



## NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

**January 28, 2022**

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 Erica Mosca  
Member Tamika Shauntee Rosales  
Member Mallory Cyr  
Vice Chair Sheila Moulton  
Chair Melissa Mackedon

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

Rebecca Feiden, Executive Director  
Mark Modrcin, Director of Authorizing  
Michael Dang, Management Analyst IV  
Jennifer King, Administrative Assistant IV

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

Member Tonia Holmes-Sutton  
Member Lee Farris

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

Ryan Herrick, General Counsel

#### **AUDIENCE IN ATTENDANCE IN-PERSON:**

Ashley Perkins  
Dennis Zimmerman  
Paul Ballou  
Mariella Bueno  
Whitney McIntosh  
Cleopatre Theius  
Lorna James-Cervantes  
Tammy Malich  
Angela Rose  
Kara Hendricks  
Rocio Martinez  
Brandi Catlin  
Melissa Gruenahgen  
Rick Blanc  
Shubham Pandey  
Rudy Pamintuan

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

Ted Guerrero  
Miriam Benitez  
Gun Ruder  
Karli Casto  
Tricia Wilbourne  
Sarah Boldin  
Janelle Veith  
Silvia Lazos  
Jacob Allen  
Lani Luo  
Ben Salkowe  
Jai Mallory  
Mary Scott  
Jacob Allen  
Todd Noel  
Derrick Love  
Richard McNeel  
Maureen Schafer  
Todd Noel

**Agenda Item 1 – Call to Order and Roll Call, and Pledge of Allegiance [00:00:46]**

Melissa Mackedon, State Public Charter School Authority (SPCSA), Board Chair, called the meeting to order at 9:00am and facilitated the pledge of allegiance.

**Agenda Item 2 – Public Comment #1 [00:01:35]**

Ryan Herrick, General Counsel, said they received two public comments via the public comment email and both are related to Argent Preparatory, agenda item 4(e) and are attached hereto.

Public comment on the line:

1. Al Sindlinger, regarding agenda item 4(e).
2. Will Truce, regarding agenda item 4(e).
3. Ben Salkowe, Equipo Academy, Financial Performance Framework, agenda item 9.
4. Ted Guerrero, regarding agenda item 6(b).
5. Nadia Mohammad, regarding agenda item 6(b).

**Agenda Item 3 – Approval of December 3, 2021 Board Meeting Action Minutes. [00:15:14]**

*MOTION: Vice Chair Moulton made the motion to approve the December 3, 2021 board meeting action minutes. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

**Agenda Item 4 – SPCSA Executive Director’s Report. [00:15:47]**

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

Rebecca Feiden, Executive Director said SPCSA staff continue to embed equity in their day-to-day work. One update this month is that their team has prepared enrollment comparison reports for each school. For the last two years they have provided each school with their demographic information compared to the local school district as well as neighborhood schools. Those reports are expected to be sent out to schools next week. In addition, at the March board meeting staff is planning to bring the board a potential proposal for leveraging the regulatory authority under Nevada Administrative Code 388A.533 to require school with significant disparities in their demographics to development a recruitment and enrollment plan to better serve a representative population. Staff looks forward to the opportunity to engaging in that conversation at the March meeting. Additionally, SPCSA staff recently conducted a training for schools on lotteries including specific information on enrollment preferences and weighted lotteries which can be tools for working to make sure they serve their local communities. They plan to provide an overview of this information at their meeting in February as well.

**b. COVID-19 Update [00:17:30]**

Executive Director Feiden said in the last two months they’ve seen a significant rise in cases, as have their communities across the state, that said their schools have remained fully opened and in-person despite the strains that this surge has caused on staffing. They have had a few schools either close or transition to virtual learning for a short period of time, however, all of them have been able to successfully return to in-person learning. There has been a few changes in the recent months regarding school guidelines from the Department of Health and Human Services (DHHS). First, DHHS has reduced the isolation and quarantined periods in alignment with the most recent CDC recommendations. Additionally, DHHS has provided guidelines for schools to implement a test to stay strategy if they have sufficient testing capacity and staffing to manage that approach.

