



## NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

**June 25, 2021**

The State Public Charter School Authority Board Meeting was conducted virtually and at the following physical location:

Nevada Department of Education  
2080 East Flamingo Road  
Board Room  
Las Vegas, Nevada

### **MINUTES OF THE MEETING**

#### **BOARD MEMBERS PRESENT IN-PERSON:**

Member Lee Farris  
Member Tamika Shauntee Rosales  
Member Don Soifer  
Member Sheila Moulton  
Chair Melissa Mackedon

#### **AUTHORITY STAFF IN-PERSON:**

Rebecca Feiden, Executive Director  
Mark Modrein, Director of Authorizing

#### **BOARD MEMBERS PRESENT VIRTUALLY:**

Member Tonia Holmes-Sutton  
Member Mallory Cyr (via phone)  
Member Sami Randolph

#### **AUTHORITY STAFF PRESENT VIRTUALLY:**

Ryan Herrick, General Counsel  
Danny Peltier, Management Analyst I  
Michael Dang, Management Analyst IV  
Karen Gordon, Education Programs Professional  
Selcuk Ozdemir, Education Programs Supervisor

#### **BOARD MEMBERS ABSENT:**

Vice Chair Randy Kirner

#### **AUDIENCE IN ATTENDANCE:**

Ryan Reeves	McCall Judd
Jessica LeNeave	Biante Gainous
Kacey Thomas	David Blodgett
Lisa Satory	Rachelle Hulet
Andrea Moore	Maria Pimienta
Ron Coe	Ben Salkowe
Charlie	
Justin Baiardo	
Gretchen Larsen	
Sarah Barlow	
Candy Farthing	

**Agenda Item 1 – Call to Order and Roll Call, and Pledge of Allegiance [00:00:38]**

State Public Charter School Authority (SPCSA), Board Chair, Melissa Mackedon called the meeting to order at 9:03am, with attendance reflected above and facilitated the pledge of allegiance.

**Agenda Item 2 – Public Comment #1 [00:02:00]**

Ryan Herrick, General Counsel, indicated there was written public comment submitted from Jennifer Andreevski with regard to agenda item 5(a) and 5(b) and attached hereto.

Chair Mackedon took a moment to recognize Member Don Soifer and his service for the Authority as this may be his last meeting.

**Agenda Item 3 – Approval of May 21, 2021 Board Meeting Action Minutes. [00:03:52]**

*MOTION: Member Farris made a motion to approve the May 21, 2021 board meeting action minutes. Member Moulton seconded the motion. The motion carried unanimously.*

**Agenda Item 4 – SPCSA Executive Director’s Report. [00:04:39]**

**a. Initiatives related to Serving All Students Equitably**

Rebecca Feiden, Executive Director, said they continue to move forward on their equity initiatives and are looking forward to identifying opportunities to continue and expand these going into next year. She shared a few brief updates. First, as you’ll hear in the next agenda item, they are beginning the renewal process for schools that have a charter contract that ends in June of 2022. As part of that, they are looking at making some revisions to the application for renewal which will contemplate items such as restorative justice practices, plans to monitor for potential disproportionate discipline practices, and plans to adjust opportunity gaps for specific student groups. In addition, staff is excited to share that they have scheduled several diversity, equity and inclusion trainings that will be available to all of their schools and are being provided through their Project Aware grant. They are also working and in the process of scheduling a similar training that will be available to all staff and board members that are interested in participating in August. They continue to look for opportunities to expand the set of initiatives related to equity and continue to embed this work into the things they do every day. Member Moulton said she is looking for percentages in that participation and asked if that could be tracked. Executive Director Feiden said they certainly will track that.

**b. Overview of Charter School Renewal Process [00:07:33]**

Executive Director Feiden said each charter school’s contract is for an initial term of six years and prior to expiration the Authority has the opportunity to consider renewal of that charter contract. Due to legislation in 2019, renewal terms may be anywhere from three to ten years. More details on this process will follow at the July meeting, but she wanted to give a short preview today.

The renewal process begins about a year before the charter contract is expected to terminate to ensure ample time for the review and action by the Authority. There are four charter contracts that expire this month on June 30th and during the winter the Authority approved renewal of all four of those charters. Looking ahead to next year there are five charters that expire on June 30, 2022 and those are Legacy Traditional Schools, Nevada State High School, Nevada State High School Meadowood, Somerset Academy and Sports Leadership and Management Academy.

The first step in the renewal process, is to issue a report to the schools on their progress and these reports will be sent out by the end of this month and staff has already reached out to these schools and have met with them to discuss the renewal process and the next step from the schools will be to submit a letter of intent to apply for renewal. Ultimately, they will receive their applications by October 15<sup>th</sup> and expect to bring these applications for board action in December.

