



NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

**April 29, 2022
12:30PM**

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:

Chair Melissa Mackedon
Vice Chair Sheila Moulton
Member Erica Mosca
Member Maureen Schafer
Member Mallory Cyr
Member Lee Farris

AUTHORITY STAFF IN-PERSON:

Rebecca Feiden, Executive Director
Ryan Herrick, General Counsel
Jennifer King, Administrative Assistant IV

BOARD MEMBERS PRESENT VIRTUALLY:

Member Tonia Holmes-Sutton
Member Tamika Shauntee Rosales

AUTHORITY STAFF PRESENT VIRTUALLY:

Mark Modrcin, Director of Authorizing

BOARD MEMBERS ABSENT:

Member Jackson Olsen

AUDIENCE IN ATTENDANCE IN-PERSON:

Greta Siedman
Ted Guerrero
Gil Lopez
Kara Hendricks
Rudy Pamintuan
Maliq Kendricks
Shubham Pandey
Rashed
Lanethia Harris
Diane Steel
Brian Scroggins

AUDIENCE IN ATTENDANCE VIRTUALLY:

David Edelblute
Kendrick Kumabe
Megan Barth

Agenda Item 1 – Call to Order and Roll Call, and Pledge of Allegiance [00:00:54]

Melissa Mackedon, State Public Charter School Authority (SPCSA or Authority), Board Chair, called the meeting to order at 12:30PM and Vice Chair Moulton facilitated the pledge of allegiance.

Agenda Item 2 – Public Comment #1 [00:02:34]

Ryan Herrick, General Counsel, said they received about 10 public comments through the SPCSA public comment email regarding Pioneer Technology and Arts Academy and have been posted with the materials of this meeting.

Public comment in-person:

1. Ted Guerrero, regarding agenda item 3.
2. Greta Seidman, regarding the Pioneer Technology & Arts Academy Nevada CSP application, on behalf of Jana Wilcox Lavin, Opportunity 180. The statement is attached hereto.
3. Debra Benson, regarding Southern Nevada Urban Micro Academy (SNUMA).
4. Cherise Coleman, regarding SNUMA.
5. Brian Scroggins, regarding agenda item 3.
6. Lanethia Harris, regarding SNUMA.

Public comment via phone:

7. Lula Turnaseed(sp), regarding SNUMA.
8. Korporani(sp) Johnson, regarding SNUMA.
9. Mrs. Brooks, regarding SNUMA.
10. Erin Phillips, regarding agenda item 3.

Agenda Item 3 – Pioneer Technology & Arts Academy Nevada [00:29:15]

- a. **The court-ordered remand (Eighth Judicial District Court, Case No. A-22-849079-W) and rehearing of Pioneer Technology & Arts Academy Nevada’s resubmitted new charter school application from the 2021 Summer Application Cycle.**
- b. **Pioneer Technology & Arts Academy Nevada’s request pursuant to NRS 388A.450(7) to shorten the 45- day window to provide certain notices to households located within a two-mile radius of the proposed charter school, and NRS 388A.453(7) to shorten the enrollment window from 45 days to 30 days.**

Chair Mackedon asked for clarification around the SNUMA public comments. Executive Director Feiden clarified that to her understanding the SNUMA was stood up by the City of North Las Vegas at the onset of COVID or shortly thereafter, it is not a charter school, public school, or private school. Families declare they are going to participate in homeschooling, and this is a group homeschooling that is supported by the City of Las Vegas, that is her brief understanding. She does not know the details of the program.

Executive Director Feiden said today the Authority is considering the second resubmitted charter application for Pioneer Technology & Arts Academy of Nevada (PTAA Nevada). She started with the background of how they got here today. The initial PTAA Nevada application was submitted to the Authority on July 15, 2021 and all the materials for that application are posted alongside the materials for this meeting. The SPCSA assembled a review team to evaluate the application against the SPCSA’s application rubric and conducted a capacity interview with the applicant team. On November 5, 2021, the Authority denied the PTAA Nevada application. Pursuant to statute, the PTAA team opted to resubmit their application on December 16, 2021 and she will refer to this application as the first or December resubmission for clarity. All of the materials for the first or December resubmission are posted alongside the materials for this meeting. The SPCSA reviewed the resubmitted application against the SPCSA’s application rubric and on January 28, 2022 the Authority denied the first resubmitted application from PTAA Nevada. On March 2, 2022, SSS Education Corporation, which is the proposed charter management organization or CMO, and PTAA Nevada, filed two lawsuits in the 8th Judicial District Court regarding the denial of the application. On March 24, 2022, the 8th Judicial District Court remanded the PTAA Nevada application to the Authority to be reheard. On March 30, 2022, SPCSA staff issued a

