



NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

June 26, 2020

In compliance with the Governor's Emergency Directives related to COVID-19, the June 26, 2020 Meeting of the State Public Charter School Authority was conducted virtually and livestreamed.

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT (via video):

Member Lee Farris
Member Tamika Shauntee Rosales
Member Don Soifer
Member Holmes-Sutton
Member Mallory Cyr
Member Sheila Moulton
Member Sami Randolph
Vice Chair Randy Kirner
Chair Melissa Mackedon

AUTHORITY STAFF PRESENT (via video):

Rebecca Feiden, Executive Director
Ryan Herrick, General Counsel
Mark Modrcin, Director of Authorizing
Michael Dang, Management Analyst IV
Danny Peltier, Management Analyst I
Karen Gordon, Education Programs Professional

BOARD MEMBERS ABSENT:

AUDIENCE IN ATTENDANCE (via video):

Ron Coe (via video)
Karen Vaughan (via video)
Gretchen Larsen (via video)
Dr. John Hawk (via phone)
Matt Fox (via phone)
Tambre Tondryk (via video)
Lynda Spann (via video)
Andrea Damore (via video)
Rochelle Tisdale (via video)
Lisa Bird (via video)
Jennifer McCloskey (via video)
Adam Johnson (via video)
Dr. Raul Carranza (via video)
Brian Carpenter (via video)
Rachelle Hulet (via video)
Jason Guinasso (via video)
Candy Farthing (via video)
Lee Iglody (via video)
Craig Jex (via video)

Agenda Item 1 – Call to Order, Roll Call, and Pledge of Allegiance [00:00:31]

Chair Mackedon called the meeting to order at 9:00am, with attendance reflected above.

Agenda Item 2 – Public Comment #1 [00:01:51]

No public comment.

Agenda Item 3 – Approval of the May 29, 2020 State Public Charter School Authority Board Action Minutes [00:03:15]

MOTION: Member Soifer moved to approve the May 29, 2020 Nevada State Public Charter School Authority Board Action Minutes. Member Moulton seconded. The motion carried unanimously.

Agenda Item 4 – SPCSA Executive Director’s Report [00:04:15]

- a. Update on SPCSA and schools’ responses to COVID-19, including Summer School and Athletics

Executive Director Feiden provided a summary of the developments within the last few weeks following the Governor’s Emergency Directive 022 signed June 9, 2020. The Nevada Department of Education (NDE) released the document *Nevada’s Path Forward: A Framework for a Safe, Efficient, and Equitable Return to School Buildings*. The directive lays out immediate changes to allow schools to re-open for certain activities and under specific requirements for Summer, it also allows sports to restart under guidance from the Nevada Interscholastic Activities Association (NIAA), and sets forth the requirements for the re-opening of schools for Fall 2020. Regarding the update from the SPCSA, staff has continued to track attendance. Following the May meeting of the Legislative Committee on Education, staff collected data on the number of students SPCSA schools were not able to reach during the school closure period. The determined number was 144 students out of the approximately 50,000 that our schools serve. In terms of Summer, SPCSA schools continue Summer learning. Some schools have adapted their plans to follow the guidance released others continue their virtual plans. See supporting materials for additional details and referenced documents.

- b. Overview of Charter School Renewal Process [00:13:38]

Mark Modrcin, Director of Authorizing, spoke briefly to the renewal process. Each year, the renewal process begins in late June for the schools which have contracts expiring at the end of the following fiscal year. The 4 sponsored schools that have contracts that expire are: (1) Alpine Academy, (2) Elko Institute for Academic Achievement, (3) Equipo Academy, and (4) Silver Sands Montessori. The schools renewal reports were provided to them. Results for their 5th year under the Nevada School Performance Framework would normally be available this Fall prior to any staff recommendation and final decision but this will look different this year given the COVID-19 pandemic. Staff will continue to review the available data including the organizational compliance and financial performance information. Staff expects to bring recommendations to the Board by the end of the year.