**c. Legislative Update: Interim Committees, including reports submitted pursuant to Assembly Bill 419 (2021) [00:18:41]**

Executive Director Feiden said during the interim there are a number of committees that meet and the SPCSA staff primarily engage with the Committees on Education and Interim Finance Committee (IFC). She began by talking about some updates with the IFC. She highlighted two items that are coming up with the IFC that are a bit unique. First, this coming Thursday February 3<sup>rd</sup>, she has been invited to present information regarding emergency funds that have been allocated to the SPCSA. Second, the SPCSA has been asked to submit semi-annual reports regarding two new positions that were allocated during the 2021 legislative session for their site

evaluation team. Their first report is due by February 1<sup>st</sup> and they are finalizing that report. Moving to the Committee on Education, at the first meeting earlier this month, she presented an overview of the agency and information about implementation of the recent legislation. They are expected to be invited to present regularly at these meetings on a range of topics. The Committee will be meeting every 3<sup>rd</sup> Wednesday of the month now through August. Finally, there were a couple of reports required to be submitted to the legislature per Assembly Bill 419. First, they are required to submit a report regarding contracts between charter schools governing bodies and education managements organizations. Second, they are required to submit a report regarding action taken by the authority for schools that have had 3 consecutive years of 1 or 2-star ratings. They provided this information by the December 15<sup>th</sup> deadline and they have not received any questions or concerns regarding these reports.

**d. Update regarding Regulation R043-21 [00:23:11]**

Executive Director Feiden said on December 21<sup>st</sup> the legislative commission approved this regulation. This effectuates the regulations approved by the board in November of 2021 and results in 3 changes. First, they will be shifting to one charter application cycle per year with applications due by April 30<sup>th</sup>, letters of intent are now due 90 days prior to the application (January 30, a few days from today). Finally, the regulation codifies the contents of the letter of intent. Following the meeting in December by the legislative commission, staff communicated with all applicants who had submitted a letter of intent for what would have been the January 15 application cycle. They made clear that any letter of intent that was for the January cycle would automatically carry over to the April cycle. They look forward to seeing the letters of intent they receive in the next couple days and will share an update with the board next month on the number received.

**e. Argent Preparatory Academy update [00:25:17]**

Executive Director Feiden said by way of background, Argent Preparatory Academy closed at the end of 2017-18 school year, however, there was a facility that belonged to the school that needed to be sold in order to settle the affairs of the school. Despite multiple promising offers and even being under contract, it took quite a long for the property to sell. They are happy to report that the property has finally sold. For context, Argent was placed into court appointed receivership on July 1, 2016 due to issues with school leadership, finances and the academic program. Mr. Joshua Kern became the receiver for the school and Mr. Kern remains the receiver and so with the property having been sold, he is in the process of winding down the affairs of the school. Staff expect to get a full accounting of the final assets of the school as part of the wind down. They anticipate Mr. Kern making a closing report likely at the March meeting.

There was further discussion between the Authority and Executive Director Feiden.

**Agenda Item 5 – SPCSA Charter School Governing Body Governance Standards. [00:35:34]**

Member Cyr said she will be focusing on item 6: Operate in Service of your School Community, specifically around establishing effective communication to receive feedback and ensuring that the school’s board meetings and its members are accessible to the school community. She encourages board engagement in other ways to solicit feedback, attendance at school, academic nights, performances, carrying out family surveys, encouraging public comment at board meetings. She hopes that board members will find ways to weave themselves into more than just the meetings themselves.

**Agenda Item 6 – Charter School Contract Amendment Applications. [00:37:07]**

**a. Eagle Nevada – deferral and adjustment to grade configuration and enrollment cap**

Mark Modrcin, Director of Authorizing, said Eagle Nevada’s amendment request contemplates a deferred opening to the 2023-24 school year as well as a small reduction in their initial enrollment cap. SPCSA staff recommends approval of the request with conditions. Director Modrcin noted one correction in the proposed motion, the second condition should read January 1, 2023 and not August 1, 2022. Jai Mallory, Eagle Nevada, provided remarks. There was further discussion between the Authority, staff and Eagle Nevada representatives.