notice of deficiency and a memo detailing the deficiencies in the PTAA Nevada application. Both of these documents can be found alongside the materials for this meeting. On April 13, 2022, PTAA resubmitted their application and she will refer to this as the second or April resubmission for clarity. All materials for their second or April resubmission are posted alongside the materials for this meeting as well. It is important to keep in mind that PTAA has opted to resubmit their application in the format of an addendum. This means that the application includes the first initial application from July, the first resubmission from December and the second resubmission from April. All of these documents incorporated together make up the application that was reviewed. As with the previous submissions, SPCSA staff assembled a review team which was made up of two staff members and one external reviewer. This team evaluated the application against the SPCSA's application rubric. This review team approached the rating of the second resubmission with two primary concentrations. First, to determine if the applicant had corrected the deficiencies found in the resubmitted application from December that were outlined in the March 30, 2022 notice. Second, to verify the applicant's resubmission did not change the rating of any component of the rubric that was previously determined to meet the standard. After reviewing the second resubmission, many of the same deficiencies previously identified were found to remain. Overall and after careful consideration, the review committee and staff unanimously recommended denial of the second resubmitted PTAA Nevada application, as the applicant has failed to satisfy the requirements contained in NRS 388A.249(3) and that the application has failed to demonstrate competence in accordance with the criteria for approval prescribed by the SPCSA that will likely result in the successful opening and operation of the charter school and pursuant to NRS 388A.255(2) the applicant has failed to correct the deficiencies contained in the application identified by the SPCSA.

The review committee rated 5 sections of the application as follows: the Meeting the Need section was rated as Approaches the Standard; the Academic section was rated as Meets the Standard; the Operations section was rated as Approaches the Standard; the Financial section was rated as Meets the Standard, and the Addendum section was rated as Approaches the Standard. The complete ratings for each section and subsection of the rubric can be found on pages 8 and 9 of the April 29, 2022 SPCSA recommendation memo, which can be found alongside the materials for this meeting. Executive Director Feiden summarized the key findings of the review team which can also be found in the April 29, 2022 SPCSA recommendation memo. Before she closed out, she took a moment to comment on the additional information received yesterday. As the Authority is aware, yesterday the lawyer for PTAA and the CMO, SSS Education Corp, sent the SPCSA a letter in response to staff's recommendation.

This letter states that a number of reasons for the recommendation to deny are superficial and suggests that the application should be approved with conditions. First, she made clear that SPCSA staff does not see these issues as superficial. She just outlined several of the most significant issues and the staff's recommendation memo details several others as well as listing numerous rubric criteria that have not been met. Second, with regard to conditions, as the Authority is aware, conditions are used when there are a very limited number of specific issues within an application that otherwise meets the standard. If there were a handful of issues, they may have been having a conversation today about potential conditions, but this application has numerous significant and outstanding issues and does not meet the standards of categories to warrant conditional approval.

She pointed out that there are at least a few places where the letter fails to provide full context. The letter from the PTAA Nevada lawyer states that other schools have been given conditions and points to some examples of conditions for hiring a principal. Unfortunately, substantial context is missing here. In both of the cases referenced, the applicant had proposed two-person leadership teams, one academic leader, and one operational leader such as an executive director. In the cases where the Authority has previously given conditions for the hiring of a principal, in both cases the operational leader or executive director had already been identified and it was the second member of the two-person leadership team that had not been selected. These are fundamentally different circumstances than the application before the Authority. SPCSA staff takes tremendous care in the review of lengthy and complex applications, to simply point to a motion for approval for another school and say this condition worked in this case so it should work for ours, does not do justice to the complexity of these applications nor acknowledge the significant difference in circumstances. Again, conditions are sometimes

warranted, but only when there are a limited number of outstanding issues and when the circumstances demonstrate that the applicant has otherwise met the standards. The same letter asserts that the applicant was not made aware of the revisions needed to the CMO agreement. This is patently false. The statements on page 19 and 20 of the March 30, 2022 deficiency memo specifically point to inconsistencies between the narrative and management agreement and state that the application including all appendices, such as the proposed contract with the CMO, and the draft board policy manual, should articulate a consistent delineation of roles and responsibilities. The letter states that staff had made unwarranted assumptions regarding the performance of 100 Academy of Excellence. Again, within the second resubmission the applicant provided MAP data, so these are not assumptions being made, SPCSA staff reviewed and assessed the data.

In closing, the second submission failed to adequately address many of the identified deficiencies in the March 30, 2022 memo. There remain numerous concerns in the application and SPCSA staff recommend the Authority deny the PTAA application. She opened it up for questions.

