

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

November 30, 2018

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

Nevada Department of Education
9890 South Maryland Parkway
2nd Floor Board Room
Las Vegas, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Melissa Mackedon
Jason Guinasso
Randy Kirner
Sheila Moulton
Stavan Corbett

In Carson City:

(None)

BOARD MEMBERS ABSENT:

Nora Luna
Jeff Hinton

AUTHORITY STAFF PRESENT:

In Las Vegas:

Mark Modrcin, Director of Authorizing
Brian Scroggins, Deputy Director
Michael Dang, Management Analyst IV

In Carson City:

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

LEGAL STAFF PRESENT:

In Las Vegas:

Ryan Herrick, General Counsel, State Public Charter School Authority

In Carson City:

Aisheh Quiroz, Legal Assistant, State Public Charter School Authority

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Mike Mooney
Ben Gerhardt
Yolanda Hamilton
Kare Hendricks
Pat Hickey
Samantha Morris
Elizabeth Rufus
Ezell Jones
Tambre Tondryk
Ercan Aydogdu
John Hawk
Karen Kreitzer
Bree Achong
Trevor Goodsell
R. Gourrier
Kevin Rodella
Lisa Racine
Jake Barry
Shannon Barry
Colin Bringhurst
Ryan Reeves
Mariana Pefkova
Mike McCoy
Heather Woodbury
Amelia Pak-Harvey
Bryan Richardson
Nick S.
Carrie Buck
Kelly Blatnik
Elizabeth Therot
Jana L.
Candy Farthing

Ben Salkowe
Elizabeth McFadden
Ronald Fick
Cindy Carter

In Carson City:

Rebecca Phipps

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

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

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

Agenda Item 2 – Public Comment

Kevin Rodella spoke on behalf of NVA. His children have been well-served at the school and he asked that the Board vote to renew the school's charter.

Mike Mooney spoke on behalf of NVA. His child has special needs and was bullied at his previous schools. He is happy with the education his child is receiving at NVA and asks that the Board vote to renew the school's charter.

Elizabeth Rufus spoke on behalf of NVA. Her son has been well-served at the school and she asked that the Board vote to renew the school's charter.

Lisa Racine spoke on behalf of NVA. She has had four children matriculate through NVA's program and she is happy with NVA and feels is so much better than the schools for which she is zoned. She asked that the Board vote to renew the school's charter.

Heather Woodbury spoke on behalf of NVA. Her daughter has had some significant health challenges (chemotherapy) and has excelled at NVA even though she was not successful at her previous school. She asked that the Board vote to renew the school's charter.

Karen Kreitzer spoke on behalf of NVA. Her granddaughter attends the school and has seen a lot of success. She asked that the Board vote to renew NVA's charter.

Bri Achong spoke on behalf of NVA. She is currently enrolled and is happy with the quality of education she is receiving and asks that the Board vote to renew NVA's charter.

Kelly Blatnik spoke on behalf of NVA. Her daughter is graduating from NVA and they are very happy with the flexibility that virtual school has provided. She asked that the Board vote to renew NVA's charter.

Agenda Item 3 – Approval of the November 2, 2018 Action Minutes.

Member Moulton moved to approve the minutes from the November 2, 2018 meeting minutes. Member Corbett seconded. The motion carried unanimously.

Agenda Item 4 – SPCSA Staff Reports

1. Authorizing Team

a. Creation of a map of all SPCSA-sponsored schools

Staff has created a map of the schools, which can be found among the supporting documents for this meeting.

b. Performance Framework

Director Modrcin updated the Board on Staff's progress to-date with regard to revising the components of the Performance Framework.

- Academic – Staff is still gathering information and engaging stakeholders
- Organizational – Staff hopes to have something to present at the meeting in two weeks. The team is trying to address the problems identified with regard to the Legal Compliance Questionnaire.
- Financial – Staff has worked over the past several months to modify the Financial Framework and is still on schedule to present their findings at the January meeting.

c. Site evaluation protocol

The Site evaluation protocol has been developed and will be discussed at Agenda Item 8.

d. Charter school application reviews

The two applicants who submitted applications during the Summer Cycle have chosen to withdraw their applications. Director Modrcin commended his team for their work. They completed the application review in four months – as opposed to the eleven months it once took.

2. School Support Team

a. Provide CCSD with a list of newly-approved SPCSA-sponsored schools

- American Leadership Academy Summerlin (Henderson)
 - 498 South Boulder Highway in Henderson
 - K-8
 - Planned Enrollment for SY19/20 – 990 students
- Legacy Traditional Schools Southwest
 - Intersection of South Rainbow Blvd. and Wigwam Avenue
 - K-8
 - Planned Enrollment for SY19/20 – 1450 students
- Nevada State High School Southwest
 - 7885 West Sunset Road Las Vegas, NV 89113
 - 11th and 12th grade
 - Planned Enrollment – 110 students, growing to 139 by SY23/24
- Pinecrest Academy of Nevada – West Henderson
 - 675 West Dale Ave.
 - K-9, growing to K-12
 - Planned Enrollment – 1,135, growing to 2,025 students by SY23/24

Member Kirner asked if the Board might see something that addresses the number of seats available versus how many students are enrolled. Chair Guinasso said he would also like to get an idea of how many seats are going to become available in the next couple of years.