**c. Coral Academy of Science Las Vegas Amendment Conditions related to the approval to add a seventh campus (Fall 2022) [00:09:18]**

At the February board meeting the Authority conditionally approved Coral Academy of Science Las Vegas (Coral) to add another campus in the fall of 2022. One of the conditions on the approval was for the Coral team to provide evidence by June 30 that the parcel for the proposed school had been purchased. Staff was notified a few weeks ago that there had been some delays in this purchase and the new closing date is just after the June 30 deadline. Staff still believes that the school is on track to ensure the building is prepared well before the start of the 2022-2023 school year, however they wanted to make sure the board was informed regarding this minor delay.

**d. Nevada Department of Education request to waive the accountability, school identification, and related reporting requirements for the 2020-2021 school year [00:09:55]**

The Federal government allowed states to request waivers from certain requirements of ESSA due to the impacts of COVID-19. The Nevada Department of Education submitted a request in the spring, and it has been accepted by the Federal Department of Education. The waiver includes a couple of components. First it waives the meaningful differentiation of public schools which in other words is called the Nevada School Performance Framework ratings, the star ratings or index scores. So that means for the 2020-2021 school year, schools will not receive official index scores or star ratings. Those would typically come out in September of the following year but again just like last year we will not have those official ratings.

The waiver also waives the requirement to assign a penalty for low participation on state assessments. So typically schools are required to hit a 95% participation on required state assessments, and this waiver that was approved will ensure that schools do not see a penalty for low participation which they know schools struggled with because of the effects of COVID-19.

Finally, it also waives the identification of comprehensive support improvement (CSI) and targeted support and improvement (TSI) schools, those schools will not be newly identified they will carry over from prior years.

The U.S. Department of Education did not allow states to request a waiver from state testing. So state testing such as the ACT and the Smarter Balanced Assessment (SBAC) did occur this year. They should expect to get test results for all of their schools and for all of their students later in this calendar year and they believe this data will be important for helping understand where their schools are and will allow them to not necessarily calculate every part of the star ratings but get a sense of where schools have landed.

**Agenda Item 5 – COVID-19 Update. [00:12:53]**

**a. COVID-19 Mitigation Measures for the 2021-22 school year**

Executive Director Feiden began by providing some background about how they got here before she gave the overview on her recommendation, more details can be found in the [memo to the Authority](#).

Effective May 1<sup>st</sup>, authority for managing certain COVID-19 mitigation measures was delegated to charter school sponsors. This means that the SPCSA may determine capacity limits, social distancing protocols and sanitization protocols for schools for transportation, spaces within school buildings or on school grounds, and for public gatherings and events of up to 250 people. Note that public gatherings and events over 250 people are subject to their jurisdictions and large gathering plans. With regard to face coverings, pursuant to Emergency Director 045, face coverings continue to be governed at the state-level via Emergency Directives. The current and most recent guidance on face coverings was issued by the Department of Education on May 11 and that allows schools to relax face coverings for students that are nine years and younger. Those schools still may maintain stricter standards should they choose. On April 23, the Authority opted to continue to require a minimum three feet social distancing for students and six feet for adults at SPCSA-sponsored schools for the remainder of the 2020-2021 school year, which at this point has come to an end. At that time, the Authority made clear that schools were responsible for establishing any capacity limits and were allowed to continue existing sanitation protocols as determined at the school level and to make any adjustments in line with any updated public health guidance.

On May 21<sup>st</sup>, the Authority voted to continue the COVID-19 mitigation measures that were established on April 23<sup>rd</sup> through the summer school learning program. Additionally, schools that are located in counties with less restricted social distancing were allowed to seek an exemption from herself as the Executive Director, however at this time no schools have requested such an exemption.

With regard to existing guidance from the Centers for Disease Control (CDC), in February the CDC established the Operational Strategy for K-12 Schools through Phased Prevention and has made some minor adjustments to that guidance over the course of the spring time. On May 15<sup>th</sup>, they issued a recommendation that schools should continue with the current established mitigation measures for the remainder of the current school year which again has come to a close. The CDC also said they would be releasing updated guidance that would be used for the 2021-2022 school year, however, as of this week they have not received the updated guidance but expect it is coming shortly. With less than two months before school opens, planning for the next school year is obviously well underway. In an effort to streamline expectations and ensure schools can continue with their planning, she recommends that the SPCSA encourage and recommend schools to follow prevailing guidance from the CDC and local health officials with regard to COVID-19 mitigation measures for the 2021- 22 school year. Schools will continue to be required to follow prevailing directives and guidance regarding the use of face coverings. To ensure that SPCSA staff is aware of these mitigation measures and to enable oversight, schools will be required to report how they are addressing the CDC's recommendations within their reopening plans required under Emergency Directive 044.

