is our transition to the weighted
15 funding formula. So this is an area that we've been
16 working on in the department.

17 And then I'm -- I have the pleasure and
18 responsibility to create a plan towards the -- really
19 based upon the recommendation from the Interim Task Force
20 that identify recommendations for weights in three or four
21 categories of students: EL students; students that are at
22 risk, and we're using poverty as a measure of at riskness,
23 if you will; special education; and then GATE.

24 So the Interim Task Force really sort of
25 completed a number of years of work on this and made

1 recommendations in three of those four categories. The
2 recommendation for special education was 2.0. The
3 recommendation for EL is 1.5. The recommendation for
4 students who are at risk is 1.5. And the recommendation
5 for GATE is there was no recommendation at that time.

6 So as we have funded the programs, Zoom and
7 Victory and special education in these categories, outside
8 of the district of school account, it's a way that the
9 State can measure the impact of those funds, really get
10 their arms around what is the appropriate weight or what
11 is the return on those investment dollars in specific
12 programs, for Zoom or for Victory or for GATE or for
13 special ed, and then make a thoughtful recommendation to
14 go forward.

15 Special education was the first one to complete
16 this transition to a weight and it weighted -- it
17 completed its weight or started its completion in the
18 fiscal year '17. So why this is relevant for you is that
19 for fiscal year '17, we took the State's \$168 million
20 that's been allocated for special education and we went
21 through Senate Bill 508, and I believe it's Section 29 or
22 20 at the end of the bill. It describes in very good
23 detail how we go about converting that 168 million to a
24 weight. And we just issued a final allocations, I
25 believe, yesterday.

1 Director Gavin, I think you should have
2 received an e-mail yesterday with the final allocations.

3 It's really mathematics. It's very little
4 discretion, taking 168 million, dividing it by the number
5 of students, approximately 55,000 students across the
6 state were served with an IEP. That yields a number.
7 That number basically becomes 1.53 of our average
8 statewide fund. So it's approximately \$3,000 per student.
9 That is then added to whatever the school district
10 receives based upon their State guarantee.

11 And then we take that number, we multiply it by
12 the number of students in a district that are identified
13 as having an IEP, and there's a statutory cap of
14 13 percent. So you take the 13 percent cap, and then you
15 identify how many students, you multiply that times the
16 weight, and then you get a value.

17 That value is then reconciled against the
18 requirements for maintenance of effort. And based upon a
19 calculation of a per-pupil weight or per-pupil fund from
20 the prior fiscal year -- so you have two sort of tests
21 there to ensure that each district receives at least as
22 much as they received in FY16.

23 The result of all of this is really a
24 substantial change with three school districts in the
25 amount of funds they receive for special education, and

1 State Public Charter School is one of those districts
2 that's receiving a significant increase. I believe you
3 move from 9 million -- 900,000 -- pardon me --
4 approximately a million, to roughly 6 million in one
5 fiscal year.

6 I think the other district, I think, is Lyon and
7 Clark County who receive an increase based upon all of
8 this sort of implementation.

9 Three other districts have a modest increase
10 based upon one of the tests for maintenance of effort, and
11 then the remaining basically stay at their FY16 funding.

12 So with that additional funding I believe comes
13 some continued responsibility on the State Public Charter
14 School Authority's part. I know you've been working on
15 this for a number of years in special education and
16 responsibilities and obligations to your charter schools.
17 So continue on that work, please.

18 As these dollars increase, obviously oversight
19 and other districts are looking more closely at the State
20 Public Charter School Authority, ensuring that those
21 students continue to be served as they have been.

22 So please continue on that work, monitoring your
23 schools and ensuring that those students are, indeed,
24 served.

25 As well as the significant increase that you

1 have will cause some challenges, I'm sure, in the field
2 with figuring out how to scale those services now that
3 those funds are available, so please let us know how we
4 can support the Charter School Authority as needed through
5 this process. We're obviously happy to do that.

6 MEMBER CONABOY: Mr. Chairman?

7 CHAIR JOHNSON: Yes.

8 MEMBER CONABOY: May I ask a question, please?

9 CHAIR JOHNSON: Yes, Member Conaboy.

10 MEMBER CONABOY: Dr. Canavero, good to see you
11 always. I just wanted to maybe ask an explanatory or
12 explore something here. The huge jump from 1 million to
13 6 million in our particular, quote, district, has to do
14 with the fact that we weren't allocated spent units before
15 and now that the formula is on an appropriable basis, that
16 money accrues to our students directly; is that
17 essentially correct?

18 DR. CANAVERO: I would say that's -- Steve
19 Canavero -- that is essentially correct. You did get the
20 units but you weren't recognized as an 18th school
21 district in the initial allocation of those units and it
22 was something we had to sort of cobble together.

23 So yes. This provision, in one fiscal year,
24 catches you up to a per-pupil funding that is equivalent
25 to most of the other districts. We're not there yet to

1 the 2.0, by any stretch to the imagination, but this first
2 year is our first way -- FY17 is our first way to express
3 a per-pupil, not a unit-based funding.

4 So it also shifts, substantially, the mindset
5 across the state in how we utilize these funds. The
6 unit-based funding was very much tied to a particular FTE.
7 I believe historically the unit-based funding was and
8 FTE -- with a particular caseload. That, of course, was
9 eroded as the funding didn't keep pace with the cost of an
10 FTE. So the 40-plus thousand that was received by each
11 unit didn't get close to meeting an FTE.

12 Here we've sort of removed that paradigm and now
13 it's a per-pupil allocation that can be spent in those
14 ways that a school district and their trustees or their
15 starter schools and their Boards deem fit.

16 Okay. So progressing on down the line, lots of
17 conversation related to the Every Student Succeeds Act and
18 sort of this kind of statewide transition. What does it
19 look like? How does it happen? Hey, Steve, can we do
20 something with the accountability framework? Hey, Steve,
21 can we do -- I mean, I've had a number of questions.

22 So here's generally the approach that we're
23 taking to kind of move forward under the new federal law.
24 This is also available on our website. It was presented
25 yesterday to the State Board of Education. It will be

1 more prominently placed under a section of our website
2 that we're developing. But if you wish to go find this,
3 it's under the State Board of Education meeting material,
4 Item 13 from yesterday's meeting, and it's called ESSA
5 update.

6 The notion here is that -- and my shorthand in
7 describing this is really now to place ESSA in service of
8 Nevada's priorities. So this is very much a conversation
9 that begins with Nevada's priorities, getting very clear
10 about what we wish to accomplish. And then understanding
11 what flexibilities, funding, policy need to be put in
12 place given the flexibilities, implied or therein, in
13 ESSA, in order to leverage those to be successful for our
14 state, not the other way around.

15 So you'll see that the concept is that I'm going
16 to review and renew our State's five-year strategic plan.
17 So we are presently operating under a system that I would
18 say kind of lacks coherence. We have a State strategic
19 plan that was adopted in 2012.

20 We have a STIP that has been really the
21 operational document for the State Board of Education for
22 the last three years. In this STIP it has very clear
23 goals, it has benchmarks, it has strategy.

24 And now we have a Governor's strategic framework
25 as well that the Governor has provided for the State.

1 So really the idea here is that we create,
2 through the State Board of Education, a five-year
3 strategic plan that contains goals that then drive the
4 conversation in workgroups around the Every Student
5 Succeeds Act.

6 So the way that I've shown this in the State --
7 for the State Board of Education and for the district
8 superintendents in the conceptual matter approximately a
9 month ago is that we begin with the State's strategic
10 plan; then we identify opportunities for us to support
11 that plan; we define and refine our strategies in order to
12 execute, over the next five years, to hit the goals that
13 we seek; and then we submit a plan, and that plan, of
14 course, will likely be sort of codified in our State plan
15 under ESSA for federal requirements; and then it will
16 continue to monitor.

17 So the State goals -- I'll just briefly mention
18 these because I think it's important as we go through, and
19 then I'll sort of end this piece with talking about how
20 I'm going to sort of move this process forward. So that
21 will help to understand sort of how you plug in along the
22 way.

23 You know, we've canvassed the districts' own
24 strategic plans. In some cases many districts have a very
25 thoughtful strategic plan, in other cases it wasn't as

1 immediately present or readily available for us, but we
2 went through and looked at strategic plans if they were
3 available.

4 We went through and looked at school improvement
5 plans that are a requirement to submit to the State to try
6 to identify how aligned is our existing STIP goals to,
7 generally speaking, the will of the local district's
8 charter schools and local schools, and we're finding
9 tremendous alignment along these goals. And these goals
10 are the same goals we've had in our State plan. One of
11 them has to do with proficiency in third grade literacy,
12 so a clear focus on literacy.

13 This also aligns nicely with the Governor's
14 strategic framework, 3.11 for those who are keeping track.
15 Also a goal around middle school and development primarily
16 in mathematics, that's where we're seeing the most
17 alignment, around middle school mathematics. Our goal
18 that we have framed in our STIP, our State Improvement
19 Plan, is that all student enter high school with the
20 skills necessary to succeed.

21 These are in alignment with two of the
22 Governor's strategic frameworks -- two of the goals
23 outlined in the Governor's strategic framework.

24 All students graduate career, college, and
25 community ready.

1 This aligns with three of the Governor's
2 framework, as well as across the board.

3 You'll notice that we've inserted this idea of
4 community readiness into that definition. And so a theme
5 that you will hear, I believe, throughout this
6 conversation is one around parity to career readiness that
7 has otherwise been really solely focused on college
8 readiness. So as we work through that, so framework as we
9 talk about accountability decisions, as we talk about our
10 Star rating system, as we talk about school supports and
11 opportunities for students to be successful, I believe we
12 will see rigorous standards. This is not a way to somehow
13 remove or reduce standards, you'll see rigorous standards
14 in what it means to be college ready, which we have a very
15 clear picture around; career ready, which is getting more
16 and more clearer every day in every conversation we have
17 with the employers as we engage with them; but then also
18 this notion of community readiness that undercurrents all
19 of these, meaning students graduate prepared to engage in
20 civic life, prepared to engage as good members of the
21 community, global Nevada or local. So you'll hear, I
22 think, that moving forward.

23 We've reordered some records on our effective
24 educators so it will be, essentially, all students served
25 by effective educators.

1 We've added a goal -- this is a new goal -- all
2 students learn in an environment that is physically,
3 emotionally, and intellectually safe.

4 That's direct in alignment with the Governor's
5 framework as well.

6 And then we have a final goal that's not
7 necessarily all student based, so you'll notice that five
8 of these six goals all reference students, so we've
9 intentionally wished to put the focus on student outcomes,
10 not processes that we engage in, but outcomes for kids.
11 The last is a process based, it's a sort of
12 stewardship-based goal around efficient and effective use
13 of public funds.

14 There's a lot underneath those goals. There's a
15 lot of discussion to be had. There's a theory of action
16 that we've also posted up, which I encourage you to take a
17 look at and kind of continue to review as we revise these
18 as the conversations more forward that I think are very
19 important, and especially very important when we begin to
20 discuss sort of shared accountability and shared
21 governance, what is the State's lane, what is the SPCSA's
22 lane, what are your charter school's lane, those types of
23 conversations I think we need to add detail.

24 So the general intent, adopt a strategic plan
25 around vision and mission goals, have a theory of action,

1 and a renewed definition of readiness, so a renewed
2 definition of college, career, and community readiness.

3 And there's also -- we've built the straw man as
4 a way to start the conversation, that's also available on
5 the State Board website, and there was positive response
6 to that as well, as we begin to start to really appreciate
7 what it means to be ready, postsecondary ready, and engage
8 in high-demand, high-skill, high-wage industry, whether
9 that's through skill certificates, whether that's through
10 Associate's degrees or whether that's through Ph.D.s.

11 So how are we going to do this, right? It
12 sounds great but how do I engage? How do I plug in?

13 So I've created an advisory group to help refine
14 the State's strategic plan first and then really serve as
15 a coordinating voice for the integration of ESSA in
16 service of that plan. So then it's probably between 25
17 and 30 people. It's a big group. I don't anticipate
18 everybody to be at every meeting so it's a broad group.
19 It's primarily practitioner based, I would say the
20 majority of folks are teachers.

21 For example, two of our Teacher's of the Year
22 participate on that. We have principals of
23 high-performing schools and principals of schools that
24 have lifted themselves off the focus list. We have a
25 couple of trustees, a couple of superintendents. We've

1 invited Member Mackedon, Vice-Chair Mackedon, to the
2 meeting, and really in her role as a principal of a
3 charter school.

4 So that advisory group will help sort of frame
5 and move these decisions along and move the process of
6 developing the strategic plan along.

7 I anticipate that we have a May meeting. I set
8 about five meetings as a commitment to that group to move
9 this work forward.

10 And then underneath that group I've organized
11 topically, and these are the best thinking I've had yet,
12 of course, thinking change, but workgroups. I have six
13 workgroups that are basically theme based. And the
14 workgroups would really help on the technical
15 conversation. The technical conversation and
16 accountability given the strategic plan, given readiness
17 definitions. It's just a technical conversation on
18 assessments, ELLs, and the significant shift there I think
19 is ripe for its own group. Teacher and leader quality,
20 school improvement, supports and federal funding streams.
21 There's a tremendous opportunity I think for coherence,
22 alignment, and stability for this entire system for us to
23 then bake in and move forward.

24 And there will was obviously -- this will be
25 iterative. The timeline that I have in this document

1 contemplates a submission of our State plan, really the
2 culmination of this work, sometime in the fall or winter,
3 16/17, and we're not waiting for the regulations to come
4 down from the U.S. Senate. Quite frankly, they're going
5 to have their own issues to deal with and that's fine, but
6 I think the wait for that is a fool's errand. I think we
7 need to begin immediately on our strategic plan, which I
8 think we can have to the Board in July.

9 I think there's -- you know, from what I can see
10 there's enough agreement on sort of the outcomes really
11 that will drive this plan forward quickly, and then we can
12 engage doing workgroups simultaneously.

13 MEMBER MACKEDON: I'm sorry. Can you just say
14 what the six workgroups were again? I'm sorry.

15 DR. CANAVERO: Yes. The six workgroups that I
16 drafted thus far are accountability, assessment, ELL,
17 teacher and leader quality, school improvement supports,
18 and federal funding streams.

19 And again, those are sort of based upon my
20 reading. I think we can aggregate these themes. These
21 are not special interests, right? Like, these don't
22 reflect the subgroups, they don't reflect all of the
23 interests that those have. My encouragement to the team,
24 especially the leads, across these ideas or these themes,
25 would be to engage, broadly, folks. And there will be

1 many who wish to be on a lot of these. So there's a lot
2 to be done, but I think it's all tremendously worthwhile.

3 So we're going to start immediately. We'll
4 continue to work. Again, fall 16/17 we will finalize our
5 State plan. Of course, for 17/18 will be full
6 implementation. There's all sorts of detail and nuance to
7 what this looks like. I generally said that the 16/17
8 school year, as a bridge year, will look a lot like the
9 15/16 school year. So we have a little bit of time here
10 to move this forward. Our waiver expires in 2016, August
11 of this year. So there's this, obviously, transitional
12 period, but full implementation in 17/18, full
13 implementation in 17/18 if you begin to start to talk to
14 folks. We have a sense of urgency around 16/17 in having
15 certain things in place in 16/17 in order to do things
16 like rate schools in 17/18 on a fully functional
17 framework. So a lot of information here.

18 You know, I was -- just relevant to this sort of
19 notion of our waiver and where we are right now, I do want
20 to ensure that the record is very clear. I was copied on
21 a letter dated March 24th regarding Nevada Connections
22 Academy to you and Director Gavin from Laura Granier from
23 Davis Graham & Stubbs, assuming on behalf of the
24 Connections Academy Board. But there are statements in
25 here that are just fundamentally false.

1 I want to make sure you're -- the graduation
2 rate that we have and that we are using is the graduation
3 rate that we have approved by USED. I can't allow the
4 record here to somehow suggest that the four-year cohort
5 graduation rate that we are using, that has real
6 consequences for not only your schools and for this school
7 in particular, but for all of our high schools across the
8 state, to somehow be discredited. So it is functioning.
9 It is our approved formula. It is in use and it carries
10 consequences. But it is in place.

11 So folks may disagree with the numbers, but I
12 can't let you crack the yardstick over your knee when we
13 use that yardstick across the state for priority schools
14 and priority school identification. So there's some
15 information here that is not accurate.

16 And given ESSA and sort of projecting what they
17 hold to be true under ESSA, may or may not be the case
18 given the framework and the process that I just outlined
19 for you. So I just wanted to make sure that I have that
20 corrected and I'm happy to discuss that further.