Lisa Dzierbicki, Education Programs Professional, spoke on the work she and her counterpart, Sara Jorgensen, have been doing since their date of hire (February, 2018), including visiting every campus the SPCSA sponsors.

- b. Technical Support – provide technical support to the schools, points-of-contact for questions regarding education programs, special education, Title 1
- c. School Site Visits for support and training
- d. NDE meetings and trainings
- e. School and Community Outreach

3. Finance and Operations Team

a. SPCSA Las Vegas Office Move Update

Jennifer Bauer, Director of Finance and Operations, updated the Board on the status of the Las Vegas Office move. The lease agreement will go to the Board of Examiners on December 4. If the lease is approved, the move will take place in April of 2019.

4. Legal

a. Argent Student Records

Ryan Herrick, SPCSA General Counsel, explained that Staff is working with Receiver Josh Kern to determine what to do with the student records at Argent Preparatory Academy, as that school has now closed.

b. Quest Litigation

Staff recently became aware that Mr. Kern has filed several lawsuits against the former Board of Directors of Quest Preparatory Academy. Member Moulton asked where the finances are coming from to pay for the litigation. The Board would like an update on the lawsuits during his next update.

c. Due Process Complaints

Staff has received several Due Process complaints. With the status of the SPCSA in regard to being an LEA, it is causing a problem with the standard Due Process complaints. Due to our schools' autonomy, the Authority does not have the same level of involvement in the happenings that precede Due Process complaints. Staff has met with several individuals at NDE to seek guidance on this issue.

d. SPCSA Executive Director Recruitment

Staff has worked with State HR to get the job announcement posted. The idea was originally to leave the posting open for 30-45 days, but we may decide to extend that. After that, State HR will screen the applicants and forward their resumes to the Board. Chair Guinasso asked to push the close date for the posting until after the new year and then begin the screening process.

Agenda Item 5 – R131-16 Presentation

Director Modrcin gave a presentation regarding R131-16, which can be found as part of the supporting materials for this meeting.

Agenda Item 6 – 2017-2018 School Year Enrollment Presentation

Dr. Selcuk Ozdemir, Education Programs Supervisor, presented the enrollment data for the 2017-2018 school year, which can be found as part of the supporting materials for this meeting.

Agenda Item 7 – Legislative Counsel Bureau – Interim Finance Committee

Chair Guinasso and Staff have worked to come up with a presentation for the IFC to clarify some points that were made at the October IFC meeting. Those documents can be found as part of the supporting materials for this meeting.

Member Mackedon moved to approve the IFC Cover letter, the IFC response memo, and the IFC Exhibits with the caveat that staff can make final, non-substantive changes to these documents. Member Moulton seconded. The motion carried unanimously.

Agenda Item 8 – SPCSA Site Evaluation Protocol

Sandra Kinne, Education Programs Professional, gave a presentation regarding the SPCSA Site Evaluation Protocol

Member Moulton moved to approve the Site Evaluation Protocol and the Proposed Schedule. Member Corbett seconded. The motion passed unanimously.

Agenda Item 9 – Local Education Agency (LEA) Status

Dr. Steve Canavero, State Superintendent of Public Instruction, spoke regarding the SPCSA's status as an LEA. The US Department of Education sends funds to State Education Agencies (Department of Education) to Local Education Agencies (LEA) (School Districts) which allocate funds to schools.

Historically, the Department has been accommodating because the SPCSA is unique. The SPCSA has grown so much that it has become a challenge for the Department to work on allocating these funds to SPCSA schools. There are several solutions to consider and there are teams and consultants working on this issue and how it will look operationally.

Dr. Canavero addressed the SPCSA's Bill Draft Request – it will clearly delineate the agency's responsibilities as far as being an LEA or whether the schools will be their own LEA, or some kind of blend.

Dr. Canavero said that the Department is happy to help the SPCSA navigate this transition and to come up with a process that will meet the goals and objectives of the transition.

Agenda Item 10 – Charter School Contract Renewal Recommendations

a. Nevada Virtual Academy (continued from last meeting)

Director Modrcin gave a brief overview of the renewal recommendation process Staff uses to evaluate schools applying for renewal. He stressed that the Board's options are either to deny renewal or to renew the school for a new six-year term.

He noted that one of the most important indicators Staff considers upon renewal is past academic performance of the school. In the case of Nevada Virtual Academy, the school's historical academic performance has caused Staff great concern and necessitated the inclusion of conditions with the renewal recommendation.

Nevada Virtual Academy was previously renewed with conditions. During the current charter term, the school has continued to struggle with academic underperformance. Director Modrcin outlined the school's NSPF ratings for this charter term and highlighted Staff's concerns.

Director Modrcin reviewed the conditions with the Board (see page 8 of the Memorandum for this agenda item).

Dr. Ozdemir explained the rationale for the academic performance benchmarks contained in the renewal recommendation.