Member Randolph said as it relates to the schools submitting the re-opening plans that are dependent upon the CDC guidance, how will that work when they are waiting on the guidance to be updated, then schools have to respond and submit the plans, when will staff expect to receive them and how that will work. Executive Director Feiden replied Emergency Directive 044 requires those plans to be submitted to the SPCSA by July 14<sup>th</sup>, so that's about three and a half weeks away and she expects the CDC guidance to come out before then and if it doesn't, she thinks the current prevailing guidance is what the CDC currently has in place. Inherently, schools are expected to keep those plans up to date and so should the guidance change at some point they could certainly revise their re-opening plan to align with the updated guidance.

**MOTION:** *Member Moulton made the motion, for the 2021-22 school year, recommend that schools follow prevailing CDC guidance and any guidance provided by local health officials when determining capacity limits, social distancing protocols, and sanitation protocols for school transportation, spaces within school buildings or on school grounds, and for public gatherings and events of up to 250 people. Require schools to report how they are addressing the CDC's recommendations within their reopening plans required under Emergency Directive 044. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

**b. The SPCSA's Local Plan for the Safe Return to In-Person Instruction and Continuity of Services pursuant to Section 2001(i) of the American Rescue Plan [00:20:29]**

Executive Director Feiden said the American Rescue Plan (ARP) was signed into law on March 11, 2021 and includes numerous provisions aimed at responding to the COVID-19 pandemic and providing relief to address its impacts. Among these provisions is the allocation of \$122 billion to the ARP Elementary and Secondary School Emergency Relief (ARP ESSER) Fund to be used to "help safely reopen and sustain the safe operation of schools and address the impact of the coronavirus pandemic on the Nation's students." As a condition of receiving funding, each Local Education Agency (LEA) must, within 30 days of receiving the ARP ESSER allocation, develop and post a plan for the "safe return of in-person instruction and continuity of services." The 30 day window for this began on June 14<sup>th</sup>, the date that the SPCSA's allocation was loaded into the state's grant system. The Federal guidance also requires that they review and if needed, revise the plan at least every 6 months and so she expects they will have opportunity to make revisions as the circumstances evolve. The LEA is also required to seek public comment on the plan and take any comments into account in the development of the plan. She

walked through the plan and appendices which can be found [here](#) in the supporting materials attached to this agenda item.

Member Moulton said during the CCSD board meeting last night there was a question about how teachers were pulled out for testing and was wondering if we had any doings like that. Executive Director Feiden said testing is potentially an important part of the mitigation measures and the CDC does have some recommendations on how to approach that. The SPCSA's role in this is that they did work with the Department of Health and Human Services (DHHS) to become an exempt laboratory so that their schools can conduct testing and there are about 15 schools that opted into this and basically what that means is they were able to procure through the state's COVID-19 relief the rapid tests which can be done in about 15 minutes. Schools that opted in had to go through a training process to make sure they had someone that was certified to conduct those tests and are allowed to have them on site. There are rigorous reporting requirements, and the reports must be submitted within 24 hours to the DHHS. She noted the Department of Education has been proactive in working with school districts and the SPCSA on plans for testing access for next year and expects the system may change or continue as is. She also expects that they will be able to support schools that are interested in incorporating testing in their mitigation measures in the upcoming school year but they will not dictate how they do that and she would hope they would not necessarily remove teachers from teaching time in order to do that, but it would be a decision made at the school level. Member Moulton asked if the SPCSA supported the schools financially to have the resources for this or did it come out of their budget? Executive Director Feiden said the tests were covered by the state the only funding schools had to provide was for some staff, depending on their health credentials, had to have some additional certifications done and she believes that was \$60 per person. The Authority took on some minimal cost, under around \$500 to process the licensing fees with DHHS so they could be qualified as a laboratory.

Member Moulton asked about the distribution of funds that the SPCSA is receiving and how they will hold it all accountable. Executive Director Feiden said they are seeing a tremendous influx of federal grant dollars and on June 14<sup>th</sup> they received the official allocation in terms of funds available and she noted that the Federal government only gave states two thirds of the total amount they will ultimately get and one third of those dollars are still outstanding. The SPCSA's Finance and Operation team has begun the process of doing some modeling on how they could potentially disperse those dollars and the leadership team this week had an initial conversation around that and through their survey they collected they asked about funding priorities. She does expect given some of the concerns they had at the May meeting, they will potentially include some of their schools in some of the conversations prior to making those final decisions.