21 MEMBER CONABOY: Dr. Canavero, may I ask a
22 question?

23 DR. CANAVERO: Yes.

24 MEMBER CONABOY: Mr. Chair, may I ask a
25 question?

1 CHAIR JOHNSON: Yes.

2 MEMBER CONABOY: Dr. Canavero, on the committee
3 the other day there was some discussion about rethinking
4 certain accountability measures like the graduation rate,
5 maybe taking into consideration mobility or persistence at
6 the school. Lots of other national models are emerging.
7 Is that part of your conversation now? Are the states
8 allowed to do that under ESSA? Are you open to that kind
9 of conversation?

10 DR. CANAVERO: Steve Canavero. So it's a
11 perfect example of questions I've been getting over the
12 last three months, really since January when the ESSA was
13 signed into the law. Everyone immediately moving into the
14 sort of measures. So my response is that I don't know.
15 Yes, I'm open to the conversation.

16 But I think absent clear definitions of
17 readiness, right, like what the North Star -- what we need
18 -- what we believe needs to be true for our students at
19 the end of their 12th grade year in order to be successful
20 in tomorrow's economy, what needs to be true. Without
21 having that clearly defined, I can't tell you what the
22 framework should look like or needs to change to look
23 like, right?

24 So that's kind of the idea behind going through
25 and being really clear with our goals as a state,

1 undeniable goals for the state, getting really clear about
2 readiness, even if it's aspirational at this point,
3 something we want to move towards, and then we can make
4 decisions about frameworks, incentives, perverse
5 incentives that are built into a framework. We can have
6 those conversations, but I think absent the bigger
7 conversation about starting where we want to be and then
8 working our way back, I think we're handicapped.

9 MEMBER CONABOY: Mr. Chairman, I have a
10 follow-up question, please.

11 CHAIR JOHNSON: Please go ahead.

12 MEMBER CONABOY: Steve, it's my understanding
13 that there is a committee or there has been a committee
14 looking at the performance framework of the NSPF 2.0. So
15 are you suspending that in favor of finishing the
16 strategic plan so that then, whatever that 2.0 looks like,
17 aligns with the strategic plan?

18 DR. CANAVERO: Steve Canavero. Great question,
19 Member Conaboy. The Accountability Advisory Committee,
20 the AAC, met a number of times, they completed their work,
21 and they have a report done. In that report they have
22 recommendations, they have ideas. That report, I would
23 imagine, will be required reading among others for the
24 accountability theme group, the workgroup.

25 MEMBER CONABOY: Is that on the website? I saw

1 an interim report that was presented at the Board of
2 Education, I don't know, maybe six months ago. There were
3 a series of discussion points. I don't recall there being
4 actual recommendations.

5 DR. CANAVERO: Yeah. Steve Canavero. The
6 report does have recommendations. And it's -- the best
7 place to probably find is on the School Grad Committee
8 meetings. So we reconvened the High School Grad Committee
9 in anticipation of this work. The High School Grad
10 Committee has met three times. I think they begin in
11 January or maybe February. Sorry. I don't have a very
12 good sense of time.

13 And really the purpose of that meeting was to
14 appreciate what does college readiness look like? What
15 does career readiness look like? Invite all the industry
16 sectors to come in and tell us. Invite NDE to come in and
17 really look at the analytics of the data to get as clear
18 as we can on the end point to this notion of readiness,
19 kind of define.

20 And then the third meeting was really a
21 discussion around, sort of like hitting at some straw men
22 and trying to, like, bounce around to develop something
23 for the State Board which was presented this last meeting,
24 I believe it was the College Ready that has that report;
25 but if not, we can certainly send it to Director Gavin, if

1 you're interested.

2 Okay. So moving towards more specifics, let's
3 talk a little bit about the ASD and Charter School's
4 program. I'm certain that's probably what you wanted to
5 talk about, but I thought it was important to give you a
6 broader update.

7 So a quick staffing update -- well, let me begin
8 by saying that I hired a deputy superintendent for student
9 achievement, Brett Barley is his name. So thank goodness
10 I'm able to fill that seat. Brett is a talented
11 individual, comes with a diverse background that includes
12 experienced teaching in the classroom to experience in the
13 courtroom as a Deputy District Attorney in San Jose to
14 policy advocacy with Students First most recently out of
15 Sacramento. So Brett really brings sort of the triple
16 threat to the role and he's going to be great. He just
17 started on Monday. So I'm glad to report he's still
18 employed.

19 MR. WHITNEY: I believe he stepped outside for a
20 minute, you can't be certain of that.

21 DR. CANAVERO: Steve Canavero. I have a device
22 that's been planted on his vehicle.

23 So that's good news. You may also be aware that
24 the department, in terms of the department staffing, that
25 Mindy Martini is leaving or has left. I think she's there

1 until noon today and today's her final day. Mindy's going
2 back to join the Legislative Counsel Bureau. I think
3 she'll finish off her estate service where she started,
4 and she's moving to Las Vegas. Not to get too personal,
5 but it's a place where she and her husband have aspired to
6 retire. So she's taken that next step and we're obviously
7 incredibly grateful for her service and thankful to the
8 foundation that she's built for us and the work that she
9 put in from the transition from Julia Teska across, and
10 really redoing the entire -- reorganizing the department
11 on the budget side as well, to more alignment and
12 function.

13 So let me get specific about staffing now.
14 Jana Wilcox-Lavin, you may have seen the press release,
15 she was hired as the superintendent for the Achievement
16 School District. And as you may be aware, that
17 relationship is somewhat different. You probably paid
18 more attention than others, but it's a privately-supported
19 position so we raise private dollars. If you recall,
20 Superintendent -- or former Superintendent Martinez, early
21 in this conversation when we began with the legislative
22 initiative around the Achievement School District to sort
23 of follow through on the Governor's initiative around a
24 line in the sand to eliminate chronic underperformance, he
25 was brought onboard to facilitate and help the

1 conversation and to bring his experience as a
2 superintendent to the table.

3 So in a similar way, Jana is within that sort of
4 hiring framework. She brings incredible background and
5 experience. She begins May 16th. It was a national
6 search that Bellwether -- again, privately funded --
7 Bellwether Partners -- I hope that's their name. It seems
8 like I remember it to be Bellwether Partners. Bellwether,
9 they did a remarkable job. We had a number of candidates,
10 did a lot of interviewing, a number of performance tasks,
11 and then ultimately settled on Jana. So we're really
12 excited about having Jana.

13 We're recruiting, obviously, for the second in
14 charge or the deputy for evaluation research. It's a
15 complicated state name, but essentially it's No. 2. And
16 the reason it's No. 2 is because that's all there are in
17 the ASD, a No. 1 and a No. 2. Jana, of course, being
18 No. 1. So we're recruiting for the No. 2. I think that
19 job will be posted here, if not already -- it's already
20 posted. Good job, Lauren, thank you.

21 So the ASD is beginning to staff itself and the
22 CSP, as well, is staffing. I'm really happy to announce
23 that Kimberly Carrubba will begin on May 9th as the
24 charter schools program grant. She will be the head of
25 the charter schools program grant, the department, to

1 really help us facilitate this ambitious work.

2 And we sometimes have to step back from the
3 detail on the challenges that all of these good things
4 present, but this is something that we've been trying to
5 get for a number of years, we spent a lot of calories on.
6 And, quite frankly, I think our success really this year
7 is due to the work that you all have done. And we're
8 really tremendously appreciative to Director Gavin for his
9 contributions to that application. I think finally we're
10 getting some of the recognition and the awards, and I
11 think merit-base awards, at this point with the CSP that,
12 quite frankly, I think that Nevada deserves. So thank you
13 for continuing the conditions that help us remain and keep
14 us successful and I think going forward will continue to
15 keep us competitive.

16 So the third leg here is the harbor master.

17 MEMBER CONABOY: Dr. Canavero, before you switch
18 gears -- Mr. Chair, may I ask a question?

19 CHAIR JOHNSON: Yes.

20 MEMBER CONABOY: Can you just tell us the top
21 two or three or four problematic things that are in the
22 CSP that you will accomplish -- having to go out of order
23 -- that you hope to accomplish.

24 DR. CANAVERO: Certainly. Let me -- if I can
25 get there because I'm going to cover the CSP in greater

1 detail, I just wanted to give you kind of who is at the
2 wheels and pulleys at the CSP.

3 And then the last piece is the harbor master.
4 So the harbor master was awarded to Opportunity 180, as
5 you likely know. That was recently approved at the Board
6 of Examiners meeting. So the Board of Examiners approved
7 a number of contracts, one of which was the harbor master.
8 Another contract was the independent evaluation of seven
9 programs, so many the programs that are in your schools
10 will be evaluated by an external party. So that was part
11 of our obligation on the investment accountability and
12 reform concept is that we have additional investments, but
13 we have a third party evaluate these investments. So
14 seven of them are evaluated in NV 21, Zoom, I think,
15 Turnaround, and I think College/Career ready maybe that
16 you all have. Those are just examples of a few. So
17 harbor master was also recently awarded.

18 So let's talk a little bit about the CSP. So
19 the CSP, I'll just quickly cover its goals, how we
20 allocate the dollars, and then I think what you might be
21 really interested in is our list of eligible schools so
22 far. Right now that we have -- I believe you wrote into
23 the application -- and I'll defer in a lot of detail, of
24 course, to Lauren and to Patrick.

25 So the purpose is really around increasing the

1 number of high quality charter schools in our state,
2 especially those serving students who are at the greatest
3 risk of not meeting our standards. So it's around high
4 quality seats, nothing that you're unfamiliar with.

5 Approving student achievement in those schools,
6 especially for student who have historically
7 underachieved, so grad rates and college and career
8 enrollment.

9 Promoting high quality dissemination of charter
10 school best practices.

11 So increasing high quality seats, increasing the
12 outcomes for our schools, promoting best practices to
13 other schools, and then strengthen the overall quality of
14 our authorizing and grant administration infrastructure,
15 our CSP grant administration.

16 So we've got about \$15 million over the course
17 of three years to do this work. The investment scales, so
18 it starts 2.5 and it moves up the last year to 8 million,
19 so we have significant capital to do this.

20 And then how are we going to achieve those goals
21 is really in three, maybe four basic areas around
22 dissemination grants. So these are the best practice
23 dissemination, so when you find a charter school that has
24 best practices, they can get dissemination granted in,
25 disseminate those, and that's really the third goal.

1 Post charter planning grants, so a charter
2 school receives -- committee to form, receives a charter,
3 they can have -- they can finally have access to some
4 capital to plan. Imagine that. It's a weird concept, but
5 one, of course, we've been hoping for, for a number of
6 years. So we have -- I think it's anticipated that two
7 schools will be awarded that in the first year, five in
8 year two, and nine.

9 So in our grant we have really sort of
10 ambitious, maybe borderline audacious goals that,
11 preferably, I've very comfortable with having a goal that
12 is very ambitious and perhaps coming in under that rather
13 than just simply a goal that we know we can hit.

14 And then the other two areas are around
15 implementation, so year one implementation grants and year
16 two implementation grants.

17 And we have the basis for average award size, so
18 I'll just give you a general idea about what we're
19 thinking. Average award size on dissemination grants,
20 150,000. Post-charter planning grants, average award
21 size, 350,000. And, again, these are not fixed in stone,
22 these are just how we built our budget. But I think it
23 gives us a good idea. Year one implementation grants,
24 almost 300,000. Year two implementation grants starting
25 to scale down, just a little over 200,000.

1 CHAIR JOHNSON: I'm sorry.

2 DR. CANAVERO: Certainly. Sorry.

3 CHAIR JOHNSON: The dissemination money, what
4 was the average of that grant? I missed that first one.

5 DR. CANAVERO: Certainly. Steve Canavero to the
6 Chairman. Dissemination, 150,000 average award size.

7 CHAIR JOHNSON: Thank you.

8 DR. CANAVERO: I'm sorry. I'm taking a lot of
9 time here.

10 MEMBER CONABOY: Dr. Canavero?

11 DR. CANAVERO: Yes.

12 MEMBER CONABOY: Mr. Chair, may I?

13 CHAIR JOHNSON: Yes.

14 MEMBER CONABOY: Dr. Canavero, could you talk
15 about how someone would spend \$150,000 to disseminate best
16 practices. What would you envision in that?

17 MS. HULSE: Sure.

18 DR. CANAVERO: Steve Canavero. Rather than
19 getting it wrong and having Lauren correct me later, I'll
20 just have Lauren correct me now.

21 MS. HULSE: Lauren Hulse. So the use for
22 dissemination grants are to assist other schools in
23 adopting charter school's program or certain aspects of
24 the program. So it's really up to the school that's
25 applying and how they would develop what that would look

1 like. It could be kind of taking a new school under its
2 wing and showing them how to implement maybe data-driven
3 instruction or whatever it might be, but it's up to them
4 to kind of apply and build what that program, that
5 dissemination program, would look like, and we would look
6 at it and decide. It's really open. There's not really a
7 lot of parameters on the federal side.

8 We might draft with the new EPP that's going to
9 be the new -- Kimberly that's going to be hired, some more
10 parameters to get more detailed, but as far as right now,
11 it's pretty open.

12 MEMBER CONABOY: And who decides what's the best
13 practice that's worthy of dissemination? What is the
14 criteria for that?

15 MS. HULSE: An eligible school has to have been
16 in operation at least three years and has demonstrated
17 success in improving academic achievement, piles of parent
18 satisfaction, and in management and leadership in
19 overcoming initial startup problems in establishing a
20 financially viable school. So it will take -- we'll
21 probably lean on our authorizers in determining which of
22 those schools -- which are those schools.

23 CHAIR JOHNSON: This is -- so for those
24 dissemination grants then you allow them to apply for the
25 full -- the average is only 150, so some may be larger,

1 some may be smaller. Are they required to spend all of
2 that money to be able to disseminate information or how do
3 we track that they spent it on that and not other things?

4 MS. HULSE: So yeah. It's a -- the whole CSP
5 program grant is a heavily monitored program. So they'll
6 submit a budget and it will be monitored and we'll approve
7 the expenses. And so the EP, that will be part of the
8 education program's professional jobs to monitor those
9 expenses and it will all have to be accounted for
10 separately.

11 DR. CANAVERO: Steve Canavero. Just add one
12 quick clarifier. The risk in saying the average award is
13 150, suddenly everybody submits a budget for 150. Just
14 know that, you know, if there's a dissemination, if a
15 school qualifies and they wish to disseminate information
16 or work with a school that's trying to start up, you know,
17 it could be a 15,000, \$80,000 project.

18 So I just want to make sure I was just giving
19 how we built our budget to give you a sense of scale or
20 size, but that certainly doesn't -- at the same time, I
21 think we didn't cap the request either, if there's a
22 school that's appropriate.

23 MEMBER CONABOY: Mr. Chair, a follow-up, please?

24 CHAIR JOHNSON: Yes.

25 MEMBER CONABOY: Lauren or Steve, are these

1 grants available at one point to charter schools or are
2 charter entities like CSAN eligible to build some capacity
3 to help with these kind of issues?

4 MS. HULSE: They are only available to charter
5 schools, but they can partner with -- they can disseminate
6 best practices, not only to other charters, they can maybe
7 hold a conference and invite traditional public schools,
8 but the actual sub-grants have to go to a charter school.

9 DIRECTOR GAVIN: There are -- Patrick Gavin, for
10 the record. There are a couple of milestones articulated
11 in the grant related to dissemination. One of the key
12 ones is that -- it's an outline of what the allowable
13 strategies and the preferred strategies are at the State.
14 There's some significant flexibility here, but we did put
15 some stakes in the ground in terms of what made sense,
16 based upon the overarching priorities of the department
17 and where we felt that there were some opportunities for
18 our schools to leverage their strengths.

19 So one of the key areas is incubation of leaders
20 up for new schools within the context of an existing four-
21 to five-star school.

22 There's also a requirement that any school that
23 wishes to add additional seats, that is at a four- or
24 five-star level, must engage in dissemination activities
25 under the grant or just as a condition of expansion. So

1 that is written into the criteria specifically. And I
2 believe that you actually saw that there was some initial
3 language around that, that was circulated back in the
4 fall.

5 DR. CANAVERO: Steve Canavero. Just to
6 continue -- and we can probably fill four hours on the
7 revolving loan. I'll just say that we've submitted a
8 proposal to remove the revolving loan to the Feds and then
9 use that money to increase the number of planning grants
10 that we can offer. I'll just leave it at that. We can
11 talk in greater detail or perhaps you can take Patrick out
12 to lunch and listen to that long story.