**MOTION:** *Vice Chair Moulton made the motion to Grant the Good Cause Exemption request and approve the amendment request submitted by Eagle Charter Schools of Nevada to defer the school's opening to the 2023 – 24 school year, with the following conditions:*

- *That the school provide evidence of a fully-executed lease by May 1, 2022;*
  - *That the school provide evidence that a school leader has been hired by **January 1, 2023**;*
  - *That the school provide evidence that all zoning requirements have been fulfilled and that appropriate permits have been obtained by September 30, 2022; and*
  - *That the school provide written, monthly updates to SPCSA staff beginning in March 2022 regarding progress towards these conditions as well as a successful opening in the 2023 – 24 school year.*
- Member Cyr seconded the motion. The motion carried unanimously.*

**b. Elko Institute for Academic Achievement – expansion within approved grade levels [00:49:00]**

Mike Dang, Management Analyst IV, said Elko Institute for Academic Achievement (EIAA) is requesting approval of the good cause exemption request and the requests to acquire or construct a new or additional facility that will not affect approved enrollment, expand enrollment in existing grades and facilities, and to relocate or consolidate campuses. SPCSA staff recommends the Authority approve the request with conditions. Ashley Perkins, Principal, and Dennis Zimmerman, Board Chair, EIAA provided remarks. There was further discussion between the Authority, staff and EIAA representatives.

**MOTION:** *Member Holmes-Sutton made the motion to grant Elko Institute for Academic Achievement's requests as detailed in the submitted amendment, subject to the following conditions:*

- a. *That EIAA provide evidence to SPCSA staff that construction on the proposed facility has begun prior to August 1, 2022;*
- b. *That the school provide evidence of an updated lease/agreement with its current landlord to ensure financial sustainability during the 2023 – 24 school year. SPCSA staff will work with the school administration and board to identify a workable time to fulfill this condition prior to the start of the 2023 – 24 school year;*
- c. *That the school submit monthly updates regarding the proposed new facility and student enrollment to SPCSA staff beginning in March 2022;*
- d. *That the school submit NWEA-MAP results from the beginning, middle and end-of year assessments for the 2021 – 22 and 2022 – 23 school year so that SPCSA staff can monitor the academic progress of students attending the elementary school; and*
- e. *That the school complete the SPCSA pre-opening process for expanding schools. All conditions must be met to staff's satisfaction for the school to open for the 2023 – 24 school year.*

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

**Agenda Item 7 – Update on approved new charter schools for Fall 2022. [01:15:50]**

**a. Battle Born Academy [01:16:06]**

Director Modrcin provided a brief overview of the background of Battle Born Academy. Kathy Rudd, Principal and Co-Founder, said she is joined by their Assistant Principal and Co-Founder Katie Krackhardt and Rebecca Gonzalez, Board Treasurer. Ms. Rudd provided the update as it relates to the priorities SPCSA staff outlined in their approval.

**b. Sage Collegiate [01:24:27]**

Director Modrcin provided a brief overview of the background of Sage Collegiate. Sandra Kinne, Executive Director and Lead Founder said she is joined by Jennifer Braster, Board Chair. Ms. Kinne provided the update for Sage Collegiate.

**c. PilotED – Cactus Park Elementary [01:37:32]**

Director Modrcin provided a brief overview of the background of PilotED – Cactus Park Elementary. Lani Luo, Karli Casto and Jacob Allen provided the update.

**d. Young Women’s Leadership Academy [01:46:52]**

Director Modrcin provided a brief overview of the background of Young Women’s Leadership Academy. Whitney McIntosh, Founder Principal and Gun Ruder, Board Chair, provided the update.

**e. Las Vegas Collegiate [01:58:27]**

Executive Director Feiden provided a brief overview of the background of Las Vegas Collegiate. On November 16, 2021 the Las Vegas Collegiate Board voted to move forward with the development of a dissolution plan. On December 14, 2021, the Las Vegas Collegiate Board voted to approve the draft dissolution plan which can be found as an exhibit to this agenda item. This dissolution plan outlines several actions that will be taken by the governing board of Las Vegas Collegiate to comply with statutory requirements for charter school closure.

**MOTION:** *Vice Chair Moulton made the motion to accept and approve the dissolution of Las Vegas Collegiate and direct SPCSA staff to work with the governing body to ensure the completion of all charter school closure requirements. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

A 10-minute convenience break was taken.

**Agenda Item 8 – Resubmitted New Charter School Applications. [02:15:02]**

**a. Strong Start Academy**

Director Modrcin began by providing the background of Strong Start Academy’s initial charter school application and staff’s initial review before providing the overview of the resubmitted application and staff’s recommendation, which can be found in the supporting materials. SPCSA staff recommends the Authority conditionally approve the application as resubmitted.