Chair Mackedon asked about the allocation to Title I charter schools for extra resources, which was the problem before them and the debate that was going on that they had additional needs. Executive Director Feiden said the money she was referring to on June 14<sup>th</sup> was the ESSER 3 or ARP ESSER funding and again, timeline wise, June 14<sup>th</sup> they got the number, they've started to put some models together and expect to get that out in July and they are required by NDE to submit their budgets and applications by September 10<sup>th</sup>. She spoke to more details regarding the additional funding that happened in the last part of the legislative session related to the Title I funding. They have also been in conversations with the Governor's Finance Office and are still seeking the timeline of when the dollars will be available and the process by which they will be distributed. They hope to give clarity this summer to schools about how much funding they receive, and this funding will be on top of what they are already receiving.

**MOTION:** *Member Moulton made a motion to approve the SPCSA's Local Plan for the Safe Return to In-Person Instruction and Continuity of Services pursuant to Section 2001(i) of the American Rescue Plan, as presented by staff, and to include the incorporation of individual school plans. Member Soifer seconded the motion. The motion carried unanimously.*

## **Agenda Item 6 – Charter School Contract Amendment Applications [00:39:08]**

### **a. Explore Academy – facility and enrollment amendment**

Mark Modrcin, Director of Authorizing, said Explore Academy is seeking two changes in their amendment request. First to approve a reduction in their enrollment cap for the upcoming school year and second to approve the school to remain at their temporary location through the first semester of the 2021-2022 school year. He provided the school's background. Explore Academy is seeking to expand its grade levels sizes to adhere to its original enrollment projection over the course of 5 years, this projection was adjusted due to the COVID-19 pandemic with the school having to decrease its enrollment goals for the 2020-2021 school year in accordance with those challenges. The amendment goes on to state that the school has rebounded in its enrollment process and is currently requesting the enrollment cap adjustments for the remaining 5 years of its contract and they are proposing a reduced cap for the upcoming school year but eventually plan to get to their full scale by the end of the term.

Additionally, Explore Academy is seeking approval to remain at its current facility located at 4660 N. Rancho, through the fall semester of the upcoming school year. The Explore Board approved this temporary location at a special board meeting on June 15<sup>th</sup> due to the high likelihood that their permanent facility will not be ready at the start of the 2021-2022 school year. SPCSA staff have been monitoring the ongoing construction of the permanent facility since the late winter and as this has been the case with a number of construction projects in Las Vegas, there has been significant delays in the ground up build of this facility and during the regular pre-opening check-ins with the school they have been aware of the issues and proactively working with the school to find a solution.

As a reminder, the school was located at their current location for the last year. TEACH Las Vegas started their lease at this facility in preparation for the 2021-2022 school year and attached to this agenda item is a letter from them that expresses their interest to enter into a sublease agreement with Explore Academy which has the potential in staff size to be mutually beneficial to both schools.

SPCSA staff is concerned that the permanent facility for Explore Academy will not be ready for the start of the 2021-2022 school year, but believes that the proposed solution to remain at the current site to be the best path forward. This will be less disruptive to students and families for the upcoming semester, and appears to be a cost-effective solution so that the school remains fiscally viable. Given that Explore Academy would need to sublease the 4660 Rancho facility, SPCSA staff is encouraged that the current tenant, TEACH Las Vegas, has expressed their intent to negotiate an agreement.

For these reasons, SPCSA staff recommends that the Authority approve a reduction to the enrollment cap of Explore Academy and to remain located at the 4660 N. Rancho facility through the fall semester of the 2021-2022 school year.

There was further discussion between Member Soifer and Ms. Larsen regarding the schools' plans to modify the use of the facility to accommodate the co-location.

There was further conversation between Member Farris and Justin Baiardo, Founder of Explore Academy, with regard to the construction process, where they are at, and contingency plans.

Director Modrcin clarified that the recommendation right now is through the fall semester, but SPCSA staff is very open to and would support a motion that includes approval for the whole 2021-2022 school year.

There was further discussion between the Authority and school representatives about the school's enrollment.

**PROPOSED MOTION:** *Member Moulton made the motion to Grant Explore Academy a Good Cause Exemption and conditionally approve the requests of the school to reduce the enrollment cap for the 2021 – 22 school year to 350 students across grades 6–10, and approve the school to temporarily remain located at the 4660 N. Rancho facility through the fall semester of the 2021 – 22 school year, with the possibility of going the entire year, with the following conditions:*

- That Explore Academy meet with SPCSA staff on a monthly basis to monitor the progress of the permanent facility;
- That the school present quarterly updates to the Authority for the remainder of 2021; and
- That Explore Academy obtain a permanent Certificate of Occupancy or Temporary Certificate of Occupancy by at least the end of the 2021-2022 school year.