13 But, I guess generally speaking, it appeared to
14 be a good idea from our perspective and responsive to the
15 federal -- the open door. It should save room to apply
16 the revolving loan from the Feds, but it appeared to be an
17 idea that the Feds weren't quite ready yet to move
18 forward. It's just a timing issue. It just goes back and
19 forth.

20 So there's issues related -- and I don't think
21 they're on our side. I think this is really around the
22 federal USED and getting the CSP office to sort of really
23 appreciate what it actually means on the revolving loan
24 side. And, quite frankly, we're, again, appreciative to
25 Director Gavin and Lauren Hulse for their work in trying

1 to move this through. But it's just at some point you
2 just got to say enough is enough.

3 MEMBER CONABOY: So that's separate and apart
4 from the Nevada statutory revolving loan?

5 DR. CANAVERO: That's right. Steve Canavero.

6 So obviously schools that have applied for a
7 charter can apply to charter school's program grant and
8 receive funds, but they won't get any funds until their
9 grant, their charter is awarded. This is all post-charter
10 award.

11 What we have on our list, approved charters not
12 yet open -- and correct me if this list is still accurate,
13 please, Director Gavin -- Slam academy, Doral Academy of
14 Northern Nevada and Legacy. We have opened in 15/16 that
15 are eligible, Equipo Academy. And opened in 14/15 that
16 are eligible for the -- you know the first project year of
17 implementation funds, Founders Academy, Matter Academy,
18 Leadership Academy, and American prep.

19 The time line that we anticipate is to release
20 our application in mid-May. Mid-June the applications
21 will be due back and then in July we would award the
22 grants.

23 DIRECTOR GAVIN: Sure.

24 DR. CANAVERO: July sounds good? I just said,
25 July. I wasn't sure when. I think we were hoping for as

1 early as possible.

2 DIRECTOR GAVIN: Keeping in mind, I will just
3 add, that because we are two-thirds of the way through the
4 federal fiscal year, I would expect that the priority will
5 be to the schools that demonstrate the ability to spend
6 down that money within the remainder of this current
7 federal fiscal year because the carryover provisions are
8 rather complex for this.

9 MS. HULSE: Just really quick on that, for
10 planning grants, once we get the money at our door,
11 they're not -- they have -- actually, the planning grants
12 have 18 months to spend the money; and then for
13 implementation grants, I believe it's up to two years. So
14 it's not -- they don't have to spend down the money as
15 quickly as we do, so that's good news for the schools.

16 MEMBER CONABOY: Dr. Canavero, since this is all
17 new money, is there going to be some sort of technical
18 assistance to these eligible schools to help them ramp up
19 with this tight time line application in May, deadline in
20 June, award in July?

21 MS. HULSE: Right. So that we're trying to
22 balance giving them enough opportunity -- enough time to
23 draft the application and submit it, and then getting the
24 money out as quickly as possible. So that's why I didn't
25 want to give specific dates, because if we are hearing we

1 need way more than 30 days to apply, then maybe we can
2 extend that. So yeah.

3 MEMBER CONABOY: I appreciate the deadline, I'm
4 just pointing out that this is brand new for all of us and
5 maybe some technical assistance will be --

6 MS. HULSE: Oh, yeah. There will be technical
7 assistance and use of funds and how to apply.

8 MEMBER CONABOY: Okay. Thank you.

9 DR. CANAVERO: Steve Canavero. I'll just add,
10 you know, Lauren has really taken the lead on
11 consolidating the application process. I mean, it's
12 consistent with a theme across the department where we're
13 attempting to balance the scales on asking for everything
14 and too much information, making the process so difficult
15 that you don't want to apply, versus also, you know, being
16 responsible stewards for these dollars and accountable for
17 the outcomes. So I think we found the right match in many
18 of the programs and one in particular is this.

19 I think Lauren has a vision for a single
20 application and sort of a way to actually embed it in your
21 application process for the schools that are applying to
22 become charter schools and be chartered. So kind of like
23 a really smooth and efficient process. Of course
24 technical assistance will be provided. I just wanted to
25 give you that as sort of the sphere of where we're moving.

1 MEMBER MACKEDON: Chair, can I ask one follow-up
2 question --

3 CHAIR JOHNSON: Yes.

4 MEMBER MACKEDON: -- or clarification?

5 That time line is just for the implementation
6 grants, right? Or is that for everything?

7 MS. HULSE: So this time line is just for the
8 first year of funds and it will include the dissemination
9 as well. Because we have to get these dollars out the
10 door by the end of September. We have to get the money
11 out by that time. So there will be, my envision -- I'm
12 still drafting -- there will be, like, a check-box, I'm
13 applying for this grant dissemination, I'm applying for
14 planning, I'm applying for implementation, and then there
15 will be different parts that you will answer based on
16 which box you checked.

17 MEMBER CONABOY: Mr. Chair, one last question?

18 CHAIR JOHNSON: Yeah.

19 MEMBER CONABOY: Lauren, are these grants
20 eligible for schools that are roughly post-charter or in
21 the dissemination mode, not for schools that are -- for
22 instance, Melissa added a high school, which certainly
23 those kinds of programs could use implementation money,
24 I'm assuming, when you add a whole new level. So these
25 are just for schools that are new, post-charter schools,

1 or additional problematic ones?

2 MS. HULSE: Generally, yes, just only new
3 schools. And that's based on the federal law. But there
4 is a -- multiple campus schools is a question they get a
5 lot. Every state is different, obviously. But there's a
6 list of circumstances and you look at them in their
7 totality on what is actually a separate school. So, I
8 mean, the list could be they report -- each campus reports
9 their data separately, each campus has separate
10 administration. Even if they are under one charter, they
11 could be considered a separate school for the purposes of
12 this, but you have to look at the whole list of
13 circumstances on whether or not to determine that.

14 But new programs within an existing school,
15 unfortunately, aren't underneath what they allow us to
16 give sub-grants to.

17 DIRECTOR GAVIN: The big material issues for our
18 schools are the lack of separate school codes per campus
19 and the lack of separate audits, where specific schedules
20 for each campus, which is something else we'd have to
21 change structurally, we've been advising schools if they
22 wish to replicate through this model, to put through
23 multiple charters under the same award as a CFO model.

24 DR. CANAVERO: Chair Johnson, I'll just end by
25 saying thank you for providing this time. I know it's

1 more time than you anticipated.

2 Our next steps in addition to standing up the
3 program and having a smooth transition and application
4 process and the TA, is really also around coordination.
5 So understanding, you know, the lane of the harbor master,
6 the lane of the CSP grant. I think we've got a pretty
7 good idea right now on a conceptual level that we had to
8 use to defend the existence of these programs that work in
9 concert with each other to expand quality seats to
10 children, but, you know, we have to get down into the
11 detail now.

12 So as we bring on staff, we will then engage and
13 sit down and really think through collectively how these
14 resources can best be utilized in coordination and not in
15 opposition.

16 Thank you very much for your time. I'm happy to
17 answer any questions that you may have.

18 MEMBER WAHL: Steve, it's Member Wahl. You
19 didn't really go over the harbor master.

20 DR. CANAVERO: Steve Canavero. I can certainly
21 talk about the harbor master.

22 MEMBER WAHL: Please. Please do.

23 DR. CANAVERO: Is that what you --

24 MEMBER WAHL: Yep.

25 DR. CANAVERO: So the harbor master we issued --

1 the State issued an RFP in consultation with
2 administration, and that RFP, we utilized kind of a
3 national model, if you can call it a national model, there
4 was only two we were looking at across the nation. But
5 nevertheless, a lot of lessons learned.

6 So we developed an RFP out for a charter school
7 harbor master and we had one applicant respond. That
8 applicant was Opportunity 180. We went and worked
9 through -- I didn't review the response, but it was
10 reviewed by staff and we had an external individual review
11 the response. This individual was really the person I
12 leaned on substantially to help me frame the RFP itself in
13 terms of, I think, really the -- sort of having the
14 deepest appreciation for what an effective harbor master
15 should do and look like, and then we entered into the
16 negotiation period. We were successful in negotiating the
17 terms of the contract with Opportunity 180 and I just want
18 to let you know that they were approved at the Board
19 meeting.

20 So what does the harbor master do? It's broken
21 down into five main areas. And, you know, the RFP is
22 publicly -- I think is still publicly available. Their
23 response, I think, is still posted on the purchasing
24 website. So you can get into tremendous detail there.
25 I'll just cover the basics.

1 The first main activity is around supporting
2 quality schools. It's around -- and just an idea of what
3 that means is incubating new schools, replicating existing
4 high-performing schools, turning around and replacing
5 poor-performing schools, so generally speaking under
6 supporting quality schools.

7 The second big line of work, big-budget item, is
8 strengthening effective educator pipelines. So this
9 particular proposal had partnering with external entities
10 to help expand access to high-quality teachers and
11 leaders. So that is a line item within this particular --
12 within the proposal and within our RFP around expanding
13 those educator pipelines ensuring that, you know, the
14 talent is there so that our charter schools in particular
15 have access.

16 The third is engaging in authentic community
17 engagement. So this is a major line item for me in
18 particular, personally, is ensuring that we have really
19 strong and robust community engagement activities that
20 provide opportunities with the community and in many cases
21 communities that are not typically used to engaging with
22 government and school systems and really disenfranchised
23 folks to really engage with them in a meaningful way to
24 understand what they need to be true for their kids and
25 figure out how to support that community with a

1 high-quality school option.

2 So there's a number of activities listed there
3 related to parent and community engagement and network
4 building and civic and community engagement events and
5 activities. It's an area that I keep pressing on. So
6 just a particular point of interest for me.

7 And then finally, in addition to complying with
8 all the rules and regulations of being a State contractor,
9 the final main area of work is around research and helping
10 to identify critical issues to create the landscape that
11 fosters growth of quality schools. So I suppose it's
12 making more and more sense to me that the analog of the
13 harbor master and kind of how they keep the ships and make
14 sure, I guess, everything at the harbor is functioning
15 well. It's making a little more sense to me as I get down
16 into the detail how this translates into a harbor master's
17 role in the education environment in ensuring quality
18 schools, effective pipelines are there for our schools,
19 and effective school leaders and teachers, effective
20 community engagement happens, and helping us appreciate
21 those critical issues that are effecting the harbor, so to
22 speak.

23 So it's a quick overview. Member Wahl, I hope
24 that's -- I hope that answered some of your general
25 questions, but I'm happy to answer more.

1 MEMBER WAHL: Steve -- it's Member Wahl again --
2 can you say where we can find those documents again.

3 DR. CANAVERO: Steve Canavero. The State
4 purchasing website. Perhaps I can do this: I think
5 there's a number of documents that you'll be interested
6 in. Rather than having you kind of go out fishing, why
7 don't, when we return to the office, you'll receive --
8 Director Gavin will receive an e-mail from Mayita or from
9 Lauren and we'll just drop some links in there and/or
10 documents themselves so that you have access to them.

11 MEMBER WAHL: That will be great. Thank you.

12 Can I ask one more question?

13 CHAIR JOHNSON: Yes.

14 MEMBER WAHL: Going back to the charter school
15 grants, how are you going to disseminate that information
16 to out charter schools? Are you going to mass e-mail all
17 the boards or principals or do they have to come to you?

18 DR. CANAVERO: I'll just quickly -- and then,
19 Lauren, please go into more detail. Steve Canavero.
20 Hopefully it's embedded in the charter application
21 process. So that's where I would like it to be so that it
22 becomes a natural part of the application process so that
23 when schools are awarded a charter, we have many of those
24 activities complete.

25 So I'll let Lauren speak though a little bit in

1 detail about the existing group of eligibles and how we'll
2 communicate with them.

3 MS. HULSE: So we do have our grant website on
4 our -- our grant page on our website with the department
5 and anybody can subscribe so any grant, federal grant,
6 state grant, is posted, it gets sent to the whole RSS
7 feed. But we do have an obligation to notify all eligible
8 charters that the funds are available. So I'm not sure if
9 I've thought out the best process to reach all those
10 schools, but I'm sure we'll be sending it to all the
11 authorizers and probably directly to the schools if I have
12 that information available.

13 So yeah. We'll definitely be able -- or
14 definitely want the schools to be notified that they're
15 available so that when we have our goals of how many we
16 want to get out, we want all the applicants to apply. So
17 we'll definitely be working with you on that.

18 MEMBER MCCORD: Mr. Chairman?

19 CHAIR JOHNSON: Yeah.

20 MEMBER MCCORD: A couple of quick questions to
21 the State Superintendent. The first one is winding all
22 the way back to the start of your presentation, you
23 mentioned poverty. Am I to understand if, in fact,
24 poverty means the metric is free and reduced lunch, that
25 there is some discussion on that little town on the

1 Potomac that free and reduced lunch may not be the metric
2 that will be used in the future on that, at least there's
3 discussion on that and I think the national center for its
4 staff has responsibility for that and is pondering that;
5 so if you hear anything on changing the way in which we
6 assess poverty, I'd sure love to here from -- you know,
7 you'll get it before any of the rest of us get it and it
8 will be appreciated if you can pass that on, if, in fact,
9 it's true that they are going to go to a different metric
10 to assess poverty.

11 The second issue to my friend Steve is: The
12 harbor master has brought definitions in which you've
13 described here, some of which, if you were to draw a Venn
14 diagram, I guess, if you were to look at the
15 responsibility of harbor master, then the responsibility
16 of authorizers, then the responsibility of the department
17 in its overall responsibility, as we get more definition
18 to how things are going to work, I sure hope we have a
19 sense of how that pie is divided up and how that Venn
20 diagram maybe looks. Because some of the responsibilities
21 are jointly held by authorizers, by the department, by
22 schools themselves, and, again, certainly the harbor
23 master. As we get greater definition, I hope we're able
24 to figure out who's responsible for what on those
25 particular things.

1 I know those are hard questions to respond to
2 because there really isn't a good answer at this point,
3 but I'd appreciate if you'd consider them.

4 DR. CANAVERO: So -- Steve Canavero --
5 Member McCord, so, yeah. Absolutely spot on. Both of
6 those issues -- not necessarily those two issues, but
7 they're close, running close second and third, but the
8 average definition, completely agree and just to reinforce
9 our attention to this, the potential -- the risks and
10 benefits of going with free and reduced priced lunch
11 versus others, just, again, a reminder of the Victory
12 school program we used, census-based data to get at sort
13 of the notion of at risk based on poverty. And so I'm
14 totally aligned with looking at other ways of that
15 definition and then ensuring that how we do so is
16 consistent with what the federal rules are.

17 On the harbor master, you know, Lauren and I
18 actually had a meeting yesterday to sit down for a couple
19 hours to really think through these lanes that you're
20 referring to. And quite honestly, as we keep going
21 through this and as deep of a level as you wish to engage
22 on, it quickly becomes apparent that at times there's got
23 to be some ability to move in and then move out by various
24 actors at any point during this process.

25 So the good news is that we're certainly aware

1 of that which you bring up, we recognize the need for it,
2 and we're kind of already underway in beginning the
3 process and we'll continue to communicate with you and
4 through Director Gavin or directly, as you wish, through
5 this process.

6 MEMBER MCCORD: Yeah. My fear is that it's not
7 that one will invade the territory of the other, it is
8 that everybody will look around the room and say, I
9 thought you were supposed to do that.

10 I thought you were supposed to.

11 No, I don't. No. Wasn't that you?

12 And that's my concern.

13 MEMBER MACKEDON: I have a question.

14 CHAIR JOHNSON: Yes.

15 MEMBER MACKEDON: Can you remind us -- I know
16 there's always a lot of strings attached to these things.
17 What are the -- are there any? And if so, what are the
18 additional responsibilities specifically for this body,
19 the Board, the SPCSA, in regards to the CSP and
20 specifically around accountability? Are there any, like,
21 things we're supposed to be doing or not doing?

22 DR. CANAVERO: Steve Canavero. I work -- I
23 guess we're scratching our heads to think about it, which
24 may suggest we'll get back to you on that.

25 I don't believe there are, other than -- I mean,

1 part of the reason we're awarded this grant is because of
2 the quality work that you do. You've got the
3 accountability provisions in place, so recognize that,
4 just your operations and your accountability frameworks
5 and your balance of autonomy and accountability, you know,
6 is right.

7 And these are awards directly from the State.
8 So there are obligations from the school to the State in
9 terms of that as a grant recipient that are additional
10 strings, quote/unquote, that you had just suggested,
11 reporting, budgeting, as it gets to Member Johnson's
12 question or Chair Johnson's question earlier around
13 accountability for those outcomes.

14 But other than that, on helping, I think -- on
15 helping us gain the information we need relative to
16 identifying eligible schools would certainly be something,
17 but as a board, I can't answer that question. Although we
18 can get back to you if something pops outs.