Member Schafer disclosed that while she will participate in the conversation with clarifying questions or comments, she was a board member of PTAA for approximately four months until she was appointed to this board. Vice Chair Moulton asked if the new board members would be voting on this item. Executive Director Feiden clarified that Member Olsen is not present today and Member Schafer replied that she will just be participating in the discussion.

Vice Chair Moulton asked for clarification regarding the date in which the proposed school plans to hire a principal as the documents submitted indicate two different dates. Executive Director Feiden replied that her understanding was that was a typo, July 1st is the date they intend to hire staff and the principal is still intended to be hired by June 15th is her understanding, but Ms. Hendricks can confirm.

Rudy Pamintuan, volunteer President for PTAA, provided remarks. He along with his volunteer board recruited their CMO because of the proven experience, innovation, and ability to take on some of the toughest challenges. Their CMO was recently asked to step in to turn a failing school around in the state of Arizona. Within the first year, and the year isn't over yet, their CMO has completed in turning that failing school around. It was failing, it was underperforming and the financials were a complete disaster, but thanks to their CMO that school has met all compliance benchmarks, is performing at a greater capacity, winning grants for their improvement, and receiving acylates from the local community they serve. Closer to home, the Clark County School District approved their CMO's contract in their efforts to turn one of their charter schools around in North Las Vegas. If their CMO did not step in, in the middle of a school year, that school would have closed down. Even with the challenges of COVID and the restrictions from the pandemic, their CMO turned 100 Academy around so fast that attendance increased, scores improved, and the school's financials are no longer in crisis. Governor Sisolak recently designated this once failing school, but now successful, 100 Academy, as one of the Governor's designated STEM schools because of the efforts of their CMO who they are working with in this application.

Earlier there was some public comment regarding the SNUMA North Las Vegas Micro Academy, he noted that Micro Academy CMO, is their CMO. He also noted the SNUMA school is 500 meters from the location they want to open their school, so it is an easy move for them. Outside these three recent and remarkable turnarounds, their CMO continues to maintain and manage several other successful award winning and innovative schools throughout the southwest of America. Their board and community are committed to bringing this first STEM school to this underserved community. Their team has proven experience to know how, existing relationships that prove an ability, with proven results to open and manage a long-term, sustainable, innovative, and successful charter school measured by the success of the children. They have the support of the community, a building, and the only missing piece is the support of the SPCSA. It has just been over two years, and this is their fifth appearance. The last time they were here, they were denied a vote of 4-3. It is their hope that they can work together to change this direction.

Moving forward, he introduced their newest board members, in addition to their existing board, to share a little bit about their backgrounds and why they are excited about their school. He turned it over to Maliq Kendricks, who provided an introduction and remarks related to the PTAA Nevada model. Mr. Pamintuan said that their additional board member Annette Dawson-Owens was having internet connection issues and Ms. Hendricks read her statement. Ms. Hendricks then addressed the question asked by Vice Chair Moulton, clarifying that there was a typo error in the letter received yesterday, the plan is to start advertising immediately for the principal position and have someone on board on or before June 15 and the July date is for the other staff that will be hired at the school.

Mr. Pamintuan said they have another board member online, Kendrick Kumabe, another one of their board members, Melissa Gruenhagen, was not able to attend. Lastly, Joe Hoffer was also not able to attend. Online they also have the CMO Regional Director, Dr. Derrick Love, and in person, CMO Head Shubham Pandey.

Mr. Pandey provided an introduction. During the January resubmission, there were three board members that cited facilities as their concern to deny the application. In their resubmission they have provided their year one plan, that can be utilized without any modification. In year two, they have provided two options: 1) to add portables and 2) to find a location nearby. Beyond year three they have provided a transportation cost in their budget and anticipate using a second facility. Schools in the PTAA network in other states have always provided transportation between campuses as needed for families. They understand the unique requirements that come with that. They are committed to making transportation available and have reached out to other charter schools in Nevada to gather input, as well as the partners they have worked with in other states and intend to develop a comprehensive transportation plan. When a second facility is identified, and they will submit the same to this board for approval, this should satisfy the main and primary concern we heard from the board members to approve our application today. Additionally, after the staff memo came out and despite showing 90 plus letters of intent that have come since the court order in past four weeks, their application is still marked as approaching in the meeting the need section. Lastly, under the operations plan, PTAA Nevada has listed all the hiring deadlines under Attachment 14R in the April submission. This attachment includes precise deadlines to hire a school leader and a staffing plan. Important changes were required because of the truncated timeline that PTAA Nevada is working with. The proposed timeline and operation plans were updated and are different than what other schools are pursuing due to the circumstances of this hearing. This is not a reason to deny the charter application. PTAA Nevada is ready and willing and able to open a school in August and this board's approval of the charter application is the only thing preventing the school from doing so. Given the unique program they are offering, they are very confident they will be able to fill the majority if not all positions by July 1, 2022 as proposed. The CMO is committed to providing additional assistance during the next couple of months to ensure the school is ready to open in August. He briefly addressed the questions regarding the hiring of the principal. Lastly, the SPCSA board has deferred charter openings for several approved schools when certain timelines are delayed. PTAA Nevada believes it can meet the timelines proposed in the resubmittal. However, if the timeframes are of a concern for the board, PTAA Nevada believes a conditional approval should be provided by the SPCSA board and if the benchmarks are not met by July, the school should be allowed to defer opening by one year. They humbly request board members to approve their application even if it is with additional conditions.