Member Shauntee Rosales seconded the motion.

Executive Director Feiden clarified that the board’s intent is that the school could remain there the entire year without coming back to the board. Typically, staff likes to see the Certificate of Occupancy or temporary Certificate of Occupancy 30 days prior to them getting into the building, which is why the motion had the date established in November. She respectfully requested that the Authority consider that to ensure the school is safety occupy in advance of the school moving in.

**MOTION:** Member Moulton made the motion to Grant Explore Academy a Good Cause Exemption and conditionally approve the requests of the school to reduce the enrollment cap for the 2021 – 22 school year to 350 students across grades 6–10, and approve the school to temporarily remain located at the 4660 N. Rancho facility through the fall semester of the 2021 – 22 school year, with the possibility of going the entire year, with the following conditions:

- That Explore Academy meet with SPCSA staff on a monthly basis to monitor the progress of the permanent facility;
- That the school present quarterly updates to the Authority for the remainder of 2021; and
- That Explore Academy obtain a permanent Certificate of Occupancy or Temporary Certificate of Occupancy **30 days prior to move-in.**

Member Shauntee Rosales seconded the motion. The motion carried unanimously.

**b. Pinecrest Academy – enrollment amendment [00:58:24]**

Member Holmes-Sutton abstained from this agenda item, as an organization she is affiliated with is in a contract to provide services to Pinecrest Academy teachers.

Director Modrcin said Pinecrest Academy is seeking approval to increase their enrollment at the Cadence, Inspirada and Sloan Canyon campuses starting in the 2021-2022 academic school year. He provided the background of the school as noted in [staff's recommendation](#). Pinecrest Academy is seeking to add approximately 650 new seats for the 2021-2022 school year with substantial increases in subsequent school years according to the proposal. The school believes this request is in alignment with the SPCSA’s Needs Assessment as it has engaged in marketing the school in two zip codes that are referenced in the Needs Assessment.

Upon receipt, SPCSA staff began its review of the amendment as submitted. Director Modrcin highlighted a few important takeaways from their analysis. First, SPCSA staff has some concerns about approving an expansion request this large without strong evidence that the Pinecrest Network has engaged and targeted marketing and community outreach prior to submitting this request and the school notes that they have spent time engaging the communities of two zip codes but it’s important to contextualize that the zip codes have 15 total schools and only 5 are rated as 1 or 2-star. With this information, SPCSA staff was hopeful to find significant evidence that the network had conducted significant marketing and outreach in those communities served by those 1 and 2-star schools and unfortunately staff does not find that the amendment as submitted includes evidence that a targeted marketing and outreach has occurred nor is there a concrete plan to continue this work in the months and years ahead. This is particularly important in staff’s eyes in terms of alignment to the Needs Assessment but also when looking at the current demographics of the network, which you can see on page 4 of staff’s recommendation, that Pinecrest serves significantly fewer FRL and EL students when compared to the SPCSA, the state of Nevada, and CCSD averages. This extenuates the importance of the school having a thorough and detailed community outreach plan prior to seeking approval. The SPCSA strives to ensure that their schools serve a representative population

of communities in which they are located, and staff believes that Pinecrest Academy has work to do on this front, but that they are certainly capable of it.

A second concern with this enrollment request is that the school has already enrolled students above the 10% cap that is currently in place for these 3 campuses, as noted at the top of page 5 in staff's recommendation, staff inquired what the current enrollment of the campuses was during their review of the amendment and while Sloan Canyon is in the acceptable range of enrolled students, both Cadence and Inspirada campuses exceed their enrollment caps by more than 10% as of June 3 for the upcoming school year, prior to this amendment being heard.

Given these circumstances and findings by staff that the amendment does not adequately align to the Academic and Demographic Needs Assessment, SPCSA staff is recommending that the Authority approve a modified version of the request that was submitted which they believe accommodates the current enrollment levels of the 3 campuses, and will allow the schools to serve all the students and families currently enrolled.