19 MEMBER CONABOY: Mr. Chair, I have one last
20 question, please.

21 CHAIR JOHNSON: Yes.

22 MEMBER CONABOY: Dr. Canavero, you mentioned
23 that one of the four goals of the CSP was authorizing, so
24 I'm wondering if you have any indication from any of the
25 districts that were once authorizers or at least the ones

1 who had moratoriums or any other districts, whether
2 they're interested in reestablishing their credentials to
3 authorize charter schools?

4 DR. CANAVERO: Steve Canavero. I haven't had
5 formal conversations with any of the districts that are
6 either are under a moratorium or those who have never
7 sponsored that have a desire to do so.

8 CHAIR JOHNSON: Are there any further questions
9 or more discussion?

10 All right.

11 MEMBER CONABOY: I'd just like to say thank you.
12 This is really, really helpful to see the different lanes
13 and see how things will fit together. So I, for one,
14 appreciate your time and the detail.

15 CHAIR JOHNSON: I want to thank you so much,
16 Dr. Canavero. I appreciate it.

17 DR. CANAVERO: Thank you for the opportunity.

18 CHAIR JOHNSON: All right. We will move to
19 Agenda Item No. 2, which is the approval of the
20 February 26th, March 9th, and March 25th SPCSA Board
21 meeting minutes. Are there any --

22 MEMBER MCCORD: Mr. Chairman?

23 CHAIR JOHNSON: Yes, Mr. McCord?

24 MEMBER MCCORD: If I could, I'm informed that on
25 page 23, that's the agenda from March the 25th, that

1 Joan's name and Traci's name were erroneously listed on
2 that, they were not in attendance, and it's just a matter
3 of housekeeping. Page 23 in your materials, under "In
4 Las Vegas," it says that Joan and Traci were here.
5 Apparently they were not at that particular meeting, so
6 could we correct it for that particular matter?

7 CHAIR JOHNSON: Push the button.

8 MEMBER MACKEDON: Member Mackedon. I would move
9 to approve the minutes from February 26th and March 9th
10 with the attendance record amended as you just spoke
11 about.

12 CHAIR JOHNSON: The attendance was for
13 March 25th, not for March 9th, so you --

14 MEMBER MACKEDON: Sorry about that.

15 CHAIR JOHNSON: Okay.

16 MEMBER MACKEDON: Sorry. So yeah. I would -- I
17 apologize. I would move to approve the meeting minutes
18 for February 26th and March 9th.

19 CHAIR JOHNSON: And one second. I'm sorry.

20 MS. BERRY: Nya Berry, for the record. We also
21 didn't realize that you were approving three different
22 minutes.

23 So for February 26th, Joan Jurgensen attended in
24 Carson City and Nya Berry was not in attendance and
25 Angela Blair was not in attendance.

1 For March the 9th, Joan Jurgensen's was not in
2 attendance.

3 MR. PELTIER: I will make sure and make those
4 updates. Thank you.

5 CHAIR JOHNSON: All in favor of approving the
6 minutes from February 26th and March 9th?

7 MEMBER MCCORD: Aye.

8 MEMBER CONABOY: Aye.

9 MEMBER ABELMAN: Aye.

10 MEMBER WAHL: Aye.

11 CHAIR JOHNSON: Aye.

12 MEMBER MACKEDON: Aye.

13 MEMBER LUNA: Aye.

14 CHAIR JOHNSON: Are there any opposed?

15 The motion passes.

16 And in terms of the meeting minutes for
17 March 25th, do we have any discussion?

18 MS. BERRY: Nya Berry, for the record. Beacon
19 Academy has made us aware that the motion listed on page
20 34 -- motion listed on page 31.

21 CHAIR JOHNSON: Thirty-one or -four?

22 MS. BERRY: Thirty-one. It indicates that,
23 "Member Mackedon motioned to approve the authority
24 academic framework." That statement does not correspond
25 with the agenda item for Beacon Academy and, in fact, the

1 motion included language that Beacon Academy passed the
2 high stakes review and has been returned to the standing.

3 MEMBER MACKEDON: Member Johnson -- this is
4 Member Mackedon -- I would move that we table these
5 minutes until the retreat. I think there's a couple
6 technical edits like that, that aren't going to be able to
7 be worked out right now in the present, if possible.

8 CHAIR JOHNSON: Do I have a second?

9 MEMBER CONABOY: I would second that motion.
10 Member Conaboy.

11 CHAIR JOHNSON: All right. So in favor of
12 moving this item to the Board retreat, all in favor?

13 MEMBER MCCORD: Aye.

14 MEMBER CONABOY: Aye.

15 MEMBER ABELMAN: Aye.

16 MEMBER WAHL: Aye.

17 CHAIR JOHNSON: Aye.

18 MEMBER MACKEDON: Aye.

19 MEMBER LUNA: Aye.

20 CHAIR JOHNSON: Are there any opposed?

21 Fair enough. We'll move this to the Board
22 retreat.

23 MEMBER CONABOY: Mr. Chair, does it mean -- are
24 we actually going to take action at the retreat? I
25 thought that was for discussion and maybe this needs to

1 move to the next meeting, I'm not sure of the
2 technicality, but whatever is appropriate.

3 DIRECTOR GAVIN: Because the retreat is a posted
4 meeting, not a public meeting, as long as it is agendized,
5 it could be done.

6 MEMBER CONABOY: I thought the purpose of the
7 retreat was different than doing business, regular
8 business. Okay.

9 CHAIR JOHNSON: All right. We will move on to
10 Agenda Item No. 3 which is the director's report.

11 Director Gavin?

12 DIRECTOR GAVIN: Member Johnson -- sorry --
13 Mr. Chairman, in the interest of time -- I know we've got
14 folks here and in Carson City who have been waiting to be
15 heard -- I'd ask if we could move this agenda item to the
16 end of the meeting.

17 CHAIR JOHNSON: That is not a problem.

18 We will then move on to Agenda Item No. 4, which
19 is Alpine Academy school presentation.

20 MS. ROSS: Hi. My name is Jill Ross. I'm
21 principal of Alpine Academy.

22 So I had been asked to come today to tell you
23 some of the positive things happening in our school. I'm
24 very happy to be asked by Danny. And I guess you're going
25 to be hearing from other schools and we get to be the

1 first since we start with an A.

2 Anyway, Alpine Academy is a small charter high
3 school. We're located in Sparks. We were here just a
4 year ago to receive our -- or to renew our charter. And I
5 know that there was a complaint that we are very small and
6 that we need to work on our growth. And we have been
7 working on our growth and we did have a 20 percent growth
8 rate this year and expect 20 percent for the next few
9 years. We have a lot of goals set so that we do grow and
10 we are able to help more students in the Reno area.

11 Being a small school, that is actually one of
12 our chief unique aspects. We are able to help students
13 achieve in small class sizes. We started out with a
14 graduation rate of 40 percent in 2012; and in 2015, last
15 year, we had a 100 percent graduation rate. So being a
16 small size, we are able to help every single student
17 achieve. We have about a 22 to 24 percent SPED
18 population, so last year, having a 100 percent graduation
19 rate was truly a great goal and a great accomplishment for
20 us.

21 We took a leap of faith two years ago and
22 changed our name to Alpine Academy College Prep. In the
23 Reno area, when we first started charter schools, charter
24 schools were known as last-chance schools. And when we
25 first opened up, all the kids said that we were a pot

1 school. So that was the reputation. They brought all
2 their friends over. And as you know, if you work with
3 high school students who do drugs, they have a hard time
4 with caring about their grades or even graduation.

5 So we did take a leap of faith two years ago,
6 changed our name to Alpine Academy College Preparatory
7 High. It's still a lot of rigor every year. We've hired
8 outstanding teachers. And, as you know, teachers are the
9 first line of defense in helping students gain the great
10 education and be ready to go to college or establish a
11 career.

12 So over the last two years we have seen a lot of
13 growth in our school and in our students. This year our
14 graduation rate is, again, going to be 100 percent. And
15 we have probably 80 percent of our kids are
16 first-generation students and almost 70 percent of our
17 seniors this year will be enrolling in college. We're
18 pretty proud of that.

19 And some of these seniors going to college came
20 to us behind on credits, came to us not even understanding
21 what college was about or how they can get financing for
22 college. So we have a number of students that we have
23 established with TMCC and they're in the Bridge program
24 this summer where they'll receive college prep courses for
25 free, they'll even receive free lunches, and then TMCC

1 will help them pay their tuition this fall. So we have a
2 lot of the, you know, FRL students and first-generation
3 students that are enrolled with TMCC for the summer school
4 program.

5 We also have a grant to do a transition summer
6 camp for our special ed students this summer to promote
7 their skills and transition them on to college and
8 careers. That's a lot to do with our outstanding staff
9 and teachers. You know, we started out with a, you know,
10 hard population and, you know, not much money because of
11 our small numbers. But with a strong work ethic, we've
12 established a very positive school culture. And when we
13 took a leap of faith and made it a college prep school, we
14 did lose a lot of numbers. A lot of our students, they
15 said, Well, we're not going to college prep and we're
16 certainly not wearing uniforms. So we lost a lot of high
17 school students and over the last few years we've had to
18 work hard to regain those students. We have a commercial
19 in place now and we're getting out in the community more
20 so that we can let people know about our school and the
21 great opportunities at our school.

22 The students themselves -- you know,
23 Dr. Canavero was talking about how students need to have
24 an emotional and physically safe place to learn. We are
25 very strong in that area. We have a lot of students

1 coming from homeschooling atmosphere so they don't feel
2 safe in their public school so it's a unique opportunity
3 for them to come to a small school and have, you know, the
4 social atmosphere and get great college prep education.

5 We have National Honor Society. We have a lot
6 of our students in leadership courses, we have many clubs
7 at our school, and we're one of the only schools in Washoe
8 County to have an archery team. We are in our second year
9 of archery and this year we're sending three of our
10 students to nationals. They made the national team. So 3
11 out of 10 students in all of Nevada will be going to the
12 nationals and three of those are coming from Alpine
13 Academy so we're pretty proud of that.

14 Our teachers are highly qualified. They're able
15 to give our students equitable education because the class
16 sizes are small. They have amazing work ethic. And being
17 a charter school, they know that, you know, they're going
18 to be supported; but if they're not working hard and
19 making a difference, they know their contract won't be
20 renewed. We have just an outstanding staff now.

21 Our staff, we have a lot of professional
22 developments. Once a month we have a three-hour delay so
23 that we can work together to look at our data to drive
24 instruction.

25 And our latest data on our ACT scores we weren't

1 very happy with, so this coming Monday we have a
2 three-hour delay where we will be disseminating that data
3 and setting goals to improve those scores.

4 We also teach a lot of character education in
5 our school. You know, many charter schools have a focus.
6 A lot of people ask what's our focus. And we'll say, we
7 want these kids to be ready for college; and if they're
8 ready for college, they're ready for a career. We want
9 them to be constructive citizens when they leave our
10 school, but they also need to have character strengths to
11 get through schools.

12 And Dr. Canavero also talked about replicating
13 successful charter schools. So we follow what KIPP
14 Academy does. KIPP Academy is a strong charter school
15 group throughout the nation. They're making a difference
16 in inner-city schools. And one of the things they found
17 is that their students did not -- they would enter
18 college, but they would not graduate college. So they
19 researched and found that if they taught them certain
20 character strengths, it makes a difference and now 85
21 percent of their students are graduating from college.
22 These are character strengths such as grit and optimism
23 and gratitude and self-control. So we strive to educate
24 our students not only on math and science and English and
25 the things they need to be prepared for college, but also

1 character strengths as well.

2 As far as our parents go, we have an outstanding
3 group of parents. We try to get our parents involved as
4 much as we can. They hold a lot of family nights so that
5 there's a positive culture in our school where parents and
6 family feel like they're involved, that they have a say in
7 the student's education. Parents this year, we've
8 encouraged them to write letters to the legislators and
9 maybe write to the Governor to talk about charter schools
10 and tell them the benefits that our students are receiving
11 at Alpine Academy.

12 All stakeholders, when they come to our school,
13 students, parents, and teachers sign a commitment to
14 excellence and this commitment is that they will strive to
15 help their student get to college and that the students
16 will strive to get to college.

17 I can give you a little bit of an example of a
18 few of the statements in our commitment to excellence. We
19 also follow this commitment from KIPP Academy. Let's see
20 where I have it. Here it is.

21 For instance, students will -- one of the things
22 that they sign is: I will be honest with others and
23 myself at all times and I will accept responsibility for
24 my behavior and actions; which, as you know, with
25 teenagers, is a really great commitment.

1 My favorite one for parents is: We and our
2 child, not the school, are responsible for our child's
3 behavior and actions.

4 And the teachers, they sign a commitment as
5 well. One of theirs is: We will always make ourselves
6 available to students and parents and we will address,
7 forthrightly, any concern that they might have.

8 So we feel like we're making huge achievements
9 in Sparks. Even though we have a small number of
10 students, we're making a big difference with those
11 students and we're striving, through our goals, to improve
12 what the community thinks of the charter schools in the
13 Northern Nevada area.

14 We've talked to the newspaper a lot and say,
15 Hey, we have these kids that are making nationals for
16 archery, we have 100 percent graduation, do you want to
17 write a story on us?

18 And they say, Why don't you take out an ad.

19 So, you know, there's a wall there, but we're
20 slowly breaking that wall down. We invite legislators
21 every month to open houses which we hold. We've been out
22 in the community. Right now our whole school is out doing
23 a community service project cleaning up a creek that runs
24 down through Sparks. And we've done food drives, blood
25 drives, clothing drives, and a lot of community cleanup,

1 trying to let people know we're making a difference in the
2 community and we're here and we can educate your students.

3 We also just recently did a career fair up at
4 UNR and we're able to talk to some of the professors
5 there. Dr. Ferrara, she's in charge of letting her
6 professors know about different options in the community.
7 So we are going to be invited in coming years to go up and
8 speak into the classes at UNR about charter schools and
9 let them know the options that parents have.

10 We're also invited by Ed Alliance this year.
11 They had some options nights for the community, so four
12 different nights we're able to have a booth at their
13 options night for parents and their students getting ready
14 to go into high school.

15 So we're truly striving to get our name out
16 there. We have a whole set for growth. We will have a 20
17 percent growth in the next three years.

18 And then we would like to establish a middle
19 school so that we have a school that feeds into our high
20 school. One of the disadvantages of starting with a high
21 school is that most students have their friends
22 established by the time they're in middle school and they
23 don't want to change schools away from their friends.

24 Also, we feel like students coming from the
25 local middle schools are behind in math and especially

1 writing, the writing skills. So that's our goal in three
2 years, to look forward to establishing a middle school as
3 well and having a lot of growth in our numbers.

4 So I don't know if you have any questions for
5 me. That's a lot of the positive things going on at
6 Alpine Academy.

7 CHAIR JOHNSON: Number 1, thank you so much. It
8 was great to hear from you. We love to be able to hear
9 about the positive things that are going on, it really
10 helps to kind of keep us grounded in why we do the work.

11 Any questions or comments?

12 MEMBER CONABOY: Mr. Chair, one quick question.

13 CHAIR JOHNSON: Yes. Please go ahead.

14 MEMBER CONABOY: Ms. Ross, can you tell us the
15 size, the actual number of your student enrollment right
16 now.

17 MS. ROSS: Right now we have 109 students.

18 MEMBER CONABOY: Over four classes?

19 MS. ROSS: Yes.

20 MEMBER CONABOY: Great.

21 MS. ROSS: We started the school year with 124.

22 Also, that's another thing. With the charter
23 schools in the Reno area, it's a lot of students school
24 hopping one school to another trying to find a school they
25 fit in or not liking the rigor at our school and moving on

1 to another school.

2 MEMBER MACKEDON: I would just like to
3 compliment Jill. I mean, they have this population that a
4 lot of people, you know, would claim that, you know, it's
5 impossible to get graduated on time and they're sitting at
6 25 percent, you know IEP kids. It's really commendable.

7 And then I'll also just say that Jill is a huge
8 team player. We opened our high school this year and
9 there's been several times when we've reached out to her
10 and she's very willing to get back to you and collaborate.
11 So this is an awesome school and they have an awesome
12 leader.

13 MS. ROSS: Thank you.

14 CHAIR JOHNSON: Member Wahl?

15 MEMBER WAHL: Member Wahl. I also wanted to
16 commend you. Being able to hear from schools that are
17 doing great is wonderful, but on the community engagement,
18 the parent engagement, creating great students, I think
19 that's awesome, so thank you.