Chair Mackedon asked if the scores at 100 Academy have improved, why was the MAP data submitted not indicative of that? If there has been growth for students, why wasn't that data submitted? Mr. Pandey said the data is submitted as one of the attachments and it is also shown the growth between the three different submissions from the initial, to winter and to summer. Chair Mackedon said the data submitted isn't showing student growth, it's showing proficiency and lower proficiency than was before. There was further discussion regarding the reports as submitted.

Chair Mackedon also asked about the CMO for the micro school and if they could explain this process to the families, that it is 100% is a lottery and in fact, they are not guaranteed a spot and it may or may not be the same teachers. She is concerned that if they are the CMO, why there is so much misunderstanding among these families

about how this transition works? Mr. Pandey said the families are not here for transition but to show the support of the curriculum and what they've gone through in the last year. This micro academy started as an annual concept by City of North Las Vegas, it was a model designed to help families impacted by COVID. Their SSS curriculum was used by the City of North Las Vegas to run these academies. Last week they were told they don't have funding for next year, they never really had any more transition except saying they have applied for a school with a similar curriculum and so they are here to vouch for the support for the curriculum they have gone through. They have not had a meeting about how charter schools work. There was further discussion regarding the micro school.

Chair Mackedon said her last comment about her point regarding facilities was not communicated well and for her the issue with the facilities is that even the parents today were talking about location and not being able to drive across town and the fact remains that families are going to get served for one year and then two to three years later this school could be moving 3.5 to 9 miles today, and that is her concern that this community that needs this school and it's not going to be there for more than a year or two. Mr. Pandey said the locations they are looking at for 3.5 and 9 miles are two and half years old, because that was the time they submitted and a lot has changed from the location. Once approved, and two years out in the cycle, a lot will change. When you have a program that has proven to have the educational part check and finance check, you have to rely on the board to make those decisions which are going to be best for the parents and for the community which is two years down the road. What they are trying to show through this is that they do have the experience if they have to move two or three miles away by providing a service to them, but the leap of faith has to come from the board to them. If they solve this, there will be some other thing which they cannot prove three years from now that they can solve today. But with the experience they have, they will be able to tackle this. If the parents are not happy with the location, it's not like they can go to the location, they will have to identify what works for the school and the community.

Member Cyr said regarding the comments from staff around the financial framework and Mr. Pandey's remarks towards potential deferral if you don't meet certain requirements by July 1st, she is mindful that in her time on the board they have not considered a deferral during the approval process, that comes down the road. If they are assuming they are approving it for now in August, the concerns are very pressing to her around student enrollment and that number for the first three months of their funding and the grants; the deadline has passed for that. She asked the PTAA Nevada team to speak to those financial concerns. Mr. Pandey said beginning with the CSP grant, the grant has an approval of May 1. They are going to work from tonight all the way to the 1st and there are five documents that they have to submit, but first they need approval. They have worked in the past with multiple groups, Charter School Capital Group, their specific business interest is to help the schools that have delayed funding. Additionally, there are several reference letters that they have submitted, that have directly worked with them in the past whenever they need a short-term capital. The other deadlines they talked about, such as the enrollment window but from the financial framework point of view, they are able to create the budget and submit it on time, they will need some help, but they have worked in Nevada and know what is required in Nevada. They have a proven process where they will be able to meet those dates.

