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2 **BEFORE THE STATE PUBLIC CHARTER SCHOOL AUTHORITY**
3 **STATE OF NEVADA**

4 In Re:
5 Nevada Connections Academy Notice of
6 Closure or Possible Board Reconstitution
7

8 **SUPPLEMENT TO NEVADA CONNECTIONS ACADEMY'S**
9 **MOTION FOR RECUSAL AND/OR DISQUALIFICATION**

10 Nevada Connections Academy ("NCA"), by and through their undersigned counsel,
11 Davis Graham & Stubbs LLP, hereby supplements its Motion for Recusal and/or
12 Disqualification of State Public Charter School Authority ("SPCSA" or "Authority") member
13 Jason Guinasso from the closure and reconstitution hearing regarding NCA with the following
14 documents:

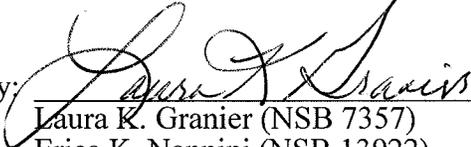
- 15 1. Declaration of Heather Engelhardt: submitted as evidence that the Authority has
16 predetermined it will close NCA prior to hearing and considering all relevant
17 information and evidence;
- 18 2. Declaration of Sherrie Miles-Syverson: submitted as evidence that submitted as
19 evidence that the Authority has predetermined it will close NCA prior to hearing
20 and considering all relevant information and evidence;
- 21 3. Declaration of Brian Rosta: submitted as evidence that certain Authority board
22 members may have communicated with Director Gavin, according to Director
23 Gavin's statement, that the school will be closed or reconstituted because the
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school refused to waive its rights to judicial review under the proposed contract supported by Director Gavin and Member Guinasso.

Respectfully submitted this 9th day of May, 2017.

DAVIS GRAHAM & STUBBS LLP

By: 

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Erica K. Nannini (NSB 13922)
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Attorneys for Nevada Connections Academy

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BEFORE THE STATE PUBLIC CHARTER SCHOOL AUTHORITY
STATE OF NEVADA

In Re:
Nevada Connections Academy Notice of
Closure or Possible Board Reconstitution

DECLARATION OF HEATHER ENGELHARDT
IN SUPPORT OF MOTION FOR RECUSAL AND/OR DISQUALIFICATION

DECLARATION OF HEATHER ENGELHARDT

Heather Engelhardt, is over the age, and competent to testify to the matters herein.

1. I am a K-8 Principal with Nevada Connections Academy ("NCA"). I make this declaration in support of NCA's motion for recusal.

2. On April 28 2017, I spoke with Jeff Anthony over the phone, who is the parent of two children currently enrolled with NCA. Jeff Anthony told me that he had called the State Department of Education on or around March 15, 2017 to relay a complaint regarding the venue for NCA's testing. Jeff Anthony explained to me that during this phone conversation he was told not to worry, that his complaint was heard, but that it does not really matter because NCA is going to be closed down anyway.

3. Jeff Anthony relayed this information to me within a month after his phone conversation with the Department of Education, and I have no reason to suspect that Jeff Anthony's recollection of the contents of the phone conversation were fabricated or unclear.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 9th day of May 9, 2017, in Laughlin, Nevada.



Heather Engelhardt

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BEFORE THE STATE PUBLIC CHARTER SCHOOL AUTHORITY
STATE OF NEVADA

In Re:
Nevada Connections Academy Notice of
Closure or Possible Board Reconstitution

DECLARATION OF SHERRIE MILES-SYVERSON
IN SUPPORT OF MOTION FOR RECUSAL AND/OR DISQUALIFICATION

DECLARATION OF SHERRIE MILES-SYVERSON

Sherrie Miles-Syverson, over the age, and competent to testify to the matters herein.

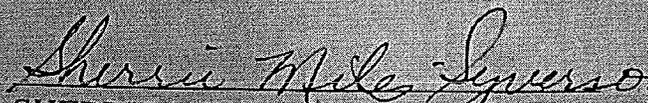
1. I am an 8th grade math teacher with Nevada Connections Academy (“NCA”). I make this declaration in support of NCA’s motion for recusal.