- c. Update regarding recent presentations [00:16:25]

- Commission on School Funding

Executive Director Feiden provided the update. Senate Bill 543 will bring forth a new funding formula (also known as Pupil-Centered Funding Plan) in Fall of 2021. Her presentations were based on what charter schools are and how they are funded today as well as what the potential impacts of this new funding formula would be on charter schools.

- Legislative Committee on Education

Executive Director Feiden provided the update. At the June 16, 2020 meeting, SPCSA provided updates on a variety of items. The big item was the presentation on site evaluations.

- Interim Finance Committee

Executive Director Feiden provided the update. At this meeting the revolving loan application for Girls Athletic Leadership School was approved by the committee.

No action taken on this item.

Agenda Item 5 – Reopening Plans for 2020-2021 School Year [00:22:38]

Executive Director Feiden provided a summary of the major requirements and components related to Emergency Directive 022. She indicated that re-opening plans must be based on the documents released by NDE and she summarized the two main documents released by NDE which can be found in the supporting materials.

Her recommendation is for the Authority to recommend, in alignment with the school districts, SPCSA-sponsored schools be required to present their plans to their governing boards 20 days before the first day and provide their board approved plans to SPCSA staff after and staff will ensure compliance. SPCSA will then compile the plans and provide them to the NDE. There will be no necessary approval by NDE.

Further discussion ensued between SPCSA staff and the Authority regarding re-opening plans.

***MOTION:** Member Soifer moved, in compliance with Directive 022, all schools be required to submit their re-opening plans for the 2020-2021 school year to their governing bodies to be approved not less than 20 days before their first day of school and to submit their approved plan to the SPCSA staff subsequent to approval and SPCSA staff to provide to the NDE. Member Moulton seconded. The motion carried unanimously.*

Chair Mackedon said to accommodate schedules, the Authority will be moving to agenda item 8.

Agenda Item 6 – Updates on approved new charter schools for Fall 2020 [01:15:26]

a. Pinecrest Academy of Northern Nevada

Director Modrcin provided brief updates related to Pinecrest Academy of Northern Nevada's reopening progress. SPCSA staff has been in close contact with the school and has no concerns to report at this time. Given their progress to date they did not ask anyone from the school to join today's meeting.

No action taken on this agenda item.

b. Girls Athletic Leadership School [01:18:38]

Director Modrcin provided the brief updates related to the reopening progress. He referenced a written update which can be found in the supporting materials. Given the current enrollment levels and how closely SPCSA staff is monitoring the school's progress, school representatives were asked to join today's meeting.

The Authority had no questions.

No action taken on this agenda item.

c. Explore Academy [01:21:20]

Update provided during agenda item 8(a). No additional questions from the Authority.

No action taken on this agenda item.

Agenda Item 7 – Contract for Former Achievement District (ASD) School: Democracy Prep at the Agassi Campus [01:22:40]

Executive Director Feiden provided the Authority with SPCSA staff's recommendation regarding the contract for the former ASD school (pursuant to section 80.75 of Assembly Bill 78 (2019)), which is to approve the proposed charter contract.

***MOTION:** Member Soifer moved to approve the charter contract for Democracy Prep at the Agassi Campus. Member Shauntee Rosales seconded. The motion carried unanimously.*

The Authority moved back in order to agenda item 9.

Agenda Item 8 – Charter Contract Amendment Applications [00:45:22]

a. Explore Academy

Mike Dang, Management Analyst IV, provided the Authority with the details related to Explore Academy's requests to approve the good cause exemption and the amendment proposal to offer 8th grade beginning in the 2020-2021 school year. He stated SPCSA staff's recommendation is to approve the requests.

Gretchen Larsen provided the update for Explore Academy's enrollment efforts and numbers. She stated since they were supposed to open last year and had to defer a year, there is a cohort of families that would have enrolled in 7th grade but now are in 8th grade and would still like to enroll.

***MOTION:** Member Kirner moved to approve the request of the Explore Academy of Las Vegas to (1) grant the school a Good Cause Exemption to the Request; and (2) approve the school to add a 8th grade along with their 6th, 7th, and 9th grades beginning this fall 2020-2021 school year, subject to the condition that the school submit weekly enrollment updates to staff showing the number of students enrolled per grade level for the 2020 – 2021 school year. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

b. Nevada State High School [00:56:56]

Mr. Dang, previously identified, provided the Authority with the details related to the requests to approve the good cause exemption and the amendment proposal to add an additional 9th campus in North Las Vegas or Henderson and to consolidate the Sunrise campus contract into the Flagship Nevada State High School contract. He stated SPCSA staff's recommendation is to approve the requests.