Ms. Hendricks added briefly, she believes what the school had in mind is that they have dates, they have enrollment dates that are set forth in the letter that the board received on April 13 where they provided shortened timeframes for both notice and the lottery so they can get the enrollment done and they believe those are doable and if they can stick to those deadlines the enrollment numbers will come in. The school understands they are under a lot of pressure to get documentation so those numbers can be authenticated in time, but they believe it can happen with the support the school is getting from the CMO. As far as how in her mind that this could work from the Authority's standpoint, is a conditional approval, which the Authority does quite often, and if for some reason the school cannot meet the dates that are specified by the board, that's when the conditional approval can say that they cannot open in August but they can open next year instead. So, it's putting the leap of faith in this board that they can do this with the timelines as proposed. The statute allows shortening of the enrollment period, there isn't any reason they can't do that, they know that the Authority has not done it before, and this is a very unique

situation where the court got involved and said this school has the right to come back before this board to talk about the facility and other issues and to present the plan. They believe it is doable and with conditions the Authority can make sure the deadlines are met and if they are not met that is when the deferred opening would kick in. Chair Mackedon said that the problem is in most cases when there's conditions with deadlines, enrollment is not going on simultaneously and going back to the memo that is the concern here. There are no conditions on the table but let's say there were, if the school does not meet them, historically in the past, kids are not enrolled in that school and so those conditions happen before enrollment and in this case enrollment is happening simultaneously and now these families are really left in the lurch. As the memo states, these timelines are very concerning.

Ms. Hendricks said they understand and acknowledge it's a unique situation and their position is that the school should not be penalized because they are here on April 29th to do this and were not able to address the facilities issues earlier. The court has said they could be here, they have a plan in place, and they think they can do it and that the school has the right and abilities to make it happen.

Member Cyr said if she understands how their staffing will happen, it is not guaranteed they will have any permanent staff until June 15th? Mr. Pandey said that if they were to be approved today, they would start as early as next week interviewing and they are simultaneously networking and sourcing and there are multiple candidates they have identified if this happens. Member Cyr said the June 15th deadline, although it sounds like it would be sooner, that date is after the date when documents are needed to go in for an enrollment count so who will be their boots on the ground in this proposed adjusted timeline to help with the enrollment process for 236 students? Mr. Pandey said the Regional Director, Derrick Love already has principal accreditation in Nevada so he can step in as an acting principal from day one to help submit any submissions that need to be done. Member Cyr asked for the enrollment at SNUMA? Mr. Pandey replied 82 students.

Member Mosca asked out of the 236 students how many they expect in their enrollment are from St. Christopher or SNUMA? 98 letters of intent were from St. Christopher and 50 were from SNUMA and a total of 400 letters of intent submitted to staff. Member Mosca asked about the operations plan under incubation year development, which is approaching standards on the rubric, she'd like to hear from the board qualitatively that if they did get approved, what they would see the next few weeks looking like? Mr. Pamintuan said it's going to be really busy but they are really looking forward to it. It has been a process for the last couple years. There are a lot of people interested in what is decided today. They are prepared to get to work. Mr. Kendrick added that he currently serves on a dissolving board for Las Vegas Collegiate charter school, which the charter school was approved but the facility issue with COVID simultaneously took a big blow to them and as far as moving the school towards the needle of opening, he personally has experience with that and with opening the school and setting out committees to work on different aspects. The main thing is enrollment and ensuring a clear message is put out to the families.

Member Schafer said it was her sense that the last time they came before the board last hearing that facilities was a big issue in the deliberation and the final decision on the application. Her question for staff is in terms of opening in a temporary facility, what conditions were placed on other applicants or have there been charter applications approved to open at a temporary facility for other applications and what conditions if so were placed on applicants related to a temporary facility? And lastly, if those schools wanted to move locations there must be a process that needs to be involved. Executive Director Feiden said they have certainly approved applicants with facilities, temporary facilities, and without facilities and they have also denied applicants in all three of those categories as well. There have been instances where a temporary facility has been in place and a school has been approved and there are conditions in place. The important thing to note is that in those circumstances there were not the volume of other outstanding issues as are in place here. If the facility was the only issue they were talking about today, she thinks staff would probably be recommending approval with conditions. Member Schafer said she remembers this being the primary issue at the last hearing. Chair Mackedon said she thinks the facilities came on the tail end of that conversation and they probably gave it more than its due, but it was not the primary issue,

they ended on that note but it was not the primary concern even though it was a big issue. She said equally concerning is some of these timelines.

Member Schafer said that under the Meeting the Need section, PTAA Nevada was criticized for not having enough community support as she read the memo, and this is a question back to staff, the letters of intent showed the community is interested and supported, what else is staff or they as a board looking for so that they know why these letters of intent are not sufficient enough, is there a benchmark or a number of letters of community support from local organizations, is there harm in asking them to be able to collect more? She looks at herself when she goes on boards like this or commissions as she has in the past, as a regulator, they need to be less about process even though there needs to be one in place for consistency, so people feel treated fairly, but they are here to get kids in seats. They have to balance a fair process with achieving their mission which is getting kids in the highest quality environment they can. Executive Director Feiden pointed to page 31 of today's memo, with regard to partnerships they are looking for specific partnerships and that the letters of support that are provided have specific deliverables and accountabilities in terms of what that partnership will entail. Sometimes they get general letters but that doesn't always constitute partnership because that doesn't constitute a relationship or how that is going to work down the road. They don't expect them to be a memorandum of understanding but expect some detail about what that partnership looks like.