Lorna James-Cervantes provided her background. She plans to continue being part of the Strong Start Academy’s board if the charter is approved. She is joined by Tammy Malich, Director of Youth Development and Social Innovation, as well as several members of her team that supported the charter writing process, and Miriam Benitez, one of their professional consultant members and proposed executive director, and Dr. Sylvia Lazos, proposed committee to form member. Ms. James-Cervantes provided further remarks before turning it over to Ms. Malich. Ms. Malich provided her background and brief remarks.

There was further discussion between the Authority and Strong Start Academy representatives.

**MOTION:** *Vice Chair Moulton made the motion to approve the Strong Start Academy charter application as resubmitted during the 2021 Summer Application Cycle, with conditions outlined below, based on a finding that the applicant now meets the requirements contained in NRS 388A.249(3).*

1. *By March 1, 2022, and before the school begins accepting student applications, provide an*
  - A. *updated lottery policy that complies with Nevada Revised Statutes and Nevada Administrative Code.*
2. *By March 1, 2022, provide evidence that the Executive Director has been hired.*
3. *By April 30, 2022, provide fully-executed copies of the contracts with key service providers identified in the resubmission: TNTP, Dual Language education of New Mexico (DLeNM) and Bambee.*
4. *Provide evidence that the school is compliant with all statutes and regulations related to student transportation, including NRS 386.815 – 386.840 which comprises a number of requirements for the school to fulfill. SPCSA staff will work with the Nevada Department of Education and the school to monitor progress so that requirements are met approximately 30-days prior to the start of school.*
5. *By November 30, 2022, provide evidence that a long-term facility has been secured.*
6. *Complete the SPCSA pre-opening process for new charter schools.*

*With the exception of #5, all conditions above must be met to staff’s satisfaction for the school to open for the 2022 – 23 school year. Member Shauntee Rosales seconded the motion. The motion carried unanimously.*

**b. Pioneer Technology & Arts Academy Nevada [02:56:54]**

Director Modrcin began by providing the background of Pioneer Technology & Arts Academy Nevada (PTAA) initial charter school application and staff's initial review before providing the overview of the resubmitted application and staff's recommendation which can be found in the supporting materials. SPCSA staff recommends the Authority deny the PTAA application as resubmitted based on a finding that the applicant has failed to satisfy the requirements in NRS 388A.249(3). Director Modrcin also noted that SPCSA staff received an additional response from the school earlier this week after the published memo went up on their website and this is posted alongside the materials and was provided to the Authority on Wednesday morning. Nothing in that memo changes the recommendation but they are prepared to answer any questions the board may have. Rudy Pamintuan, President of PTAA Nevada, said he is joined by Melissa Gruenahgen and Maureen Schafer, Board Members, Kara Hendricks, Legal Counsel, Shubham Pandey, CMO/Head, Rick Blanc, Acting Principal, Dr. Love, Regional CMO, and their guest Todd Noel, President of PTAA Arizona board. PTAA Nevada representatives provided further remarks regarding the resubmitted application. There was further discussion between the Authority, SPCSA staff and PTAA representatives.

**MOTION:** *Member Farris made the motion to Deny the Pioneer Technology & Arts Academy Nevada application as resubmitted during the 2021 Summer Application Cycle based on a finding that the applicant has failed to satisfy the requirements contained in NRS 388A.249(3).*

*Member Mosca: No*

*Member Farris: Yes*

*Member Shauntee Rosales: No*

*Member Holmes-Sutton: No*

*Member Cyr: Yes*

*Vice Chair Moulton: Yes*

*Chair Mackedon: Yes*

*The motion carried 4-3.*

A 5-minute convenience break was taken and Member Shauntee Rosales left for the remainder of the meeting.

**Agenda Item 9 – State Public Charter School Authority Financial Performance Framework. [05:06:07]**

**a. Discovery Charter School**

**b. Quest Preparatory Academy**

Mike Dang, Management Analyst IV, provided the SPCSA Financial Performance Framework overview presentation, which can be found in the supporting materials. SPCSA staff recommends that the Authority:

1. Remove the Notice of Concern from Discovery Charter School.
2. Keep Quest Preparatory Academy under an active Notice of Concern.