20 MS. ROSS: Thank you.

21 DIRECTOR GAVIN: I would also just like to point
22 out one thing I think that's really ex-extraordinary that
23 Jill has done. As the need profile for the student body
24 has increased, they have moved from a 40 percent
25 graduation rate up to 100 percent in four years. It is

1 absolutely doable.

2 And I also know you did an extraordinary job of
3 ensuring that when kids did choose to exit your program,
4 that you ensured that they were placed somewhere, where
5 they could be more successful, and followed up pretty
6 relentlessly even after you stopped grooming them.

7 So I think you've done extraordinarily
8 impactful, not just on the improvement at your school, but
9 also in Sparks High School and in other places where your
10 students chose to go instead.

11 MS. ROSS: Thank you.

12 CHAIR JOHNSON: Principal Ross, I certainly hope
13 that you -- connecting back to our last item -- you think
14 about disseminating some of the great strategies that you
15 use in helping other schools learn from what you're doing.

16 MS. ROSS: Thank you.

17 CHAIR JOHNSON: Thank you so much.

18 So we'll take a seven-minute break, a quiet
19 break, and we'll come back in seven minutes.

20 (Break taken.)

21 CHAIR JOHNSON: We will move on to Agenda Item
22 No. 5, which is the consideration of Silver State Charter
23 School agreement and consideration of joint petition to
24 appoint the receiver.

25 Deputy Attorney General Greg Ott and Patrick

1 Gavin, whoever would like to go first.

2 MR. OTT: Thank you.

3 DIRECTOR GAVIN: I will refer to Mr. Ott.

4 MR. OTT: Thank you, Chairman Johnson and
5 Director Gavin.

6 You have, in your support materials, the
7 petition for appointment of a receiver over Silver State
8 Charter School just to bring the Board -- to refresh the
9 Board's recollection regarding where we are in this
10 process.

11 There was a closure petition that was voted on
12 by the Board and before the findings of law, that this
13 Board directed me to enter into negotiations with counsel
14 for Silver State regarding a possible stipulation that
15 would allow the school to remain open while also spurring
16 serious change that was needed to address some of the
17 financial and academic issues of the school.

18 So after communication and negotiation with
19 counsel, we brought forth a settlement framework to you at
20 a prior meeting, which you made changes to, most notably
21 with the benchmarks, including increasing the graduation
22 rate to 45 percent, 60 percent.

23 After that petition was approved, counsel for
24 Silver State and I embarked on the drafting of a joint
25 petition to appoint a receiver that would be filed with

1 the Court to allow the Court to appoint a person to become
2 the receiver and take over, effectively, the governing
3 body of Silver State Charter School.

4 After, I think, good negotiations on the part of
5 both parties, we reached a tentative agreement on a
6 petition that we both thought was a product of good
7 negotiations that we were willing to recommend as a
8 settlement to our respective boards. That is a document
9 that has been red-lined from in your support materials.
10 So that petition that was the product of negotiations went
11 before Silver State Charter School's governing Board on
12 Monday evening and they made some small modifications to
13 it and approved it unanimously. The modifications to it
14 are the red lines from the document you have in your
15 support materials.

16 So I will discuss briefly the modifications. I
17 was present, along with Director Gavin, at the Silver
18 State Board meeting, not necessarily to eavesdrop or for
19 any other bad purpose, but to show our support for the
20 Board and for counsel on the difficult work that they have
21 done. So I can relay my perceptions on the conversations
22 and some of the detail regarding these, and counsel for
23 Silver State is present in Carson City as well. He can,
24 of course, correct me if I misstate anything.

25 So going through the document, one of the things

1 that you will note with regard to the changes is the
2 language regarding a neutral, independent, and qualified
3 receiver that is not currently and has not previously
4 served on the governing Board or been employed by either
5 party.

6 This was a point of negotiation during our
7 discussions. I don't think there was really any dispute
8 that the receiver should be someone who is not beholden to
9 either party, and I think that the conversations were
10 basically around trying to make sure that we identified
11 the class of people who were going to be excluded. So the
12 language that we got to clearly delineates that no current
13 or former Board members of this body or their body and no
14 current or former employees will serve.

15 I don't see that as a substantive change from
16 the language that we had agreed upon previously. I don't
17 see that as any issue.

18 The other change -- the other -- well, there's a
19 few other changes that you will note. Leaving aside the
20 change on Paragraph 16, I'll get to that one at the end,
21 the next change is on Paragraph 17, which is -- states
22 that the receiver will have the ability to terminate any
23 existing nonpersonnel contract.

24 There was, throughout the negotiations, a desire
25 to make sure that the teachers at Silver State Charter

1 School who have made a commitment to stay with the school
2 through this troubled time, were not going to be eligible
3 to be thrown out when the receiver walked through the
4 door. That was something that Silver State felt was very
5 important and the intent was not to have the receiver do
6 that, to empower them to make change, but also to protect
7 the staff members who were there and had agreed to stay
8 with them during this difficult time.

9 That, also, I don't view as a substantive change
10 from the prior document.

11 CHAIR JOHNSON: One quick question, Deputy
12 Attorney General: So then will they still -- while still
13 under contract, they're still responsible, so even though
14 the receiver can't come in and put them out, they are
15 still under contract, so for other reasons, they're still
16 at-will employees?

17 MR. OTT: Correct. The receiver would step into
18 the Board's shoes and have the same power as the Board,
19 but not to give the receiver any additional powers to do
20 anything to staff that was not already within the
21 relationship.

22 MEMBER MCCORD: But if there is cause, then an
23 employee could be terminated, correct?

24 MR. OTT: Yeah. I don't think that -- yes.
25 That's not -- the intent was not to protect employees who

1 were embezzling funds or doing anything untoward.

2 And this, what we're talking about here, is
3 Paragraph 17, not the executive director of prohibition on
4 Paragraph 16, which I'll get to in a moment.

5 There was also a change in Paragraph 18
6 regarding giving the receiver the power to petition the
7 Court for clarification of his or her rights, powers, or
8 duties.

9 I don't see those as substantive changes away
10 from the language that we had approved.

11 Paragraph 19, the change to clarify that the
12 executive director -- that the receiver's to meet with the
13 executive director of Silver State Charter School.

14 I don't see that as a substantive change.

15 Also, Paragraph 22 states, "The receiver shall
16 petition the SPCSA Board for approval of any proposed
17 changes to Silver State's governing documents; and if the
18 SPCSA approves such a petition, the receiver shall then
19 petition the Court for approval of the same."

20 This is a little bit of a substantive change,
21 but I don't think that it is something that is terribly
22 onerous on the receiver. The procedure that we had in
23 place, obviously wanted to allow for oversight, should the
24 receiver seek to change the bylaws, the governing
25 documents, any of the governing documents of Silver State

1 Charter School.

2 We had envisioned a process where the receiver
3 would have to come to seek a charter amendment before this
4 Board and that would allow the public to comment.

5 Silver State wanted, I think, an additional
6 level of oversight and wants the receiver to then petition
7 the Court for approval of that. I don't see that as
8 particularly onerous and it may cause a slight additional
9 expense to the receiver who may have to retain some
10 attorney's fees for taking that matter to court, but I
11 don't think it would substantially impair the receiver's
12 job or the ability to do the work that the receiver needs
13 to do, which has been acting on your direction.

14 My emphasis throughout the negotiations is
15 trying to make sure that the receiver had the freedom to
16 enact the changes that you indicated were necessary and to
17 make the school a success, so that's kind of been my
18 guiding principle.

19 And so now moving back to Paragraph 16, which, I
20 think, is the only real substantive change, and so I
21 wanted to talk a little bit about that. It says, "The
22 receiver shall not terminate or demote the current
23 executive director of Silver State Charter School without
24 cause for at least one year following the appointment of
25 the receiver, and then only as outlined in the current

1 executive director agreement."

2 So "as currently outlined in the executive
3 director agreement" is something that was always
4 contemplated. So what the Silver State Board added was
5 the prohibition of the executive director's dismissal or
6 demotion without cause for 12 months.

7 So what I heard from the Board, and Counsel is
8 here and free to speak to his perception as well, was that
9 the school had already taken -- this is a new executive
10 director -- that the Board had already taken measures to
11 institute some improvements and they had undergone a year
12 of turmoil previously and they did not want to upset those
13 efforts and start the clock again on another year of
14 turmoil, they wanted the receiver to come in, have you
15 here to evaluate the executive director and the programs
16 that were in place, and then the receiver would obviously
17 be free to choose to take any actions after that 12-month
18 period.

19 This is a deviation from what I had agreed to
20 recommend. My understanding is that staff will still be
21 recommending approval -- and Counsel, of course, is free
22 to disagree with me -- but I think that is really the only
23 substantive change from the document that was negotiated
24 with counsel for Silver State.

25 MEMBER WAHL: Okay. What did you just say?

1 We're going -- they want us to approve a receiver that
2 can't do anything for a year?

3 MR. OTT: No. The receiver -- the only
4 restriction -- the receiver would come in and take the
5 place of the governing Board. The receiver would have all
6 the powers of the governing Board. The only thing the
7 receiver would not be able to do that the governing Board
8 currently could do, would be to dismiss or demote the
9 executive director without cause for a year.

10 So should there be for-cause termination, any of
11 the things that are called out that would normally be
12 cause for termination, those would still be available to
13 the receiver. The only restriction would be that the
14 receiver cannot dismiss without cause for a year.

15 MEMBER MCCORD: In your mind, is there any
16 question that the executive director reports to the
17 receiver?

18 MR. OTT: I think it's clear from this document,
19 also from Silver State's governing documents, their bylaws
20 clearly state the receiver -- or the executive director is
21 an employee of the Board and answers to the Board.

22 Also, my conversations with Counsel indicated
23 that that's their understanding, that the receiver comes
24 in and is in charge and the executive director will be in
25 charge of implementing the receiver's vision, not

1 requiring the receiver to implement the current executive
2 director's vision.

3 MEMBER MACKEDON: Member Mackedon.

4 CHAIR JOHNSON: Member Mackedon, go ahead.

5 MEMBER MACKEDON: I know this has been defined
6 as not substantive, but I just have to put on the record
7 that I think this agreement is every single thing that is
8 wrong with education in the United States of America. All
9 of these decisions are based on what is best for adults,
10 not students. Just because a teacher chose to stay with a
11 school does not mean they are getting outcomes with kids.
12 They might be a great person, they might be a good person,
13 but it has nothing to do with student outcomes.

14 And this agreement has everything to do with
15 what is best for grownups and nothing to do with what is
16 best for kids.

17 I mean, I was an aid before. You know, I'm
18 struggling with this and I realize I'm probably alone, but
19 I just feel like I have to get that on the record. I
20 completely disagree with some of these things that have
21 been defined as nonsubstantive.

22 MEMBER ABELMAN: Member Abelman. You're not
23 alone.

24 MEMBER CONABOY: This is Member Conaboy.
25 Mr. Ott, when you shared with us the employment agreement

1 for the executive director for Silver State, there is a
2 termination clause in Clause 12 that says the employment
3 may be terminated on mutual agreement or either party may
4 terminate without cause upon 90 days, prior written
5 notice.

6 Why is it in this global arrangement we're
7 making with the school, we are negotiating the terms of
8 one single contract that exists right now?

9 MR. OTT: That was a request for inclusion from
10 the Board of Silver State.

11 My position throughout negotiations, which was
12 responsive to what I heard your request to be, was to make
13 sure that the receiver had as much power as possible.

14 This was the only -- this was the inclusion at
15 the insistence of the Board of Silver State that the
16 existing executive director be given a year to implement
17 the reforms that she has begun. So it was not something
18 that was agreed to, that's why it's in a red line. It was
19 something that the Board insisted to and it's in front of
20 you now. And you can either choose to agree to it as
21 written, you can choose to reject it entirely, or you can
22 choose to approve it with changes and strike out that
23 clause and make other changes that you feel are
24 appropriate. That is within your discretion as the Board.

25 MR. RUSSELL: Chairman -- Ryan Russell on behalf

1 of Silver State -- I'd be happy to respond, if I may?

2 CHAIR JOHNSON: Yes, please, Mr. Russell.

3 MR. RUSSELL: The joint petition that you see
4 before you today is the result of an agreement approved by
5 both boards in a settlement framework to grant the
6 petition for the appointment of the receiver.

7 The limitations or the definitions of -- in the
8 joint petition are very specifically consistent with the
9 settlement framework that was approved.

10 The decision to put the receiver in to fill the
11 role as the governing body puts the receiver in the
12 structure that currently exists, it's different than a
13 reconstituted Board, which would have the powers that, I
14 think, Ms. Mackedon was referring to, to sever contracts
15 with teachers and everything else.

16 As this is, it's going to be a means of
17 consistency as the receiver begins the process of trying
18 to reconstitute the Board, which is why the changes that
19 Silver State has requested, specifically the retention of
20 the executive director, unless for cause, and the
21 inclusion of, for example, approval of receiver's fees and
22 any changes going to the Court, the two goals there are
23 consistency and transparency to provide the families that
24 attend Silver School with some level and security and
25 understanding of what's currently going on.

1 Nothing in this agreement hampers the ability of
2 the executive director, whoever that may be, to evaluate
3 teachers. If rifts were necessary to rift teachers or if
4 discipline were necessary -- I know Chapter 391 -- up to
5 and including termination for failure to fulfill their
6 duties to educate the students, those are all still
7 available and nothing takes this off and nothing has taken
8 the focus off of the students.

9 This is designed to create consistency and
10 transparency so that the parents and the students have an
11 idea of what their future holds. And it also is designed
12 to be absolutely consistent with the settlement framework
13 that was created, which is why the changes are here.

14 I understand the concerns, but the intent was
15 not to protect adults, it was intended to create
16 consistency, which would include keeping the executive
17 director.

18 We put in there, the ability to terminate for
19 cause, if that rises, because if -- you know, in my
20 conversation with Ms. Ott, I said this provision is a
21 win/win. Because if the receiver comes in and begins
22 working with the executive director and does not find
23 cause, the implication is that they're working
24 collaboratively to make the school succeed and to fulfill
25 the ADP goal of this settlement, which is to improve the

1 performance of the school; and if that's not happening,
2 then there's cause. The receiver would have the same
3 ability as the current Board to terminate, if there was
4 cause to do so. So that, I hope, addresses some of the
5 concern.

6 There are no limitations on the school's ability
7 to evaluate its teachers and do everything it needs to do
8 to make sure the students are receiving a good and,
9 hopefully, improving education.

10 CHAIR JOHNSON: This is a quick question: What
11 is -- given this receiver's level of responsibility, what
12 is their ability to -- I know they're going to be -- it
13 says here, at least quarterly, they'll meet to talk about
14 the operations, but what is their ability to work more
15 closely in terms of the details of the school; meaning,
16 for example, if they deem that specific financial policies
17 are necessary, they draft them, they want those to go into
18 effect, they then ask the executive director to execute
19 those as opposed to allowing for the executive director to
20 draft, et cetera, so do they have the power -- do they
21 have the ability and responsibility to work down through
22 the executive director or do they have to wait for the
23 executive director to make policies and then they approve
24 them?

25 MR. OTT: Deputy Attorney General Greg Ott. I

1 think that's a question that probably focuses on the
2 existing structure of Silver State's governing documents
3 and bylaws. I have read them, probably not in as much
4 detail as Mr. Russell, so he can correct me if I'm wrong.

5 My view of the existing documents would be that
6 the receiver does have that power, can work -- the only
7 obligation, really, is that the receiver work through the
8 executive director. So they could issue those budgetary
9 policies and make those directives.

10 There are some limitations of them having to
11 work through the executive director to implement those
12 policies, but I do think that the receiver could have the
13 active role that you just described.

14 CHAIR JOHNSON: Mr. Russell, do you have a
15 response to that question then, knowing that you've read
16 the bylaws a little more?

17 MR. RUSSELL: Thank you, Mr. Chairman.

18 CHAIR JOHNSON: I'm sorry?

19 MR. RUSSELL: Mr. Ott is not wrong. The
20 implementation --

21 MEMBER WAHL: That makes him right.

22 MR. RUSSELL: -- of any policies would be the
23 provision in here that any change to any current policies,
24 procedures, bylaws, or anything else, have to go to you
25 and be approved by the Court in order to create

1 transparency.

2 The quarterly meeting with the public and with
3 the executive director is also directly from our bylaws,
4 which says our Board will meet at least quarterly. That
5 doesn't limit its ability to meet more often.