There was further discussion between the Authority and staff regarding the following topics:

- staff's rationale for the specific number thresholds for enrollment growth
- enrollment caps and expansions in the coming years
- district input
- consequences if this type of situation was repeated

There was further discussion between the Authority, staff and school representatives Lisa Satory, Principal, Jessica LaNeave, Principal, Kacey Thomas, Board Chair, Pinecrest Academy and Ryan Reeves, Chief Academic Officer, Academica, regarding the following topics:

- marketing outreach in appropriate zip codes
- academic growth for FRL
- closing achievement gaps in all populations
- targeted intervention needs
- community response to growth increase
- flexibility in enrollment historically
- institution of a weighted lottery
- amendment process for weighted lotteries
- the school's plan and why they did not request this a year ago
- oversight from the school board to the management organization
- the difference in charter contracts historically

Member Farris asked the school representatives about their plan in regards to their growth, and why this wasn't done a year ago when they knew they were going to exceed their cap. Mr. Reeves said last year was the first year staff sent out numbers per campus of their enrollment caps and saying to report back to them and prior to that there was some confusion on their part that applications that preceded the 2018 year of the contract might be considered in showing the growth. Secondly the issue was the timing, and as Chair Mackedon pointed out the amendment process does take time and the enrollment process begins in February. He said they probably should have submitted on a shorter order before the running of the lottery, but the timeframes overlapped. He recognizes they could have done better.

There was further discussion between the Authority and Mr. Reeves.

**MOTION:** *Member Soifer made the motion to approve a modified version of the Pinecrest Academy of Nevada amendment request to increase the enrollment caps for the Cadence, Inspirada and Sloan Canyon. Under this modified proposal, the enrollment cap for the Cadence campus would increase by 50 seats, and the enrollment*



cap for the Inspirada campus would increase by 20 seats for the 2021-22 school year and the remainder of the current charter term. These adjusted numbers will allow the school to serve students and families already enrolled at these campuses for the 2021-22 school year as current enrollment levels fall within 10% of the recommended caps. Pinecrest Academy of Nevada may submit a RFA to modify the enrollment cap for future years in advance of conducting their lottery and subject to the typical review and approval process. Member Moulton seconded the motion.

Chair Mackedon said when the school brings forward their next amendment, if they spell out what that growth that was contemplated in 2011 when the school bought 20 acres, to give them the history because she thinks it's relevant and they didn't use to have to do that.

*The motion carried unanimously.*

A 10-minute convenience break was taken before the next item.

**c. Amplus Academy – addition of dual credit, expansion of half-day kindergarten to full day, and campus grade level reconfiguration [02:01:04]**

Danny Peltier, Management Analyst, provided the Authority with the background of Amplus Academy and a summary of their amendment requests and [staff's recommendation](#). Amplus Academy is requesting 3 amendments to its charter contract, to reconfigure the grades at the rainbow campus from grades K-3 to K-5 beginning in the 2021-2022 school year, implement a dual credit program at the high school and implement full-day kindergarten at the rainbow campus. Staff is proposing the Authority approve the amendment requests with conditions described in staff's recommendation.

Member Randolph requested more context around the recommendation and how it relates to the grade configuration and how that was observed through the site evaluation. Director Modrcin said staff recommended the school consider a more traditional grade configuration so as to better align with Nevada School Performance Framework (NSPF) rating. Candidly, it mitigates some of the risks staff thinks is unnecessary, so they did not have a small increase in count of students that generated in the NSPF rating.

Rachelle Hulet, Interim Managing Director, Amplus Academy, said she is joined by their board member, Candy Farthing and Principal, Sarah Barlow.

There was brief conversation between the Authority and school representatives regarding the school's amendment requests as submitted.

**MOTION:** *Member Moulton made the motion to grant Amplus Academy a Good Cause Exemption and approve the Amplus requests, with conditions, to allow the school to:*

- *Reconfigure the grade configuration of the Rainbow Campus to grades K – 5 beginning in the 2021 – 22 school year,*
- *Implement a Full-Day Kindergarten program beginning in the 2021 – 22 school year; and*
- *Implement a dual credit program, with the condition that the school provide evidence that the governing body of Amplus has applied and been approved by the State Board, thereby permitting students to earn credits during the upcoming school year, and provide evidence of a final, signed, Memorandum of Understanding between Amplus and Truckee Meadows Community College.*

*Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

**d. Las Vegas Collegiate – request to defer opening to the 2022-2023 school year [02:16:43]**

Director Modrcin provided the Authority with the background and analysis of Las Vegas Collegiate and their amendment requests along with [staff's recommendation](#) which is to conditionally approve both the request to

defer opening until the 2022-2023 school year as well as the adjustment to the grade configurations for year 1 of operation.

**MOTION:** *Member Farris made a motion to Grant Las Vegas Collegiate a Good Cause Exemption, permit the school to locate no more than 4-miles away from the 89106-zip code, approve the school's request to defer its opening to the 2022–23 school year, and approve the school's request to offer 2nd grade in the first year of operations with the following conditions:*

- *That the school provide written, monthly updates to SPCSA staff regarding progress towards a final facility as well as milestones included in the most recent incubation year plan;*
- *That the school present quarterly updates to the Authority for the remainder of 2021; and*
- *That the school provide the Authority with evidence that real estate closing has occurred or that the school has entered into a lease agreement on or before January 1, 2022.*

*Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

### **Agenda Item 7 – Updates on new charter schools approved for Fall 2021. [02:24:45]**

#### **a. TEACH Las Vegas**

Director Modrcin provided the update. As previously mentioned, the school is under enrolled but is working hard to address this issue and has expressed their intent to enter into a sublease with Explore Academy. These revenues would offset at least a portion of the lost enrollment. It is staff's understanding that TEACH Las Vegas plans to submit a formal amendment request to reduce their enrollment cap for the upcoming school year and they are still working on the details of that submission. He turned it over to the school to provide their update.