Director Modrcin reiterated Staff's concerns and emphasized the importance of NVA improving its academic performance. He clarified that the enrollment caps are grade-level and not schoolwide. Director Modrcin responded to claims made by NVA that a different school in the SPCSA's portfolio had the same performance of NVA and didn't receive the same treatment NVA did. Director Modrcin listed the ways in which the historical performance of the other school is superior to that of NVA.

Samantha Morrison, NVA's Board Chair, spoke on behalf of NVA. She said that the school does not agree with many of the conditions set forth by Staff and feels that NVA is being treated unfairly and that they have been asked to do things that other schools have not been asked to do.

Ben Gerhardt, Testing Coordinator for NVA, spoke on regarding NVA's NSPF scores. The school has concerns that the middle school will not be able to meet the index score that has been proposed as a condition for renewal. They are worried that signing the contract would put their middle school on the same track to closure that the elementary school just experienced. The school is questioning the SPCSA's ability and rationale in placing these conditions in the contract.

Kara Hendricks, NVA's attorney, explained that, in regard to the high school, NVA wants freedom to grow their high school sooner than what is outlined in the renewal recommendation. They are also concerned that they are being penalized unfairly. She suggested that Staff is trying to circumvent the statutory termination provisions.

Staff made it clear that the school is under no obligation to sign the contract if they do not like the conditions and consequences set forth in the recommendation.

After lengthy discussion and some back-and-forth between the school, Chair Guinasso asked for a motion.

Member Corbett moved to accept Staff's recommendation to renew Nevada Virtual Academy's middle and high school programs for grades 6-12 for a six-year term beginning 1 July 2019 with the inclusion of the conditions as listed. Member Moulton seconded the motion. The motion passed in a vote of 3 to 2 in favor of approving the contract with conditions.

Agenda Item 11 – Charter School Amendment Applications

Pinecrest Academy and Mater Academy of Nevada have each submitted amendment applications related to facility acquisition. Mike Dang gave a brief presentation regarding Staff's recommendation on each of these amendment applications. That information is contained in the Board Memorandums for this agenda item.

Member Mackedon moved to approve the Pinecrest Academy of Las Vegas amendment in accordance with Staff's recommendation. Member Moulton seconded. The motion carried unanimously.

Member Mackedon moved to approve Mater Academy of Nevada's amendment application in accordance with Staff's recommendation. Member Moulton seconded. The motion carried unanimously.

Agenda Item 12 – Long-Range Calendar

Chair Guinasso asked that Staff populate the Calendar for 2019 to facilitate easier planning for board members as well as Staff.

Agenda Item 13 – Public Comment #2

Chair Guinasso read a letter from Ben Salkowe, of Equipo Academy. That letter is included as part of these minutes.

Agenda Item 14 – Adjournment

EQUIPO ACADEMY

EAST LAS VEGAS COLLEGE PREP

November 30, 2018

Dear Chair Guinasso, Vice Chair Mackedon, and Members of the Authority,

I write to advocate for further discussion and delay of final approval of Item No. 8 in the November 30 agenda: SPCSA Site Evaluation Protocol. It is my belief that an evaluative protocol with high stakes for schools should include the following components currently missing from the draft handbook up for consideration:

- **Actual scoring documents such as rubrics are needed in advance to enable schools to clearly understand the scope of any evaluative site visit and to establish clear levels of performance for each item or indicator to be reviewed.** A brief section in the draft framework titled “Our Measures” references rubrics, frameworks, and scales but these are not included in the protocol materials. The omission of these materials and the references by members of the Authority to needed updates and changes to the past Academic Framework make it challenging for schools to understand how to excel in an evaluative site visit when there is not a clear, shared set of scoring documents.
- **Fair and consistent guidelines are needed for when evaluative visits will occur and Authority Chair approval should be required before staff conduct additional evaluative visits.** The current guidelines described in the draft handbook are broad and grant individual staff extensive autonomy from the Authority members to determine when and how frequently they will evaluate any individual school. For example, the proposed schedule states that schools will be evaluated in Years 1, 3, 5, and at renewal, but Equipo Academy (Year 4) is included on the immediate schedule as one of the first schools to visit without a specific rationale. Because of the demands of a multi-day site visit with an evaluative component, and the proposed itinerary involving stakeholders across the school team, I also suggest that any guidelines take into consideration the heavy testing schedules and demands in particular of portfolio schools in communities such as East Las Vegas. A proposed visit for Equipo Academy during February directly overlaps with annual WIDA testing requiring individualized assessments of hundreds of students.
- **Clear definitions are needed for criteria that trigger additional evaluative visits and requirements.** The proposed language allows Authority Staff to visit “high needs” schools and conduct other evaluative visits without limit and does not define these terms or triggers specifically. While we understand the need for ongoing site visits to all schools, especially support visits and grant audits, we

ask that clear definitions be given for the terms used in this handbook to maintain an objective and fair protocol for all schools.

Thank you in advance for your consideration of these suggestions. I hope to be able to attend the discussion today after 10:30 a.m. to participate in-person if needed and further elaborate on our context.

Thank you,

A handwritten signature in black ink, appearing to read "Ben Salkowe". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ben Salkowe
School Principal