6 And we also have provisions for special
7 meetings, as they're necessary.

8 THE CHAIRMAN: I guess I want to make sure I'm
9 very clear here. You mentioned policies and procedures,
10 so any change to any policy that is already in the books;
11 so, i.e., I know this is a very small example, but if
12 there is a financial protocol that's already being used,
13 the receiver comes in, evaluates it as being, you know,
14 not industry standard or best practice, they will then
15 have -- in order to change that one financial policy, they
16 would have to come to us, and then it would also have to
17 be approved by the Court, as opposed to a change in the
18 bylaw of the governing body?

19 MR. RUSSELL: I'm sorry, if I misspoke.

20 The formal policies and procedures are adopted
21 and published on our website. Any policy that adopted
22 from time to time, for example, accounting principles and
23 everything else, is a policy-level decision our governing
24 body has the ability to make, so the receiver fulfilling
25 that role would have the ability to make those as well.

1 CHAIR JOHNSON: Thank you for the clarification.

2 MEMBER CONABOY: Mr. Chair?

3 CHAIR JOHNSON: Yes, please.

4 MEMBER CONABOY: In response to Mr. Russell's
5 emphasis on transparency, not many people follow court
6 proceeding. So if the Board, as it exists today, the
7 governing Board discusses the authority to change the
8 bylaws, we're having the receiver bring that to this
9 Board, which has publicly agendized meetings and full
10 opportunity for public comment, why is it necessary then
11 to be transparent and go to the Court? To me, it just
12 seems like there's going to be a huge time delay for the
13 receiver to be able to enact any change that they find
14 important to enact.

15 MR. RUSSELL: The level of bringing it to this
16 Board is a level of protection. We originally wanted this
17 to just be "approval by the Court"; staff wanted it to
18 come to you first, which is why we said it only goes to
19 the Court if you approve it.

20 So if the receiver chose to make a bylaw change
21 that he proposed to you and you denied it, it would not go
22 to the Court. We consider that a fundamental and
23 structural change. And by having the Court oversee the
24 appointment of the receiver by even petitioning the Court
25 for appointment of receiver as opposed to doing a

1 contract, creates a duty to the Court as well, and the
2 Court has a duty to oversee this.

3 So the transparency goes to the obligation of
4 the Court to ensure that the receivership is properly
5 executed and provides the independence from either Silver
6 State or the Authority if substantive changes need to be
7 made. It would cause some sort of delay, but I think it's
8 a necessary protection to ensure that everybody is
9 answering to somebody.

10 MEMBER CONABOY: That's just for bylaw changes.
11 How would the Court generally oversee the petitioner
12 otherwise? What would be the responsibility of the
13 petitioner to report to the Court?

14 MR. RUSSELL: There's going to be quarterly
15 reports required and that's also included, the appointment
16 of a trustee, to oversee the receivership to ensure that
17 any bylaw changes are being brought to the Court; and if
18 not, we'll have the ability to alert the Court and invoke
19 the powers of the Court for failure to comply with the
20 receivership.

21 MEMBER CONABOY: Why is the quarterly report and
22 the existence of the trustee not sufficient for things
23 like bylaw changes that are reviewed in a publicly
24 agendized meeting at the Authority level?

25 MR. RUSSELL: Because a report is just that,

1 it's a report. It's not a request that can have a pro and
2 a con or a request for an opposition.

3 CHAIR JOHNSON: Member McCord?

4 MEMBER MCCORD: Mr. Chairman, I guess I want to
5 clarify a little bit. The receiver supervises, if you
6 would, the executive director; and therefore, has the
7 authority on -- and this is my understanding -- on a
8 day-to-day operational standpoint of, if you would,
9 approving or the opposite, not approving, the day-to-day
10 operation and operational decisions of the executive
11 director. Is my understanding of that accurate?

12 MR. OTT: Yes, I believe it's accurate.

13 MR. RUSSELL: Respectfully, Mr. Chairman, that
14 is not accurate.

15 The structure and the bylaws are that the
16 governing body operate as a governing body, it implements
17 all the policies and procedures. And there's a specific
18 prohibition that the governing body members or any
19 governing body member will not be involved in the daily
20 operations.

21 CHAIR JOHNSON: I guess I just want to clarify
22 again. They are not to be involved in the day-to-day
23 operations. Are they allowed to set policies and then
24 request that those at the school execute on policies that
25 they've set?

1 MR. RUSSELL: Yes.

2 CHAIR JOHNSON: And so if, in fact, policies
3 have been set and agreed upon, again, those day-to-day
4 policies don't actually come to us and go through that
5 court process, those can be done at the school level. But
6 the question then is: If there's any disagreement, so had
7 the receiver said, This will now be the policy moving
8 forward, I expect all employees to execute on these
9 policies that I've written, then those policies have to be
10 followed because of the directive given by the receiver?

11 MR. RUSSELL: Right. Exactly as if our
12 governing body had adopted a policy or provided direction
13 to staff. The receiver will be filling that role of the
14 governing body.

15 MEMBER CONABOY: Mr. Russell, did you write
16 these bylaws?

17 MR. RUSSELL: No, ma'am.

18 MEMBER CONABOY: Good. Because in Section 2,
19 Paragraph 1, I'm not even sure if this is legal. The
20 governing body members shall not direct the executive
21 director or his or her staff members to take specific
22 actions. I understand the day-to-day operations. The
23 staff works for the executive director, not the governing
24 body? It's the governing body that shoulders the charter
25 and is responsible back to us and to the State.

1 Direction from the governing body must come from
2 the governing body in its entirety or we're just going to
3 have a receiver now, and upon a majority vote of the
4 governing body, that won't happen anymore. The executive
5 director shall keep the governing body fully informed of
6 the operations through the president of the governing
7 body.

8 How is this going to work? Would you describe
9 for me, please, the relationship you see and project for
10 the relationship between the executive director and the
11 receiver on a daily basis.

12 MR. RUSSELL: My read on that provision, for
13 what it's worth, is a protection against any open meeting
14 law violation. In other words, a governing body operates
15 as a unit, not as individuals. And so that prohibition
16 against providing direction to the executive director is
17 meant by an individual basis; in other words, Board
18 members won't go to the executive director by themselves
19 and tell the executive director she needs to do X, Y, or
20 Z, the directive comes from the Board as a whole.

21 In this situation, the receiver will be filling
22 the role of the governing body. In other words, you would
23 read that provision of the bylaws as the governing body is
24 the receiver, so he has, by definition, majority vote on
25 any decision he makes.

1 Does that answer your question?

2 MEMBER CONABOY: What about the staff working
3 for the executive director, not the governing body? The
4 executive director doesn't hold the charter, Mr. Russell.

5 MR. RUSSELL: No. And the executive director
6 doesn't, for example, hold workers' comp insurance. We
7 are an entity, a charter school. The governing Board is
8 the governing body of the entity. The executive director
9 works for the entity, answering to the governing body.
10 The teachers, staff, administrative staff, everyone else
11 works for the school, answering to their supervisor, the
12 executive director.

13 MEMBER CONABOY: I read the sentence one more
14 time. The staff works for the executive director? I
15 don't think that's correct.

16 MR. RUSSELL: I understand what you're saying.
17 And it's a distinction that the staff answers to the
18 executive director and everybody works for the school.

19 MEMBER CONABOY: And if our receiver's supposed
20 to operate under these governing documents, then that
21 makes it very, very difficult.

22 MR. RUSSELL: Then that would be probably a
23 change that the receiver would want to make, if appointed;
24 and, my guess is, would review the bylaws in total and
25 decide if there are any other changes that need to be made

1 as well. We'll hopefully only go through that process
2 once.

3 CHAIR JOHNSON: Are there any questions for
4 further discussion?

5 MR. RUSSELL: Mr. Chairman, if I may?

6 CHAIR JOHNSON: Yes, Mr. Russell.

7 MR. RUSSELL: In closing -- I'm assuming you're
8 going to move toward action on this -- I would point out
9 that I agree with Mr. Ott. This petition is the result of
10 six or seven weeks of negotiating on both sides. It's a
11 compromise that I know the Authority is not completely
12 thrilled with and it's a compromise that our Board made
13 some significant compromise as well. A settlement, in my
14 opinion, will only result in the parties being satisfied,
15 nobody will ever be completely happy. But this petition
16 is a way to achieve the goal of approving the school and
17 seeing it continue in the future. And it is a very
18 specific satisfaction of the settlement agreement that
19 we've entered.

20 So it's my hope you approve it as presented,
21 which would allow your staff to immediately start seeking
22 a receiver instead of having this be returned with changes
23 and require further meetings at our level. I think it's
24 time to get this approved and get the process started of
25 getting the receiver in there so that the receiver and

1 Silver State can work on this situation and figure out how
2 best to make it work.

3 DIRECTOR GAVIN: Patrick Gavin, executive
4 director, for the record. I wish at this time to express
5 my support for this, for these documents as presented by
6 Deputy Attorney General Ott. And I would say that I
7 concur with his analysis and that of Mr. Russell. It does
8 not get us everything we would like, it does not give this
9 body everything they might like, and it certainly does not
10 give Silver State's governing body everything they would
11 like.

12 And the area of concern that remains for me or
13 that I struggle with on this is in an ideal word, the
14 receiver would be able to move more quickly and more
15 decisively. That said, there is a path that is outlined
16 in these documents to allow for substantive change. It
17 does require more back and forth with this body and with
18 the Court, but there is a mechanism for doing that.

19 So things might not happen quickly or as quickly
20 as we might like, but there is a pathway to make
21 substantive change happen and also to create a new
22 framework which can allow the school to be more
23 successful.

24 So from that perspective, recognizing that I do
25 not believe that we are going to see substantial change

1 from Silver State's position on this, this does address
2 the overarching concerns of this body related to the
3 closure of a school for which many parents and students
4 have testified meets a need, and allows us to fulfill our
5 duty to ensure that this school meets the needs of all of
6 its students. And so from that perspective, I am
7 supportive of this agreement as presented.

8 CHAIR JOHNSON: Member McCord, do you have a --

9 MEMBER MCCORD: Let me understand what
10 Mr. Russell said. Mr. Russell, I believe -- and please
11 correct me if I'm not understanding correctly or if I'm
12 misstating what you said -- you indicated that you would
13 be surprised if the receiver didn't, as one of their first
14 duties, review the governing documents with -- that they
15 inherit, if you would, from the presently existing Board
16 and make recommendations for any changes to those
17 documents to this body and subsequently to the Court, as I
18 understand the process, and that those could include the
19 items that I think have been so ably recognized by
20 Member Conaboy in her analysis of this. Is there any
21 preclusion or limitation in anyone's mind about the
22 recommendations that could be made to this body by the
23 receiver for the operation of the school as outlined in
24 the governing documents?

25 MR. RUSSELL: Mr. Chair, if I may?

1 CHAIR JOHNSON: Please.

2 MR. RUSSELL: In answer to the question in which
3 I think began with a statement that the receiver would
4 most likely review the governing documents and probably
5 have changes, I would simply respond that I've never read
6 a perfect document in my whole life; and the governing --
7 the receiver, by this petition, is going to be required to
8 operate under those governing documents. So I think he
9 would make it his first priority to familiarize himself
10 with them; and if he sees any areas that need to be
11 corrected or changed, and he probably will, the process to
12 do that is outlined in the petition as well.

13 I would just take that a step further and point
14 out to you that the powers you're talking about, one of
15 the other primary objectives of the receiver is to
16 reconstitute the Board. And once the Board is
17 reconstituted, the powers of 509 for a reconstituted
18 Board, which are essentially everything you have outlined,
19 will be invoked once the Board is reconstituted. So there
20 are a lot of protections along, I believe, every level of
21 the requirement of taking the changes to the bylaws and
22 policies and procedures to the Court is just a level to
23 ensure that the receiver is doing that in fulfillment of
24 the duties as the Court appoints them.

25 CHAIR JOHNSON: Is there a way that we can --

1 and I don't know what the specific language would be --
2 but add any language around expediting some of these
3 decisions, understand that I want to have this body and
4 the Court also take a look at whatever changes, but in my
5 opinion, if the receiver gets into place, that person then
6 reads the bylaws, determines that there's significant
7 changes that need to be made, if they read those bylaws
8 two days after they get into the position and they want to
9 start making these changes, there's potential for the
10 governing bylaws to change for months on end and we're
11 stuck, dragging on with old rules, and this person is
12 rendered powerless until those laws are changed. So can
13 we add language that allows for a simultaneous
14 decision-making process where this comes before our Board
15 and it goes to the Court or if we have -- if there's a lag
16 between when the person understands the change to be made,
17 can go directly to the Court.

18 I want to make sure that the person has the
19 power to even make the changes as quickly as they need to,
20 but also understand that, you know, we want to be able to
21 think with these decisions, just the time factor here is
22 of the essence, right? The students will be back in
23 session in August and if they can't make any changes to
24 the bylaws until September, what does that mean for the
25 kids who have to go to the school where they're operating

1 under the old rules?

2 MR. RUSSELL: Mr. Chairman, may I respond?

3 CHAIR JOHNSON: Please.

4 DIRECTOR GAVIN: Actually, Mr. Russell, would
5 you mind if I chime in first?

6 Mr. Chairman, from the perspective of the
7 staff -- Patrick Gavin, for the record -- the ability to
8 expedite review of these documents on part of the
9 Authority is fully within the purview of this body.
10 Should staff receive a document and say, Holy smokes, this
11 is something that's important, that needs to be done
12 quickly, I could request that the Board hold a meeting,
13 properly noticed and agendized, three-day notice, and
14 request, if necessary, even telephonically that the Board
15 come together, review the document, and determine whether
16 it's acceptable or not. If there are issues that they
17 have, I'm sure the Board can also tell the receiver what
18 those issues are and changes can be made. Once the Board
19 approves that document, the receiver could then file it
20 with the Court.

21 It is my understanding, and Mr. Russell or
22 Mr. Ott can correct me if I'm wrong, but most of these
23 reviews by the Court actually do happen in chambers or
24 happen very quickly, so it's just a matter of getting on
25 the docket.

1 And receiverships happen all the time in the
2 course of business. It's really not that different in
3 some ways from a bankruptcy trustee, right, and the Court
4 tends to move rather quickly on these matters because they
5 recognize there is an urgent business need to make a
6 change, but I will defer to the expertise of local counsel
7 on this since I am not an attorney here or anywhere else.

8 MR. RUSSELL: Mr. Chairman, I actually agree to
9 all that. The only limitation on expediting the request
10 for the receiver is your open meeting law and your
11 willingness to hold a meeting. The Court will not be a
12 slow process on this sort of thing. It can also be put on
13 the law in motion calendar that each judge holds once a
14 week.

15 CHAIR JOHNSON: Mr. Ott, do you have anything to
16 add?

17 MR. OTT: No, I don't.

18 MEMBER CONABOY: Mr. Chair?

19 CHAIR JOHNSON: Member Conaboy? Was that
20 Member Conaboy?

21 MEMBER CONABOY: Yes, it was.

22 May I ask, Mr. Russell, how many people on the
23 current Board -- because it's changing, it's been
24 changing. I'm not even sure if anybody we started with is
25 still on the Board, frankly. How many people on the

1 current Board are people who have worked on the revisions
2 to these bylaws and/or this contract between the executive
3 director and the Board?

4 MR. RUSSELL: Three -- four. Four.

5 MEMBER CONABOY: People on the current Board who
6 were on the Board last August when this employment
7 contract was signed by the Board?

8 MR. RUSSELL: Yes, ma'am.

9 MEMBER CONABOY: Okay.

10 CHAIR JOHNSON: Member Wahl?

11 MEMBER WAHL: I have a question and then maybe a
12 statement. So have we -- has anybody established that
13 Ms. Kotler is willing to work with the receiver? I know
14 we had a meeting last month and then we all received a
15 letter saying that she would like to be the receiver. Is
16 she willing to work with the receiver that the Court
17 appoints or is this going to be a battle?

18 MR. RUSSELL: Ms. Kotler is present today and
19 may want to answer the question herself.

20 I can represent that the desire to continue work
21 at Silver State has been expressed by Dr. Kotler. She
22 wants to stay and see the school continue to improve.

23 I don't think I'm overstating my position by
24 telling you that.

25 MEMBER WAHL: Okay. Then I have a follow-up

1 with a statement. So my desire for the receiver is to fix
2 the school and then reconstitute the Board. I'm not in a
3 hurry and I'm concerned that there might be a hurry to
4 reconstitute the Board. I don't think handing it over to
5 more people to then fight and things is necessarily going
6 to fix the problem as we've seen for how many years, so I
7 just want to caution you that my desire is not to have the
8 receiver automatically come in and reappoint a new Board.

9 DIRECTOR GAVIN: Member Wahl -- Patrick Gavin,
10 for the record -- I will note that -- and, Mr. Russell,
11 forgive me -- I don't believe his intention was to say
12 that a month after the receiver comes onboard, there's a
13 new Board, everybody has a party, and everything is done,
14 and I would ask that you clarify that on the record.