***MOTION:** Member Moulton moved to approve the Nevada State High School (NSHS) requests, with conditions, to allow NSHS to:*

- 1. Expand by one additional location.*

- a) *Condition: Location must be within one of the following zip codes that align with the SPCSA Academic and Demographic Needs Assessment: 89030, 89032, 89121 or 89122.*
 - b) *Condition: NSHS to submit timely, written information describing the location of the selected additional campus once under contract.*
 - c) *Condition: NSHS complete the SPCSA's Pre-Opening process for new and expanding campuses. SPCSA staff will work with school leadership to ensure that all requirements are completed in a timely manner, and well before the opening of the campus.*
2. *Consolidate the Sunrise campus into the flagship charter. This consolidation would occur for the 2021 – 2022 school year.*

Member Holmes-Sutton seconded. The motion carried unanimously.

c. Beacon Academy of Nevada [00:01:31]

Mr. Dang, provided the Authority with the details related Beacon Academy of Nevada's (BANV) requests to approve the good cause exemption and to implement a dual credit program and to open a second campus beginning in the 2021-2022 school year. He stated SPCSA staff's recommendation is to approve the requests.

MOTION: *Member Moulton moved to approve the requests of BANV to*

1. *Grant the request for a Good Cause Exemption;*
2. *Implement a dual-credit program, with the condition that the school provide evidence that the governing body of BANV has applied and been approved by the State Board, thereby permitted students to earn credits during the upcoming school year.*
3. *Open a second, expansion campus that will replicate the current BANV model in accordance with the plan outlined in the amendment application, with the following conditions:*
 - a) *Provide staff with evidence or documentation that the school has secured a facility within the proposed zip codes as outlined above (89101, 89104 or 89110), and*
 - b) *Complete the SPCSA new campus/charter pre-opening protocol in preparation for opening for the 2021 – 2022 school year.*

Member Holmes-Sutton seconded. The motion carried unanimously.

d. Oasis Academy [01:09:50]

Chair Mackedon recused herself from this item.

Mr. Dang provided the Authority with the details related Oasis Academy's request for amendment to move its 9th and 10th grade students across the street from the Oasis Academy school building to the Pinion Building located on Western Nevada College's Fallon Campus. He stated SPCSA staff's recommendation is to approve the request.

MOTION: *Member Shauntee Rosales moved to approve, with conditions outlined below, the request of Oasis Academy of Nevada to move its 9th and 10th grade students from the Oasis school building to the Pinion Building located on Western Nevada College's (WNC) Fallon campus beginning in the 2020 – 2021 school year.*

Conditions (Due to the COVID-19 crisis, the school was unable to submit the below documents. These submissions will be handled through conditions, but these must be submitted to SPCSA staff prior to the start of the 2020 – 2021 school year).

- *Documentation demonstrating that the proposed facility meets all applicable building*

codes, codes for the prevention of fire, and codes pertaining to safety, health and sanitation

- *Documentation demonstrating the governing Body has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act (OSHA) in compliance with NAC 386.3265*
- *Full Certificate of Occupancy*

Member Soifer seconded the motion. The motion carried unanimously.

The Chair directed the Authority to move back to agenda item 6.

Agenda Item 9 – TEACH Las Vegas Request for Good Cause Exemption [01:25:58]

Director Modrcin provided the Authority with details related to TEACH Las Vegas' request for a Good Cause Exemption to submit a new charter application outside the application window. The school has already fulfilled the letter of intent requirement and additionally the applicant plans to propose a replication of a currently existing model in Los Angeles, California. He provided additional reasons offered for this request that can be found in staff's recommendation within the supporting materials. SPCSA staff is recommending approval of this request for these reasons.

Dr. Raul Carranza provided the background of their schools in California. He said they have been operating for 10 years and they have been through two renewal cycles and are familiar with the process.