Member Schafer asked if there are conversations, and again as her disclosure and is not voting on this, but if they are not seeing things in the application are they having conversations to work with them on the application? Executive Director Feiden said their application training is usually about two hours and they make clear that their letters of support need to be specific. They also have included this as an item of concern since the very first memo and this issue has been identified as a deficiency since the beginning. She cannot recall specifically whether they talked about this specific piece, but it has certainly been identified as one of the deficiencies throughout those memos. Member Schafer asked if other schools have been approved for a charter without meeting the community support benchmark? Executive Director Feiden said yes, and again similarly they use conditions in that circumstance when there are a narrow limited specific number and again the concern here, is if they were just talking about this or the facility, they would be having a different conversation.

Mr. Pandey provided timelines of what staff has asked and what they have provided for context. He talked about one of the biggest conditions for them was providing an MOU from a local college and they provided a letter of support and that was not enough and so they went in and provided an official MOU from CSN College, then staff feedback was to have one from Texas Workforce what happens when these kids need to go to the workforce and so they got a letter with details on that. It has been a process and for them community support means as long as they are showing the number of students that are interested in the program from that zip code that they have shown their interest in the community and their participation from the community. Executive Director Feiden clarified with regard to the MOU from CSN, that is with regard to the dual credit partnership of the application, every Nevada high school is required to have a dual credit partnership and that is not really contemplated as a community partnership.

Vice Chair Moulton asked the PTAA Nevada team about their last board meeting and who was in attendance. Mr. Pamintuan said two days ago and all of them except one were in attendance. Vice Chair Moulton said she had not heard until today that they would ask for a deferment and also that Derrick Love would be the acting principal. She asked if those were discussions and voting items at their last meeting and where this came from? Mr. Pandey replied that it's coming directly from the questions that are being asked because they are more of a team of how to respond to a problem and how to provide a solution. There is enough experience on the team to step in as needed. Same thing goes for the deferment, because hearing all these dates they will miss, they are asking humbly, if those are the only concerns, to give them a deferment like the Authority has with all other schools when they are not able to find a facility, they are not able to meet their enrollment needs, there is a past process so if the Authority wants to make it extremely rigorous, make it extremely rigorous for them, tell them the conditions that are required, and let them step up and meet them. Vice Chair Moulton asked SPCSA staff to confirm that this was the

first they had heard of the deferment. Executive Director Feiden confirmed and said as soon as you start enrolling kids, either it kind of goes down in flames and kids don't have a place to go or it has to work. She expressed extreme concerns with the idea that they would greenlight a school today and then a month later say never mind, this isn't going to work. Regardless of what the decision is today, certainly there has to be a firm commitment to it because they are less than four months from the first day of school. Vice Chair Moulton asked if SPCSA staff had heard Derrick Love would be the acting principal? Executive Director Feiden said it may have been mentioned in Ms. Hendricks letter sent yesterday that he would step in or provide support. Vice Chair Moulton talked about the enrollment concerns she has and she thinks it would have been a committee to form that would have made those decisions on the deferment and on the acting principal. Maybe they did at their meeting, but it was not relayed to the SPCSA until today. She has also been hesitant because of the turnover. She discussed her concerns in more detail. She would love to have seen and heard today that the school wanted to defer one year and take this and make it a paramount school. Ms. Hendricks provided response to Vice Chair Moulton with regard to the letter that was sent yesterday and her concerns.

Mr. Pandey said they have been reactionary when they have been told something to do, they do it. Chair Mackedon said she thinks it is right that they have been reactionary, and that is how this feels is that it is a reaction to a question instead of a well contemplated plan that was presented. It seems like everything it kind of like that, and it is hard to know what your plan is going to be with transportation, but it isn't hard to look at the NRS. It's fine to throw out ideas with your team contemplating but when you are putting forth a charter application it is supposed to be a well contemplated plan and this along the way has felt very reactionary. Mr. Pandey responded because things change on the ground on a daily basis, you have to respond, and have the attitude of solving problems. When a question is asked on how you are going to resolve this and there is an answer that comes based on the experience they have done. They will always bring a solution and will never bring a problem. That is how every charter school should react and that is how they should function. Mr. Pamintuan added that when it comes to responses, there are responses you will get from groups that have little to no experience, and they put out what they believe is a good idea. Their CMO manages over 32 schools and so when their CMO offers an opinion to them when they as a board ask a question, for them that carries a lot of weight to further pursue in response than if it was a group that just started up or had one school currently. They lean on the expertise of their CMO. On the reaction piece, it's not reaction it's on the fly, they sit there and think about as if today, what happens if they are approved, and they've already talked about if they are not approved. When they roll it out at the decision, that may be seen as a reaction, but it was a reaction that was well thought out based on their experiences. Vice Chair Moulton said she wishes they would defer one year and believes they do have potential and there is need in that area, but there are too many steps that could go wrong.