Maria Pimienta, Assistant Superintendent, TEACH Las Vegas, provided the schools update. As it relates to the facilities, the TEACH Las Vegas board is in the process of negotiating a sublease agreement with Explore Academy to allow Explore to remain at the North Rancho site through at least January 2022. This agreement is expected to be entered into on or before July 15<sup>th</sup>. She spoke to their intent to submit an amendment request to reduce their enrollment cap to 150 students. An updated budget will be adopted once the sublease agreement is finalized and approved by the charter schools. She updated the Authority regarding their enrollment recruiting efforts. Their current enrollment is 48 students, 33 in process, and 79 on the interest list.

There was brief conversation between the Authority and school representatives regarding the school's amendment requests as submitted, the school's current enrollment numbers and efforts related.

#### **b. Sage Collegiate [02:34:05]**

Director Modrcin provided the update. He provided a summary of Sage Collegiate's background and how they got here today. Ultimately, the school's low enrollment levels raised financial and liability concerns for the school and this resulted in the governing board of the school formerly requesting to defer the school's opening to the 2022-2023 school year. He turned it over to the school to provide further updates.

There was brief conversation between the Authority and school representatives regarding the school's request to defer.

**MOTION:** *Member Moulton the motion to approve the request of Sage Collegiate to defer the school's opening to the 2022 – 23 school year, with the following conditions:*

- *That the school provide written, monthly updates to SPCSA staff regarding progress towards a final facility; and*
- *That the school provide the Authority with evidence that real estate closing has occurred or that the school has entered into a lease agreement on or before January 1, 2022.*

*Member Soifer seconded the motion. The motion carried unanimously.*

### **Agenda Item 8 – State Public Charter School Authority Performance Framework Revisions.**

**a. Revisions to the enrollment measure within the Financial Performance Framework.**

Mike Dang, Management Analyst, provided the presentation related to the SPCSA Financial Performance Framework recommendations. The Authority previously tabled ratings for the Enrollment Forecast Accuracy indicator for FY20 at its January 2021 meeting and SPCSA staff researched best practices and conveyed Enrollment Variance measure recommendations to schools with survey for comments. Staff also met with school leaders on May 25 to provide an overview of this recommendation. Authorizing staff recommend the Board approve the following changes:

1. That the Enrollment Variance ratio be based on the Most Recent Year only.
2. Issue(s) this proposal will resolve:
  - Doesn't require 4-year history to start on a consistent basis
  - Doesn't require four years to recover from a bad year
  - Focuses on fiscal health rather than forecasting ability
  - Congruent w/other Near-Term measures
  - Congruent with NACSA framework

Proposed Glossary changes:

1. Clarify more regarding what documents are needed:
  - Statement of Activities
  - Balance Sheet
2. Add a definition for Financial Statements.
3. Add examples under concepts of "Full Accrual" and "Modified Accrual."

Member Moulton confirmed that staff would not be looking behind or ahead with the regard to the enrollment variance and Mr. Dang confirmed that yes, staff would only be looking at the current year. Member Moulton said she likes to see history but trusts staff's decision. Director Modrcin said he wanted the body and the public to know that staff have talked a lot about Member Moulton's comment and history matters and one of the things we will be looking at closely, and he thinks they received positive feedback on from public charter school leaders as well as when they looked around at national best practices, is keeping historical enrollment on their reportative results, but only holding them accountable for the current year. That doesn't unduly penalize schools for errors that happened under maybe prior leadership, prior boards but still gives valuable information about what has happened with the school over the last few fiscal years.