Further discussion ensued between the Authority and school representatives.

MOTION: *Member Moulton moved to grant the Committee to Form for TEACH Las Vegas a Good Cause Exemption, thereby allowing them to submit a full and complete charter school application after the July 15 submission deadline, and on the condition that the application is received no later than October 1, 2020. Member Kirner seconded. The motion carried unanimously.*

A 5-minute convenience break was taken before the next item.

Agenda Item 10 – American Preparatory Academy – Las Vegas [01:47:35]

Chair Mackedon disclosed that Hutchison represents Oasis Academy, but she does not feel there is any conflict.

Executive Director Feiden provided the Authority with information related to American Preparatory Academy – Las Vegas' (APA-LV) recent nonrenewal of APA-LV's agreement with its Education Management Organization (EMO), American Preparatory Schools (APS). The school's board unanimously voted on the nonrenewal and SPCSA staff has been closely monitoring these developments. Additional correspondence related to this issue can be found in the supporting materials for this agenda item. SPCSA staff is recommending the Authority approve this request.

Ryan Herrick, General Counsel, provided the legal background. He said there are two things with this agenda item. First, the contract with the EMO and the school; under the charter school regulations the Authority is required to approve the nonrenewal or separation agreement. The second item is regarding the school's previous approval to open a second campus and SPCSA staff and the school will provide the status of the

campus. He added that a letter was received at about 10:00pm last night from the attorney representing the EMO, APS.

Further discussion of legal technicalities ensued between the Authority and Mr. Herrick.

Executive Director Feiden added additional information to provide a thorough understanding of the context and moving parts. In the coming weeks, there will be a lot for the school to do in order to bring the services APS provided in-house. SPCSA staff has a number of concerns about the content of the changes but nothing they have seen indicated there's any negative or inappropriate activity. The concern is around how much has to be done so quickly. SPCSA staff plans to talk to APA-LV on a frequent basis to ensure the transition is situated.

Jason D. Guinasso, Esq., Hutchison & Steffen, said he is the attorney for APA-LV. He provided the context and overview of the process related to their decision to not renew the agreement with the school's EMO, APS.

Rachelle Hulet, Interim Executive Director, provided the background regarding their K-12 campus. She said the support and services the EMO was contracted to provide had declined to an extent where she believes it has been harming their students rather than helping them. She closed her comments with saying that the time has become apparent to their staff and governing board, that their 2,200 students would be far better served by becoming a self-managed school.

Candy Farthing, Board Liaison for APA-LV's Transition Task Force, spoke to the process related to their efforts in the transition and amendment process. They have retained Dr. Brian Carpenter who has experience with these types of transitions.

Lee Iglody, Chair, APA-LV, said it was a difficult decision, but they do not have the funds to spend on an EMO that is not providing services in the contract incorporated. In the course of their investigation, they discovered all the services provided to them were being provided by APA-LV payroll employees.

Craig Jex, Operations Director, provided the information and details related to the new campus. The building is being built; however, they have had some issues with NV Energy, which changed the timeframe they had planned. This issue is being addressed and the substantial completion is set for September 21st-28th.

There was further discussion between the school, the Authority and SPCSA staff regarding the new campus' start date, the school's (prior) contract with the EMO and additional concerns raised by the Authority.

***MOTION:** Member Farris moved that the SPCSA approve American Preparatory Academy Las Vegas' nonrenewal of its contract with American Preparatory Schools and direct APA Las Vegas to work with SPCSA staff to outline specific changes to the operations, academics and finances that will be required to operate as a stand-alone charter school. Member Soifer seconded. The motion carried unanimously.*

Agenda Item 11 – Long Long-Range Calendar [02:52:18]

Executive Director Feiden provided the update on the long-range calendar which can also be found in the supporting materials.

Member Cyr asked that an agenda item be added to the July calendar for serving all students equitably and ensure that school climates are anti-racist.

Agenda Item 12 – Public Comment [02:56:58]

No public comment.

Agenda Item 13 – Adjournment [02:57:32]

The meeting was adjourned at 11:57am.

DRAFT