Member Farris clarified that while facilities were talked about last time, that is not the reason why he did not vote for them. This is the fifth time they have been in front of them that he has voted on. His concern is they have had five chances to work with staff and get the application in a place where staff can recommend approval. He does not believe it is incumbent upon staff to tell them how to do it, he thinks it incumbent upon them to work with staff, look at precedent, and figure out what they are asking you to do and adjust the application accordingly so they can recommend approval. This is the fifth time the school has tried and they still haven't got there. The issues from the first time, third and fourth time, still exist. The responses haven't been adequate to change the recommendation. It's frustrating because they do needs school like what they have, instead of taking a step back and trying to figure out what the application is lacking, it feels like it always trying to be patched, rather than fixed as a whole. Mr. Pandey said they have been here five times and the takeaway they want to give is the commitment that they have towards this process. They have had 25 plus meetings with the SPCSA staff. Several they have been given directions and the directions have changed. He asked the board, how do you meet in the meeting the need section and within nine months you go back to approaching? There last fallback is to come to them and ask them what to do to move forward because they have been beaten down and they get beaten down every time. Mr. Pamintuan said if this was a startup group and they were having challenges in the process, he could see there being an issue but if some group has been through this process successfully, and is having problems with one, there is something to look at there. He spoke more about their experience with jurisdictions

and how their CMO has been through this process many times and hasn't had challenges, and they are having one right now. They talk to other CMOs that are watching what is happening also. They have all these bodies, stakeholders, and so many people committed, why can't they just make this happen? Member Farris said he has watched seasoned people get denied and inevitably, it's the project. They can point the finger, but his sense is when a project by a seasoned group gets denied, it's because of the project. It's not the people they are in front of or anything else other than the project. Again, they have approved a lot of schools so it's clearly not a process that can't be accomplished. His disappointment is there is lots of schools that have been approved and lots of examples of what needs to be done, and for whatever reason, your group isn't doing it.

Member Shauntee Rosales followed up on the staffing plan and asked about the number of teachers hired, if it is being done equitably and if they were hiring good quality teachers. She asked if this will be a global search or will they use teachers from St. Christopher's, to explain that briefly. Mr. Pandey replied that all teachers can apply, they will do a national advertisement and local advertisement and HR has a process. 14 staff members are coming from SNUMA as certified teachers or substitutes, some teachers from St. Christopher that have certification and several candidates in pool. The main positions are limited to 13 and they should be able to hire them quickly. Member Shauntee Rosales spoke about the transportation piece and inquired about the budget for the transportation. Mr. Pandey said the transportation plan was added to meet the needs of students as it was inquired about by staff. Because they are doing the year 1 facility at St. Christopher they have had a huge saving in their budget. He spoke about the logistics of the buses and the transportation plan. Member Shauntee Rosales asked if the application submitted was the first in Nevada and Mr. Pandey confirmed that it was. She made further brief remarks and echoed Vice Chair Moulton's comment that she wishes they would have asked for a deferment.

Mr. Pandey said if there is any way to approve their application with a 1-year deferment as they do not think there is any reason why they are not there. Member Holmes-Sutton commented around the parent and family involvement, looking at the letters of intent from the families from SNUMA, and looking at SNUMA, the classes are capped at 15 students and she is very concerned about the projections that are within the proposal around certainly the decreased enrollment in the first year but then the increases in the subsequent years. Even if the classes were to remain 15-18 or even at 20, with there being 13-14 teachers hired the first year, she's looking at the need for teachers in the subsequent years. She's very concerned about the teacher shortage and considers what the teachers are expecting as far as changes that come from St. Christopher and SNUMA. She provided further brief remarks. Mr. Pandey said as far as the hiring process, it has been a challenging time everywhere, if they provide a quality curriculum with a good mission and vision in mind, teachers tend to gravitate towards that program and want to know it is meeting the need and its forward thinking. He talked more about the process to retain a teacher or staff member.

Member Cyr said she raised the deferral because it was a last statement that Mr. Pandey shared during his comments. To be clear, the reason for this meeting from the judge, was that we needed to review and consider for opening this August, is that the direction of the judge? Mr. Herrick replied that the court order was to provide the list of deficiencies, the applicant gets an opportunity to respond, and the SPCSA hold the board meeting. There is not necessarily anything in regard to the school year or court order but he would also say this application, up until today, contemplated a 2022 opening.