There was further conversation between the Authority and SPCSA staff around the public comment provided by Mr. Salkowe related to this agenda item.

**MOTION:** *Vice Chair Moulton made the motion to adopt the presented financial performance framework results for the schools listed in the attached ratings summary document for FY21 for all indicators except the Enrollment Forecast Accuracy measure, which was not rated; and Rescind the Notice of Concern for Discovery Charter School, removing them from the Financial Performance Framework intervention ladder as the school is Meeting Standards as described in the technical guide. Member Farris seconded the motion. The motion carried unanimously.*

**Agenda Item 10 – State Public Charter School Authority Organizational Performance Framework [05:24:08]**

Mike Dang, Management Analyst IV, provided the SPCSA Organizational Performance Framework overview presentation, which can be found in the supporting materials.

Director Modrcin noted that there was a typo in staff's recommendation and instead of 2021 – 2022, should reflect 2020 – 2021.

**MOTION:** *Member Cyr made the motion to accept the 2020 – 2021 Organizational Framework results as presented, and delegate to SPCSA staff the authority to provide final results to governing boards of each charter in the coming weeks. Member Farris seconded the motion. The motion carried unanimously.*

**Agenda Item 11 – 2022 Academic and Demographic Needs Assessment [05:31:45]**

Executive Director Feiden said in 2019, the Nevada State Legislature voted to pass Assembly Bill (AB) 462. In part, this legislation directed the SPCSA to annually conduct and incorporate the findings of “an evaluation of demographic information of pupils, the academic needs of pupils and the needs of any pupils who are at risk of dropping out of school in this State” into its charter school authorizing decisions—requirements codified in NRS 388A.220 and 388A.249. The initial Needs Assessment was developed in July of 2019 and was revised in December 2019 and January 2021. The Authority is required to update it annually by January 31<sup>st</sup> of each year. SPCSA staff has taken the feedback from the December meeting as well as their community working group and incorporated into the draft presented, which can be found in the supporting materials. The substantive changes are highlighted in yellow. She walked through the changes by page.

**MOTION:** *Vice Chair Moulton made the motion to approve as presented with technical corrections. Member Mosca seconded the motion. The motion carried unanimously.*

**Agenda Item 12 – Annual Report to Nevada’s Department of Education. [05:47:40]**

Executive Director Feiden said pursuant to NRS 388A.351, each sponsor is required to submit an annual report to the Nevada Department of Education. The draft, which can be found in the supporting materials, addresses key components including evaluation of the progress of each of our schools and for this they have provided the organizational, academic, and financial performance data. Additionally, they must identify all operational schools as well as all schools that are approved to open but are not yet open, and they must report on schools that have transferred sponsorship or that have closed, and they do not have any schools in those categories. She noted that the dissolution of Las Vegas Collegiate will be noted in the section for schools that have voluntarily ceased operations. Finally, they must report on the SPCSA’s strategic plan, and they also must report federal monies distributed to schools.

**MOTION:** *Vice Chair Moulton made the motion to accept the Annual Report to Nevada Department of Education as prepared, with the addition of the additional financial information to be approved in February. Member Cyr seconded the motion. The motion carried unanimously.*

**Agenda Item 13 – Long-Range Calendar. [05:52:44]**

Executive Director Feiden said the long-range calendar was not posted this month but she gave a recap of what to expect in the coming months. In February they are expecting a summary of lottery and enrollment preferences and informational items to share some background. They also are going to be going over additional financial performance framework ratings and potential action therein. Additionally, they will be considering charter amendment applications for which they were awaiting financial performance results before recommending action. They plan to have the State of the SPCSA presentation at the February meeting as well. She highlighted that the SPCSA’s first ever meeting happened in February of 2012 and so February 2022 marks the 10-year anniversary of the SPCSA. They plan to acknowledge and celebrate that excitement. Finally, they expect to have new charter school campuses of existing charters on their February 15 agenda for updates. Looking ahead to March they expect to be discussing enrollment and recruitment plans.

**Agenda Item 13 – Public Comment #2 [05:55:30]**

Public comment on the line:

1. Ben Salkowe, Equipo Academy, regarding agenda item 9.

**Agenda Item 14 – Adjournment [05:58:15]**

The meeting was adjourned at 3:01pm.