15 MR. RUSSELL: The settlement framework that we
16 approved following the discussion leading up to it,
17 specifically that it may take the receiver up to and until
18 July, 2019, to reconstitute the Board, my only intention
19 to breaking up the powers of the reconstituted Board were
20 to address some of the concerns expressed by the Board, as
21 far as getting the powers to do a substantial top-down
22 reorganization.

23 CHAIR JOHNSON: Maybe I missed -- I'm sorry. Go
24 ahead, Deputy Attorney General.

25 MR. OTT: Just real quickly, I would note that

1 on page 1 of the joint petition for appointment of
2 receiver, you will see a blank on the second-to-last line
3 regarding the deadline for which the receiver must
4 reconstitute the governing Board. That was left there by
5 Silver State because there is perhaps a little bit of
6 ambiguity in the settlement framework that was approved by
7 the Board. I think it allows for either this Board to use
8 the July 1, 2019, date or perhaps an earlier date by the
9 end of the 2017/18 school year, but that wouldn't be
10 something that would be within your discretion.

11 So if your concern is that the receiver is being
12 forced to reconstitute the Board too quickly, you can
13 definitely say July 1, 2019, in that blank there and make
14 it clear in the order that there is no requirement to
15 reconstitute before that time.

16 However, there is a requirement in the
17 settlement framework for the receiver to be doing this
18 work and using his or her best efforts to reconstitute the
19 Board the entire time.

20 CHAIR JOHNSON: I guess -- I don't know if this
21 question is for you, Mr. Russell, and you, Mr. Ott: Is it
22 the sole discretion of the receiver to -- I know they're
23 required to reconstitute the Board, but they will then
24 pick, they'll choose, and they'll be the judge/jury of
25 those people who come onto the Board or -- I mean, I guess

1 I don't know. I mean, I don't know if we follow a
2 different procedure with the receiver doing this or is
3 this person solely responsible and we see them once
4 they've been approved to be a Board member?

5 MR. OTT: I'm looking for the -- I believe
6 there's a citation in the settlement framework that speaks
7 to that. That's what I'm looking for at the moment.

8 MR. RUSSELL: I don't want to waste a bunch of
9 time trying to find it. My understanding is that the
10 receiver will select and recommend Board members for you
11 to confirm onto the Silver State Board.

12 DIRECTOR GAVIN: That is consistent with my
13 understanding as well. Patrick Gavin, for the record.

14 CHAIR JOHNSON: Thank you, both.

15 MEMBER CONABOY: And the settlement also says by
16 the end of the 2017/18 school year, which is two years
17 from now, not three.

18 MR. RUSSELL: And the discrepancy that Mr. Ott
19 is referring to is found in Paragraph 4 of the settlement
20 framework, which gives the receiver until July 1, 2019.

21 MR. OTT: And the settlement framework does say
22 in Paragraph 1, Until such time as the Authority confirms
23 members of the reconstituted governing body of SSCS. Once
24 a quorum has been appointed, the receiver may step down.

25 So the receiver would be recommending new

1 bodies, new members to the Board. Once a quorum is
2 appointed, the receiver would have the option to step down
3 or to continue until the Board is fully reconstituted.

4 DIRECTOR GAVIN: And -- Patrick Gavin, for the
5 record -- the intention of that was to ensure that there
6 was a scaffolding process for gradual release so that
7 there's a period of shared governance to ensure that in
8 the event the wheels start to come off, that there is a
9 mechanism to intervene before the Board becomes fully
10 autonomous.

11 MEMBER CONABOY: Who's in charge during a period
12 of shared governance.

13 DIRECTOR GAVIN: The receiver continues to be
14 the ultimate decision-maker.

15 MR. OTT: Correct. Deputy Attorney General
16 Greg Ott. The settlement framework provides the receiver
17 may step down, he's not required to step down. So until
18 the receiver steps down, they'll still enjoy the powers of
19 the appointment.

20 DIRECTOR GAVIN: Patrick Gavin, for the record.
21 Member Conaboy, I would note that this is not dissimilar
22 to what we observe, for example, in nonprofits. For
23 example, when a private school, oftentimes, when there's a
24 serious crisis, a trustee can be appointed, basically
25 serving in the same role as a receiver, do the

1 restructuring as necessary, and then there's typically a
2 transitional period when there's gradual release, but the
3 trustee in that context technically remains the ultimate
4 decider.

5 Part of this is just to ensure that the
6 governing body has time to learn how to function versus
7 having novices come on into a fully-formed entity, which
8 is rather disruptive.

9 This is why typically, best practice for
10 turnover of governing body members or trustees or
11 directors require staggered terms. This is simply tabula
12 rasa, so we're starting from square one. So in lieu of
13 having that staggered term structure, much like we have on
14 our Board, there is this mechanism to ensure gradual
15 release.

16 MEMBER CONABOY: This is our first
17 reconstitution so let's just clarify that that's the case,
18 that we have shared governance until we get to some sort
19 of point. I'm looking at you, Patrick.

20 This is maybe not as relevant to this particular
21 issue as it is more globally, but I would assume that this
22 actually sets a precedent; is that correct, Mr. Ott? We
23 haven't had a discussion of shared governance until this
24 here.

25 DIRECTOR GAVIN: Member Conaboy -- Patrick

1 Gavin, for the record -- I would note that this is
2 somewhat sui generis. This is a negotiated settlement
3 versus something that's directed by the Board. We have
4 regulations in process to outline the precise process for
5 receivership after reconstitution more generally; so that,
6 I would argue, trumps an initial precedent that is set by
7 this particular event.

8 The circumstances -- and Mr. Ott or Mr. Russell
9 can chime in here, if they disagree -- the circumstances
10 of this particular negotiated settlement are quite unique.
11 So to the degree that they do set precedent, it would only
12 be in very, very similar situations where there is this --
13 the same causes for our intervention and the same actions
14 on the part of the school, you know, in going through this
15 process.

16 MEMBER CONABOY: Just to clarify and, perhaps,
17 to have in the minutes, no precedent, except -- not
18 except -- no precedent, period, but shared governance with
19 the receiver in charge until the receiver sits down, which
20 would be, according to Point 4 in the settlement
21 framework, no later than July 1, 2019; is that correct?

22 MR. RUSSELL: Yes, ma'am. And I know I don't
23 represent the Board, but for what it's worth, you'll
24 always have discretion to consider each case on a
25 case-by-case basis. Precedent would be persuasive only.

1 There's nothing binding on you from a decision you've made
2 prior.

3 CHAIR JOHNSON: Member Wahl?

4 MEMBER WAHL: Member Wahl. I'm kind of confused
5 by this conversation of shared governance. Either the
6 receiver is in place and doing his job or he hands off.
7 That's not shared governance, that's stepping down and
8 letting the next Board take the job.

9 MR. RUSSELL: In no uncertain terms the receiver
10 is appointed until the Board is fully reconstituted, at
11 which point it will be required to step down. It will
12 simply be an option for the receiver to step down once a
13 quorum is appointed if, in the receiver's opinion or
14 discretion, he feels that the quorum is operating
15 efficiently and effectively.

16 MEMBER WAHL: Okay. So can we go back to the
17 statement that Member Conaboy said and maybe get rid of
18 the word "shared"?

19 MR. RUSSELL: For what it's worth, the word
20 "shared" is not in the documents.

21 DIRECTOR GAVIN: I will rescind my use --
22 Patrick Gavin, for the record. I will rescind my use to
23 the word "shared."

24 MEMBER WAHL: Thank you. It's just confusing.

25 CHAIR JOHNSON: So are we -- if there's no

1 further discussion or questions, I'm willing to entertain
2 a motion.

3 MR. OTT: Member -- I'm sorry, Mr. Chairman.
4 You had asked people who had any comment on this issue,
5 you instructed that you would be taking comment on this
6 issue, so you may want to consider that.

7 CHAIR JOHNSON: Thank you for jogging my memory.
8 If there is any public comment, either in the
9 South or the North, I'll welcome it now.

10 Danny, is there any public comment in the North?

11 MR. PELTIER: There is none.

12 CHAIR JOHNSON: And there appears --
13 Mr. Russell, are you coming up on the comment?

14 MR. RUSSELL: No. I was just taking my seat
15 again for the motion.

16 CHAIR JOHNSON: There appears to be none in the
17 South so I will entertain a motion.

18 MEMBER WAHL: Member Wahl. I'll make a motion,
19 but can I make a statement regarding the motion?

20 CHAIR JOHNSON: Well, just make sure you are
21 very clear when the motion is going to start.

22 MEMBER WAHL: My statement is that I would love
23 quality seats for every student. And if getting a
24 receiver in place for this school will do that, then we
25 all need to be onboard. So because of my belief that all

1 schools should be quality, then this school deserves a
2 receiver to fix the problems. I would like to make a
3 motion that we accept this agreement.

4 CHAIR JOHNSON: Do I have a second?

5 MEMBER ABELMAN: Member Abelman. I'll second.

6 CHAIR JOHNSON: All in favor of accepting this
7 settlement, say, Aye.

8 MEMBER MCCORD: Aye.

9 MEMBER CONABOY: Aye.

10 MEMBER ABELMAN: Aye.

11 MEMBER WAHL: Aye.

12 CHAIR JOHNSON: Aye.

13 MEMBER LUNA: Aye.

14 CHAIR JOHNSON: Any opposed?

15 There are none.

16 MEMBER MCCORD: Mr. Chairman?

17 CHAIR JOHNSON: Yes.

18 MEMBER MACKEDON: I'm a nay, Adam.

19 Member Mackedon. I'm a nay.

20 CHAIR JOHNSON: Okay. I'm sorry.

21 MEMBER MCCORD: Mr. Chairman?

22 CHAIR JOHNSON: Yes, Mr. McCord?

23 MEMBER MCCORD: I respectfully request that the
24 executive director of the Charter School Authority, once
25 the receiver is appointed and has an opportunity to assume

1 that, those responsibilities, that within a reasonable
2 period of time, not to exceed 60 days, that that receiver
3 appear before this Authority to offer any suggestions on
4 the governance documents for our consideration; that is,
5 I'm simply making that as a request to the executive
6 director to communicate that. It's not in the form of a
7 motion, it's just in the form of a request.

8 CHAIR JOHNSON: Thank you, Member McCord.

9 And Vice-Chair Mackedon was a nay on that vote.

10 MEMBER CONABOY: Mr. Chair?

11 CHAIR JOHNSON: Yes, Member Conaboy?

12 MEMBER CONABOY: I'm sorry. Mr. Chair and
13 Mr. Ott, I think the motion was that we accept the
14 settlement, except we're actually voting on the petition,
15 are we not? We just maybe need to clarify what the motion
16 was. I think we all know what we were talking about.

17 But it was a petition, was it not, Mr. Ott, that
18 needed our vote today?

19 MR. OTT: Correct. The petition needed approval
20 and the settlement had been previously approved by you.
21 The settlement is going to be an exhibit and is
22 incorporated into the petition as well.

23 But I was going to clarify as well, I indicated
24 earlier that there is a blank on page 1. I heard from
25 your prior discussion and because this document will be

1 filed with the Court, we should put a date there. So
2 perhaps the Board would like to make a further motion as
3 to what date I should include in that blank?

4 DIRECTOR GAVIN: May I request -- Patrick Gavin,
5 for the record -- that we redo the motion to clarify those
6 points -- or I should say you redo the motion, I just work
7 here, just to be very clear, so that the minutes will
8 accurately reflect the decision.

9 CHAIR JOHNSON: Member Wahl, would you mind
10 restating your motion -- and we'll redo our vote -- where
11 you use the language of a petition, not settlement.

12 MEMBER WAHL: Um-hum.

13 CHAIR JOHNSON: And then also, before we do
14 that, can we determine the date by which we want to ensure
15 that the Board has reconstituted, fill in the blank space.

16 MEMBER WAHL: And that will be part of the
17 motion?

18 CHAIR JOHNSON: It will be.

19 MEMBER WAHL: So my original statement before my
20 motion stands. And based on that original statement, I'll
21 make the motion that we accept this petition with the
22 inserted date with the year '19.

23 CHAIR JOHNSON: Would you mind saying the full
24 date, please.

25 MEMBER WAHL: What's the full date, Greg?

1 MR. OTT: July 1, 2019.

2 MEMBER WAHL: By July 1, 2019, be accepted.

3 CHAIR JOHNSON: Do we have a second?

4 MEMBER ABELMAN: Member Abelman. Second.

5 CHAIR JOHNSON: All in favor?

6 MEMBER MCCORD: Aye.

7 MEMBER CONABOY: Aye.

8 MEMBER ABELMAN: Aye.

9 MEMBER WAHL: Aye.

10 CHAIR JOHNSON: Aye.

11 MEMBER LUNA: Aye.

12 CHAIR JOHNSON: Any opposed?

13 MEMBER MACKEDON: Nay.

14 CHAIR JOHNSON: For the record, that was
15 Vice-Chair Mackedon who opposed.

16 Sounds like the motion carries 6-to-1.

17 MR. RUSSELL: Mr. Chairman of the Board, I'd
18 like to thank you for your consideration on this matter.

19 CHAIR JOHNSON: You're very welcome.

20 DIRECTOR GAVIN: Patrick Gavin here, for the
21 record. I want to personally extend my gratitude to
22 Mr. Russell and to the governing body in leadership at
23 Silver State for being willing to make some wrenching
24 decisions in order to ensure that this school continues to
25 operate and thrives in the future.

1 CHAIR JOHNSON: All right. We will move on to
2 the director evaluation and I will pass it over to
3 Vice-Chair Mackedon who will lead the discussion.

4 MEMBER MACKEDON: Okay. So just a little bit of
5 background to refresh everyone's memory, since there's so
6 much going on. We had decided -- we created a
7 subcommittee that consisted of Mark, Adam, and myself, and
8 we worked with WestEd and we made the determination that
9 although it's not necessarily ideal, and we all recognize
10 that, that we were going to use the Authority strategic
11 plan that had originally been involved as the foundation
12 for this first executive director evaluation. We
13 recognize that there's some serious flaws in doing it this
14 way, but it just provided us a starting place.

15 So having said that, we sent the strategic plan
16 out to all the Board members and to Executive
17 Director Gavin and everyone was asked to rate three areas
18 on a scale of 1 to 4. There were, in fact, four areas.
19 The one that we left out was regarding support strong
20 school governments. We really don't have any metrics. We
21 have no measurement on any school regarding this so we
22 removed that from the equation.

23 And so you have all seen, I'm sure, in your
24 Board packet, what we did was we just took those scores,
25 averaged them out, and that's what we used on the document

1 for the final evaluation.

2 Additionally, everyone was asked four questions:
3 What are the implications for the Board, what should be
4 the board's top priority, what are the implications for
5 the executive director, and what should be the executive
6 director's top priority?

7 What we did was we looked at everyone's answer
8 and anything that was a theme. And by "theme," I mean it
9 was more than one person, if there were two or more people
10 who shared the same idea, we put it on the list. So I
11 want to be clear, this isn't an inclusive list of every
12 answer that every person gave, but it's more a compilation
13 of common themes. Anything that showed up more than one
14 time as a response is included here.

15 So I think it does show that everyone had -- I
16 mean, there was a lot of people that said pretty much
17 exactly the same thing for what the implications should
18 be.

19 Unless Chair Johnson wants me to, I'm not going
20 to necessarily go through and read each one of those.
21 They were provided to you in the packet and they, 9 times
22 out of 10, echo exactly, probably, what you had said on
23 your own evaluation so I don't think there's any reason
24 for me to actually read those to you.

25 So having said that, I think it provides -- you

1 know, those narrative answers really will, I think,
2 provide the foundation for our discussion and at our Board
3 retreat, as we roll out the next strategic plan for the
4 State Public Charter School Authority.

5 So I think we're just looking for a motion to
6 approve the evaluation.

7 DIRECTOR GAVIN: May I ask a clarifying
8 question?

9 MEMBER MACKEDON: Yeah.

10 This is not right. I see what you're saying.

11 DIRECTOR GAVIN: What is my -- I'm just
12 wondering what's my rating?

13 MEMBER MACKEDON: I'm sorry. Let me -- that's
14 not right. I apologize. Hold on. I thought I sent the
15 one that had the average on there, but let me pull it up.
16 I want to apologize. I'm sorry. This is what happens
17 when you do this during State testing. Give me two
18 seconds.