Member Cyr and school representatives further discussed the staffing plan as proposed. Chair Mackedon commented about the statements made in front of the parents in the room earlier, the school said the model was 18-1 as opposed to 15-1 they were used to, but that's only true for year one and there is no way the math works for after that. That really isn't accurate after year one and that leaves to parents not really understanding the choice that they are signing up for. Mr. Pandey described how the ratios and rotations work. Member Cyr asked for more clarification around their planned enrollment chart. This is where the project is not matching what is being delivered here and it is leading to gaps and confusion. Speaking to the 100 Academy that she has expressed concern around, to this date there has not been a 100 Academy student saying this is why I love this school. This feels very similar to the St. Christopher families they heard about in the first application, that was a lot to hear

today from the SNUMA families, as a brand new add, and the whole focus of this meeting was to look back at the deficiency list and the deficiency list does not say SNUMA, but the pieces brought before the board today alluded to that school dissolving and needing a place for students and she does not like to be put in a position where they are making decisions out of emergency need because that does not necessarily prove to something that can be long standing, emergencies are band aids. Mr. Pandey said the families that are here from SNUMA are here to attest to the process that they have gone through last year, that they went through the program and curriculum, and they are satisfied. They have received the letter of intent which talks about a potential school opening if they are interested this is where they need to apply and obviously there is a hearing today.

Member Schafer asked Ms. Hendricks if she'd like to make comment regarding the legal. Ms. Hendricks said she was going to agree with Mr. Herrick for the most part in his comments, the judge in the district court case did not give specific requirements, she had determined that the school needed a new notice and a chance to respond and that is why they are here today. They are not here to be combative or place blame, they are doing everything they can with the direction they have received to try to open this school and help kids.

Vice Chair Moulton proposed the motion that Pioneer Technology and Arts Academy is given the opportunity to defer to begin their school year in the 2023-25 school year and that conditions will have to be given. Member Shauntee Rosales seconded the motion.

Vice Chair Moulton said she does not know how they will get these conditions because to her they are going to be monumental. The conditions to her are extensive, new timelines, new facilities, looking into the 2nd and 3rd year a slow growth model, and a staffing revision. Chair Mackedon said what she hears described is a new application and though she feels this motion has the best of intentions, they have a process for this and it's called reapplying. That is what is being described is a reapplication and for that reason she cannot support the motion. There was further discussion regarding the difference between a new application versus the conditions and deficiencies in this particular application between the Authority and SPCSA staff.

Member Mosca shared that she always comes in open and she had done her homework and talked to everybody, she has voted yes twice and she thought she would most likely not vote yes because of the parent and community involvement as well as the incubation year development knowing that the school had to open in four weeks and with the motion on the floor that it could open in a year, she is more open with that. Chair Mackedon said she thinks they would be setting a very bad precedent. They have established that this board meeting is not the time to hash out conditions, and essentially she feels this motion is asking them to prove something that they don't know they are approving because the conditions haven't been outlined by staff and for her that is setting a bad precedence for schools and staff. She would be willing to say there is a good cause exemption to reapply outside of the window, she could get on board for that. Member Farris said he agrees and in every application they find good and there is a lot of good in this application, but they don't approve them if they are not ready to have a contract signed. He can get on board with a good cause exemption, they can take what is good and fix what is not right. Member Mosca confirmed the motion on the floor and Executive Director Feiden said she believes it should be for the 2023-24.

Roll call vote:

Member Mosca: yes

Member Farris: no

Member Shauntee Rosales: yes

Member Holmes-Sutton: no

Member Cyr: no

Vice Chair Moulton: no

Chair Mackedon: no

The motion did not carry.

There was further discussion between Member Farris and Mr. Herrick around the logistics of the motion and if they could tie the good cause exemption in today's motion.

MOTION: *Vice Chair Moulton 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) in that the applicant has failed to demonstrate competence in accordance with the criteria for approval prescribed by the SPCSA that will likely result in a successful opening and operation of the charter school, and that pursuant to NRS 388A.255(2) the applicant has failed to correct the deficiencies contained in the application identified by the SPCSA. Member Cyr seconded the motion.*

Roll call vote:

Member Mosca: yes

Member Farris: yes

Member Shauntee Rosales: yes

Member Holmes-Sutton: yes

Member Cyr: yes

Vice Chair Moulton: yes

Chair Mackedon: yes

The motion carried unanimously.

Agenda Item 4 – Public Comment #2 [03:18:48]

There was no public comment on the line or in the board room.

Agenda Item 5 – Adjournment [03:20:05]

The meeting was adjourned at 3:50PM.