2. On April 20, 2017, I spoke with Jeff Anthony over the phone, who is the guardian/parent of two children currently enrolled with NCA. I called to discuss his daughter’s lack of work submission at NCA. During our conversation, Mr. Anthony mentioned that I should consider looking for another job. I asked to what he was referring and he stated that NCA will no longer be a school next year. Mr. Anthony told me that he had called the State Public Charter School Authority (“SPCSA” or “Authority”) after state testing on March 16 and March 17 to relay a complaint regarding the venue for NCA’s testing. He said the president of the Charter Authority, SPCSA Director Patrick Gavin, called him back, and the two spoke over the phone. I asked if he meant the director, as Director Gavin was not the president of the Charter Authority, to which he replied that, yes, he meant Director Gavin. Mr. Anthony further explained to me that, during his phone conversation with Director Gavin, Director Gavin stated the following:

- Although NCA believes that they are staying open, Director Gavin says different.
- The Authority is just not telling NCA what they plan to do or when they plan to shut the school down.
- NCA is “so bad” it would be closing before the beginning of the 2017-2018 school year and that this family should look for better school options for next year.

3. Mr. Anthony relayed this information to me within 19 days after his phone conversation with Director Gavin had taken place, and I have no reason to suspect that Mr. Anthony's recollection of the contents of the phone conversation were fabricated or unclear.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct and was executed this 9th day of May, 2017, in Las Vegas, Nevada.


SHERRIE MILES-SYVERSON

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BEFORE THE STATE PUBLIC CHARTER SCHOOL AUTHORITY
STATE OF NEVADA

In Re:
Nevada Connections Academy Notice of
Closure or Possible Board Reconstitution

DECLARATION OF BRIAN ROSTA
IN SUPPORT OF MOTION FOR RECUSAL AND/OR DISQUALIFICATION

DECLARATION OF BRIAN ROSTA

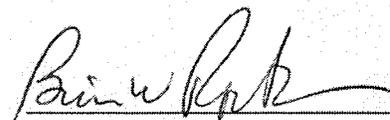
Brain Rosta, over the age, and competent to testify to the matters herein.

1. I am the Senior Director of Schools, Partner School Leadership Team, with Connections Academy. The schools I serve include Nevada Connections Academy ("NCA"). I make this declaration in support of NCA's motion for recusal.

2. On December 16, 2016, I spoke with State Public Charter School Authority ("SPCSA") Director Patrick Gavin in person at the December 2016 Nevada State Public Charter School Authority meeting. I purposefully arrived at the meeting room early to reintroduce myself to the members of the Authority and Mr. Gavin. During our conversation, I told Director Gavin that I understand he was in a tough position regarding NCA's closure. To this, Director Gavin referred to the fact that NCA's board refused to sign the contract that the SPCSA had offered them, and then stated the following: "ultimately the choices made by this school's board are going to doom the school." Based on the order of statements, it was clear that the "choices" to which Director Gavin referred either included or exclusively referred to NCA's failure to sign the contract.

3. I relayed this conversation to NCA School Leader Steve Werlein minutes after my conversation with Director Gavin had taken place, while Director Gavin's statement was fresh in my mind.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 8th day of May, 2017, in Spring Hill, Tennessee.



BRIAN ROSTA

1 **CERTIFICATE OF SERVICE**

2 Pursuant to N.R.C.P. 5(b), I certify that I am an employee of Davis Graham & Stubbs
3 LLP and not a party to, nor interested in, the within action; that on May 9, 2017, a true and
4 correct copy of the foregoing document was served as listed below:
5

6 Gregory D. Ott, Esq.
7 Deputy Attorney General
8 100 N. Carson Street
9 Carson City, NV 89701

VIA EMAIL

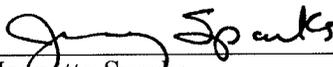
10 Robert A. Whitney, Esq.
11 Deputy Attorney General
12 100 N. Carson Street
13 Carson City, NV 89701

VIA EMAIL

14 *Attorneys for State Public Charter School Authority*

15 Jason D. Guinasso, Esq.
16 Reese Kintz Guinasso
17 190 West Huffaker, Suite 402
18 Reno, NV 89511

VIA HAND DELIVERY

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Jeanette Sparks