**MOTION:** *Member Moulton made the motion to approve the following Financial Performance Framework changes:*

1. *Rename "Enrollment Forecast Accuracy" measure to "Enrollment Variance." This measure would be "For Stakes" Purposes beginning FY 2023.*
2. *Accept modified formula for the Enrollment Variance measure which focuses on the most recent school year.*
3. *Adopt proposed Glossary changes.*

*Member Soifer seconded the motion. The motion carried unanimously.*

**b. Revisions to the Organizational Performance Framework to ensure alignment with recent legislation. [02:54:09]**

Director Modrcin provided the brief presentation regarding the revisions to the Organizational Performance Framework to ensure alignment with recently legislation. He went over the 3 updates staff is proposing:

Update 1: Subgrant Recipient Compliance

- Add measure under Indicator 2 (Financial Management and Oversight)
  - To measure whether a charter holder is meeting grant compliance requirements. This includes complying with:

- Published deadlines and requirements
- Applicable laws and regulations
- Subaward terms and conditions
- Risk-based monitoring requirements

#### Update 2: Address New Legislation

- Revised the following measures:
  - Indicator 3, Measure a
    - Board member training, board member conflict of interest
  - Indicator 3, measure b
    - Annual EMO evaluation, Annual Expenditure Report
  - Indicator 4, Measure d
    - Teacher Licensure

#### Update 3: Housekeeping Changes

- Updates to the following:
  - Self-certification: to be approved in a public board meeting and submitted between June 1 and August 1 of each year.
  - Consistent use of terms Educational Management Organization (EMO) and Charter Management Organization (CMO) throughout
  - Indicator 1, Measure b
    - Schools demonstrates alignment to the NVACS
  - Indicator 3, Measure c
    - Compliance and timely submissions under the Reporting Requirements Manual
  - Indicator 4, Measure a
    - Review of Restorative Discipline Plan

Staff has also attached an updated Technical Guide if approved today so the changes can be seen incorporated and are highlighted for reference. They would also plan to post it and communicate the information out to schools in the next week so they have it before the start of the fiscal year.

**MOTION:** *Member Farris the motion to Accept SPCSA staff's recommendation to update the Organizational Performance Framework, as presented in the Technical Guide, to address Subgrant Recipient Compliance, New Legislation, and various housekeeping changes. These changes would go into effect beginning in fiscal year 2022. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

A 10-minute break was taken.

#### **Agenda Item 9 – Report on Site Evaluations. [03:13:28]**

Karen Gordon, Education Programs Professional, began the brief overview of the review of the site evaluation events for this school year. All schools with a charter contract in years 1, 3, or 5 were evaluated as scheduled in a virtual format, except 3 which were conducted in a hybrid format. A total of 42 site evaluations were conducted during this school year and they all took place between September 2020 and April 2021. All site evaluation reports are available on the SPCSA website for public access. Moving forward, the Site Evaluation team will review information from school leader surveys and consider changes to improve this process further and will provide more details at the August meeting. Staff has also put together a “Best Practices” work group and have designed and will publish a newsletter template to share the outstanding and best practices that occur within the walls of their charter schools each day and as observed during site evaluations. Chair Mackedon said with regard to the best practice, one thing that would be helpful is after the legislative session to highlight as staff sees schools doing a good job with things that are new requirements.

There was further discussion between the Authority and Ms. Gordon regarding the site evaluations.

**Agenda Item 10 – SPCSA Board Elections [03:32:58]**

Chair Mackedon said every two years they go through the process of electing a new board chair and vice chair. She opened it up to the board for discussion.

***MOTION:** Member Moulton moved to nominate their current chair Melissa Mackedon, as chair for the Authority. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

Chair Mackedon opened it up to the Authority for vice chair nominations.

***MOTION:** Member Randolph moved to nominate Sheila Moulton to service as Vice Chair for the Authority. Member Holmes-Sutton seconded the motion. The motion carried unanimously.*

**Agenda Item 11 – 2021 Legislative Update. [03:38:12]**

Ryan Herrick, General Counsel, said as the Authority knows they wrapped up the legislative session about a month ago and staff put together a [memorandum](#) in the supporting materials that also went to the school leaders last week and staff has compiled most if not all the education bills and have begun implementing these bills. Staff has an internal meeting schedule next week to formalize that process and a call with schools the following week. He gave a summary of sections and bills with the largest impact.

There was further discussion between the Authority and staff regarding the significant education bills.

**Agenda Item 12 – Long-Range Calendar. [03:57:49]**

Executive Director Feiden said they will be looking over the renewals in July and the governance standards which came out of Assembly Bill 419 will come up in the next meeting or two. She noted the new board member would be attending the July meeting, Erica Mosca. Within the attachments is also a memo proposing the board meeting dates for 2022. Member Moulton commented that she would like to see some board training.

**Agenda Item 13 – Public Comment #2 [03:21:50]**

Ben Salkowe, Equipo Academy, spoke regarding recent distributions of federal funds and thanked staff for their work to ensure equity for Title I schools. He also spoke with regard to agenda item 6(b), about the clarity with schools around enrollment limits.

**Agenda Item 14 – Adjournment [03:22:33]**

The meeting was adjourned at 1:10pm.