19 DIRECTOR GAVIN: I'm hereby declaring an
20 irregularity.

21 MEMBER MACKEDON: I'm sorry. How embarrassing.
22 I'm sorry. Give me two seconds.

23 Actually, I know what they are. I don't need to
24 pull it up. Okay. So the first category, which -- and I
25 will circulate this to the Board. I apologize. Open and

1 sustain quality new schools, that was a rating of a 4, was
2 the average.

3 The number of schools meeting quality criteria
4 after one, two, and three years was also -- so that
5 whole -- we took all of those and combined those into one
6 rating of a 4.

7 And then establish performance-based contracts
8 for all schools, that was a -- the average was a 3.

9 We took out the metric of support strong school
10 governments because, again, we had absolutely zero
11 measures on any schools to judge that on.

12 And then the last one, collaboration improving
13 the environment for Nevada charter schools was also a 4.

14 So the overall rating was a 10 out of 12.

15 CHAIR JOHNSON: Is there any discussion or
16 questions for Vice-Chair Mackedon?

17 MEMBER MACKEDON: Other than that I can't add,
18 that that is 11 out of 12; 4, plus 4, plus 3, is 11.

19 MEMBER MCCORD: Just for the record, I need to
20 remind everyone that I am a member of the Board of
21 Directors of WestEd and provided the technical assistance
22 on this particular matter. I simply responded and
23 introduced the people, when requested, to suggest
24 resources and they responded in a positive manner.

25 DIRECTOR GAVIN: If -- I would like to make a

1 comment, if folks don't mind. Patrick Gavin, for the
2 record. Firstly, I appreciate your very kind evaluation
3 of my performance. I would respectfully disagree. I
4 don't think my performance is anywhere near as high as
5 this.

6 Until we have 100 percent high-quality seats in
7 this state, until our kids of all backgrounds are
8 getting -- really have profoundly, impactful options, I
9 don't believe a 4 is appropriate in, certainly, any of the
10 first two categories. I might -- I think I did give
11 myself a 4 on the last one. But I feel like I'm more a 2
12 or 1 on the rest of these.

13 We just have so much more work to do. And as
14 long as we have several thousand students in schools that
15 are underperforming, I just don't see -- and we don't have
16 whether that's improved or not -- I think the best I can
17 give myself is that it needs development on those.

18 And I would also submit that if we created our
19 schools on sort of the try-as-hard curve, everyone would
20 get a gold star. And, yeah, you know I try pretty hard
21 and I work -- probably work too much and take it out on
22 myself, but I just do feel it's really important to put
23 that on the record. We are ultimately the reflection of
24 the schools in our portfolio, my work is ultimately a
25 reflection of their work, and we're just not where we need

1 to be yet.

2 CHAIR JOHNSON: Thank you, Director Gavin.

3 Any further discussion?

4 I would entertain a motion to -- do we have to
5 have a motion, I guess?

6 MR. WHITNEY: Deputy Attorney General --
7 Robert Whitney, for the record -- I would suggest you
8 probably accept the evaluation.

9 CHAIR JOHNSON: Then I'll entertain a motion to
10 accept the Authority evaluation.

11 MEMBER MCCORD: Move to accept the evaluation of
12 the executive director.

13 CHAIR JOHNSON: Do we have a second?

14 MEMBER WAHL: Member Wahl. I'll second.

15 CHAIR JOHNSON: All in favor?

16 MEMBER MCCORD: Aye.

17 MEMBER CONABOY: Aye.

18 MEMBER ABELMAN: Aye.

19 MEMBER WAHL: Aye.

20 CHAIR JOHNSON: Aye.

21 MEMBER MACKEDON: Aye.

22 MEMBER LUNA: Aye.

23 CHAIR JOHNSON: Are there any opposed?

24 I waited a little bit longer this time. All
25 right. So that motion will carry 7-0.

1 All right. And we will move on to the final
2 item on the agenda, that is Agenda Item No. 3, which is
3 the director's report.

4 MEMBER MCCORD: Public comment too.

5 DIRECTOR GAVIN: The Director's pretty tired. I
6 don't really have much of a report, to be very honest with
7 you. We've been focused on a number of areas.

8 I think the Silver State settlement is a huge
9 step forward. Again, we did not get everything we wanted,
10 but there is some very positive things that can come out
11 of this, not the least of which is that it gives us an
12 opportunity to think through what we need to do
13 differently going forward with regard to holding schools
14 accountable. It also provides the opportunity for us
15 to -- we've provided a roadmap for substantive change that
16 others can follow, if they choose to.

17 And, again, noting that each of the
18 circumstances of this particular case are rather unique,
19 so, again, it does not necessarily create precedent. And
20 as our very wise attorneys noted, precedent is not
21 binding, it simply needs to be considered. If precedent
22 were always binding, Brown v. Board would never have --
23 would never have seen the light of day. So I do want to
24 touch on that.

25 As you know, we have a retreat coming up. We're

1 continuing to work through that. Danny has identified a
2 location for us at the Las Vegas MEET Center.

3 MR. PELTIER: MEET Las Vegas.

4 DIRECTOR GAVIN: MEET Las Vegas. Sorry. And
5 that's MEET. It's not the Meatpacking District or
6 something.

7 MR. PELTIER: Meet, like get together.

8 DIRECTOR GAVIN: So very much looking forward to
9 that. I think it will be an opportunity for us to have
10 substantive dialogue on a number of areas.

11 I would note that one thing, the task that we
12 must do coming out of the Silver State discussion, and
13 this, I will ask that it be agendized as an action during
14 the retreat, unless you choose to do it over the phone in
15 a very quick meeting that is duly noticed, would be that
16 we officially renew Silver State Charter School so that it
17 continues because right now it technically expires at the
18 end of this year. So I think it will be problematic for
19 us to -- and I believe the framework in the settlement
20 agreement was predicated upon the Board's renewal
21 notwithstanding the performance of the school and in light
22 of the settlement agreement. So I'll be drafting a
23 recommendation on that and you can figure out when you
24 want to do that and what time.

25 MEMBER CONABOY: Patrick, do we have an

1 application for renewal?

2 DIRECTOR GAVIN: We do.

3 MEMBER CONABOY: Okay. So we have not seen that
4 yet.

5 DIRECTOR GAVIN: You have not seen it.

6 MEMBER CONABOY: Okay. All right.

7 DIRECTOR GAVIN: It's sort of in limbo with all
8 this other fun stuff. No. You didn't miss it. And I
9 will tend to be candid. It is part of the -- Mr. Ott and
10 I went back and forth and we had some conversation with
11 the school. I would note that there are some technical
12 deficiencies in the application. But, again, I think
13 we're working in good faith here to ensure that the school
14 is turned around. I think that my recommendation will be
15 notwithstanding those deficiencies, both in performance
16 and in the actual form of the application, that we move
17 forward. So I just wanted to make sure that preview of
18 coming attractions was there.

19 MEMBER CONABOY: May I ask a question,
20 Mr. Chair?

21 CHAIR JOHNSON: Yes, please.

22 MEMBER CONABOY: If you've identified technical
23 deficiencies that were submitted by people who we're
24 supposed to continue to work with going forward, couldn't
25 they address those technical deficiencies in a measure of

1 good faith before we review the application? They could
2 do it quickly, right?

3 DIRECTOR GAVIN: Patrick Gavin, for the record.
4 They could, I just wish to make sure that, since that
5 would require that it go back before their Board and for
6 their Board to go through all that, I believe it's a
7 distinction without a difference at this point. But I can
8 sit down with counsel and see if he has a different
9 thought on whether that is essential.

10 It is my opinion at this point that given
11 everything else we have worked through, that that is not
12 necessary at this time.

13 CHAIR JOHNSON: All right. Is there any further
14 discussion or questions or are there any other questions?

15 All right. We will move on to Agenda Item
16 No. 8, which is public comment. We have -- is there any
17 public comment in the North Danny?

18 MR. PELTIER: There is none.

19 CHAIR JOHNSON: We have three people here who
20 would like to speak for public comment. You're welcome to
21 come to the table at once, Claudia Montes, Ben Salkowe,
22 and then John Hawk, Dr. John Hawk.

23 DR. HAWK: Chair Johnson, members of the
24 Board -- John Hawk, for the record -- there's a couple of
25 things I'd like to circle back around.

1 Patrick, I think you've done a great job this
2 year. I think the Board did it's due diligence with the
3 evaluation for you and I think you're doing an excellent
4 job. There's a lot of hard work that you're doing and I'm
5 going to make it harder.

6 I still want to review back to my contract that
7 I don't have signed. You know, I had my evaluation with
8 my Board and it's sad to say that I couldn't come back to
9 them with a signed contract. So if we could circle back
10 around, maybe formally if I send you something, or if it's
11 just by telephone, whatever I need to do, I want to do it,
12 to get a signed contract with this Board.

13 Number 2, sergeant-at-arms, you know, it's hard
14 for me when I sit back, I'm a sergeant-at-arms for my
15 Board with Robert's Rules of Order and I don't know how
16 best to come to the Board when I see things going on at
17 the Board meeting. For example, there's a motion and then
18 the motion was withdrawn and the second didn't withdraw
19 before. So I'm just letting the Board know about it. I'm
20 happy to be a sergeant-at-arms when I'm here, but I don't
21 know necessarily how to approach the Board. Because some
22 of that stuff is protocol and being a public body, I know
23 you want to do your due diligence and do it right, but
24 lawyers prey on the fact that you didn't do it right. So
25 I'm real happy with what you guys do and I'm happy to

1 offer my services for whatever I could do.

2 Member Mackedon, I agree with your comments, I
3 agree with them a lot. Thank you very much for making
4 those comments in regards to what's wrong with education.

5 And I'm confused with harbor master and I still
6 don't have a clear understanding of how charter schools
7 fit in with harbor master. And if I could request, I
8 wouldn't mind being sent the links the Dr. Canavero is
9 going to send to the Board.

10 Maybe, Patrick, you could just send them to all
11 charter schools. I think that would be really good for us
12 to see.

13 We're really close to moving to the east side,
14 gang. We're really close and we're still going to occupy
15 the second floor incubator space for a couple years, do it
16 right, do it thoughtfully, do it small, and then grow into
17 something a little bit larger hopefully.

18 And the last thing for me would be the charter
19 schools program grant. I'm not necessarily sure -- we've
20 got two schools that are in the hopper right now with the
21 State Public Charter School Authority with replication,
22 but I didn't get a sense that we weren't read on that list
23 with Dr. Canavero. He's got a lot of work to deal with.
24 I get it. I just don't know whether or not this board's
25 going to have an opportunity for us to have an opportunity

1 to get into that grant. So, Patrick, maybe we can do
2 something offline with regards to seeing what the protocol
3 would be for us to apply.

4 Board, I thank you very much for your time.

5 Again, if I didn't state it, John Hawk, chief
6 operations officer for Nevada State High School.

7 Thank you very much.

8 CHAIR JOHNSON: Thank you. Thank you, Dr. Hawk.

9 Just a quick mention in there. There are a lot
10 of nods in the audience. I wanted to at least get some
11 thoughts.

12 So if, Patrick, once you receive the information
13 from Dr. Canavero, if you'll be able to make sure we could
14 disseminate to schools so people understand and have
15 access to those links and be able to read through.

16 DIRECTOR GAVIN: I will make sure Danny does
17 that. I'll also ask him to put it, actually, on our
18 website as well as an exhibit of some kind in an
19 appropriate place so that it's out there for anyone who
20 somehow didn't get the memo.

21 CHAIR JOHNSON: Thank you so much, Patrick.

22 MR. SALKOWE: Good morning, Chair Johnson, and
23 members of the Nevada State Public Charter School
24 Authority. My name is Ben Salkowe. I'm the principal at
25 Equipo Academy, which was the charter school that opened

1 this year in East Las Vegas. I want to thank you all for
2 all of your work on behalf of our school and on behalf of
3 our students.

4 Also, since I'm here right before the end of our
5 school year, I want to extend an invitation to all of you
6 to our end of year celebration where we're going to bring
7 all of our families and our community members, June 1st at
8 6 o'clock, to celebrate. We've had a really incredible
9 school year.

10 I also want to comment on the decision to create
11 duplicative summative testing requirements this year for
12 students at Equipo Academy and for charter schools across
13 Nevada. I want to ask you now, that the Authority make
14 time to consider the concerns our team has regarding the
15 use of this assessment and the process by which the
16 decision was made.

17 At Equipo Academy, as you know, we strategically
18 go through data from several sources to get better at
19 decision-making for each of our students and our team has
20 an instructional approach that has consistently produced
21 some of the best results in East Las Vegas, in Clark
22 County, and Nevada. These results allowed us to achieve a
23 five-star State rating when, finally, last year we were
24 unanimously approved to open with a full assessment
25 program that we detailed in our application and believed

1 that we were following up until February of this year.

2 At the Authority's February meeting, the
3 decision was made to add the ACT Aspire, which is another
4 summative assessment that duplicates the purpose of that
5 and the course exams to the list of required exams that
6 our students will need to take in the next four weeks, in
7 addition to all other required State exams.

8 My team, as I have expressed, is deeply
9 concerned that this requirement, which tests all but one
10 of our grades, again, now creates a double-standard for
11 our students and, unlike any other students in Nevada,
12 charter school students in our grades are now expected to
13 take separate summative assessments for the same purpose
14 and the same content, one for the State Board of Education
15 and one for the State Charter Authority.

16 The added assessments, I believe and my team
17 believes, risk undermining the deep investment that we
18 built in our students and our families in the purpose and
19 the value of the assessment. Because we do, as a core
20 part of our school model, believe in the importance of it.
21 And the sudden implementation of this new assessment also
22 leaves us concerned about where else these resources could
23 be spent on behalf of our students.

24 I want to ask that the authority quickly and
25 completely communicate the expectations -- I've asked this

1 a couple times now around -- the possible scenarios for
2 how we administer these three summative course assessments
3 in the same time period. And in the event that the State
4 required SBAC and end of course examinations are
5 successfully completed by all schools, which I believe is
6 the case and was the case last year, I would appreciate or
7 ask that the Authority continue or consider waiving the
8 requirements for schools to administer the additional
9 Aspire testing requirement.

10 I ask that the item either be added to an
11 upcoming agenda or that a meeting be held in regard to
12 this and I sent out public comments about the same issue
13 in March as well.

14 I also want to repeat, very respectfully and
15 with full understanding of all of the things you have on
16 your plate, a request that I made back in the summer and
17 again in March, speaking at that time, I thanked the
18 Authority --

19 CHAIR JOHNSON: Three minutes.

20 MR. SALKOWE: -- members and staff for the
21 belief in our team and I ask that you really think about
22 ways to involve all members and --

23 CHAIR JOHNSON: Mr. Salkowe?

24 MR. SALKOWE: -- parents in the decision-making.

25 CHAIR JOHNSON: Mr. Salkowe?

1 MR. SALKOWE: Thanks. I will submit the list of
2 comments.

3 CHAIR JOHNSON: Thank you.

4 Ms. Montes?

5 MS. MONTES: I'm Claudia Montes, I'm a sophomore
6 at Equipo Academy. Aspire, Aspire testing?

7 We understand that testing plays a huge role in
8 schools. Testing can determine how well the student is
9 learning, how well the teacher is teaching students, and
10 the overall performance of the school. We understand that
11 taking tests is something we will do throughout our
12 college careers. We understand it's important for the
13 State to know how we're doing as a school. However, if
14 the student -- if the first test has the same goals and
15 purpose, then it is not fair for students to take the
16 second test. That will take away from -- that will take
17 away time from something more meaningful.

18 Time we could be spending on the second test
19 could be used learning college level vocabulary in Spanish
20 class, doing a chemistry end-of-year project, and/or
21 learning a new Algebra 2 equation.

22 With the second test, people will not be as
23 invested as they were with the first test. At the end of
24 the day, the goal of our school is to get students to and
25 through the college of their dreams. Adding a second test

1 does not contribute to our goal in any meaningful way.

2 CHAIR JOHNSON: Thank you, Ms. Montes.

3 Is there anything else before we adjourn our
4 meeting?

5 All right. Then I will say our meeting is
6 adjourned at 12:11 p.m.

7 (The proceeding was concluded
8 at 12:11 p.m.)

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REPORTER'S CERTIFICATE

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

I, Rachel Anstee Mann, CCR No. 816, do hereby certify:

That I reported the Nevada State Public Charter School Authority teleconferenced meeting commencing on Friday, April 29, 2016, at the hour of 9:03 a.m.

That I thereafter transcribed my shorthand notes into typewriting and that the typewritten transcript is a complete, true, and accurate transcription of my said shorthand notes.

IN WITNESS WHEREOF, I have set my hand in my office in the County of Clark, State of Nevada, this _____ day of, _____, _____.

RACHEL ANSTEE MANN, CCR No. 816