



## NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

Friday, April 14, 2023  
9:00AM

The State Public Charter School Authority board meeting was conducted in-person and virtually.

### MINUTES OF THE MEETING

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

Member Jackson Olsen  
Member Tamika Shauntee Rosales  
Member Tonia Holmes-Sutton  
Vice Chair Sheila Moulton

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

Chair Melissa Mackedon  
Member Maureen Schafer  
Member Cindi Rivera  
Member Kurt Thigpen

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

Member Lee Farris

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

Marinna Cutler, Director of School Support  
Michael Dang, Management Analyst IV  
Jennifer King, Administrative Assistant IV

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

Mark Modrcin, Director of Authorizing  
Ryan Herrick, General Counsel

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

Michael O'Dowd  
Jose Herrera  
Gabe Shirey  
Carey Roybal- Benson  
Robert Plowman  
Tom Nichols  
Julie Carver  
Brett Willis  
Candi Wadsworth  
Shanna Barry  
Catherine Sourk  
Justin Brecht  
Scott Anderson  
Yolanda Hamilton  
Samantha Morris  
Michael Olsen  
Linda Rolle  
Kiki Posner

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

Shelia Gilchrist  
Jose Silva  
Sherlene Simpson  
Coby Sherlock  
J Mallory  
Barbara Wiggins  
Jason Guinasso

**Agenda Item 1 – Call to Order and Roll Call, and Pledge of Allegiance [00:01:27]**

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

**Agenda Item 2 – Public Comment #1 [00:03:13]**

There was no public comment.

**Agenda Item 3 – Approval of March 3, 2023 SPCSA Board Meeting Action Minutes. The Authority will review and possibly approve the action minutes from the March 3, 2023 Authority Board meeting. [00:04:57]**

**Motion:** Member Olsen made the motion to approve the March 3, 2023 SPCSA Board Meeting Action Minutes. Member Holmes-Sutton seconded the motion. The motion carried unanimously.

**Agenda Item 4 – SPCSA Charter School Governing Body Governance Standards [00:05:43]**

Chair Mackedon focused on standard number 3: Manage Financial Resources Responsibly of the SPCSA Charter School Governing Body Governance Standards. She said right now all charter schools are getting their tentative budgets approved by their board of directors which is relative to bullet point 2, to annually establish and manage to a budget that allocates resources in alignment with the school's goals and strategic plan and it also goes along with bullet point 5, to regularly monitor financial performance to ensure the short- and long-term financial health of the school and to monitor progress towards the State Public Charter School Authority's performance expectations.

**Agenda Item 5 – Legislative Update. [00:07:05]**

Mr. Herrick provided the legislative update. He referred to the memo within the supporting materials which includes the bills they are tracking. SPCSA staff continue to monitor and track the bills that are being introduced and are also keeping schools informed of any bills that may have potential impact.

**Agenda Item 6 – Executive Order 2023-003. [00:11:50]**

Mr. Herrick said Executive Order 2023-003 was issued by the Governor on January 12, 2023 and deals with the agency's regulations. He referred to the memo in the supporting materials and the redlined version of the regulations that they intend to eliminate or modify pursuant to the Governor's Executive Order. They will be finalizing and submitting by May 1<sup>st</sup> using the template provided by the Governor's Office.

**Motion:** Vice Chair Moulton moved to accept the changes offered under the executive order and to submit to the Governor's office. Member Schafer seconded the motion. The motion carried unanimously.

**Agenda Item 7 – New Schools Updates. [00:15:15]**

Mark Modrcin, Director of Authorizing, noted for this agenda item that SPCSA staff has prepared a summary of each of the schools' progress against the standard pre-opening items, as well as summarized their current enrollment progress, and their progress towards any unique conditions attached with their approval or new campus. The summaries can be found in the supporting materials.

**a. Eagle Charter Schools of Nevada [00:16:25]**

Director Modrcin said Eagle Charter Schools plans to open a K-5 growing eventually to K-8 with a year one enrollment of 540 students, and their identified location is 2025 E. Sahara in Las Vegas. Jose Herrera, Founding Principal, Eagle Charter Schools, provided the pre-opening update on behalf of the school. The school's presentation can be found in the supporting materials. There was further discussion between the Authority and school representatives regarding the school's enrollment.

**b. Pinecrest Academy – Springs Campus [00:41:44]**

Director Modrcin said Pinecrest Academy – Springs Campus will be opening at the elementary level and eventually growing to K-12. The year one enrollment is 257 students. The school was approved to operate

temporarily at the Trinity United Methodist Church facility for the first two years of operation. Michael O’Dowd, Principal, Pinecrest Academy, and Coby Sherlock, Board Chair, Pinecrest Academy were present and provided the pre-opening update on behalf of the school. The school’s presentation can be found in the supporting materials. There was further discussion between the Authority and school representatives regarding the school’s enrollment.

**c. Rooted School – Clark County [01:05:05]**

Director Modrcin said Rooted School – Clark County plans to open this fall with grades 9-10 with a year one enrollment of 180 students and their identified location is a leased space from Nevada Prep at 1580 Betty Lane, Las Vegas in year one. Jose Silva, Executive Director, Rooted School – Clark County, provided the pre-opening update on behalf of the school. Julia Qi, Director of Operations was also present on behalf of the school. The school’s presentation can be found in the supporting materials. There was further discussion between the Authority and school representatives regarding the school’s enrollment.

**d. Southern Nevada Trades High School [01:19:25]**

Director Modrcin said Southern Nevada Trades High School (SNTHS) plans to open this fall with grades 9-10 with a total enrollment of 200 students and an identified location at 1580 Bledsoe Lane in Las Vegas. Brett Willis, Board Chair, SNTHS, provided the update as it relates to their facility report. Julie Carver, Executive Director, SNTHS, provided the remaining items related to the pre-opening update on behalf of the school. The school’s presentation can be found in the supporting materials. There was further discussion between the Authority and school representatives regarding the school’s enrollment.

A 10-minute convenience break was taken.

**Agenda Item 8 – Charter School Contract Amendment Applications [01:56:04]**

**a. Nevada Virtual Academy – change in Education Management Organization**

Danny Peltier, Management Analyst IV, said Nevada Virtual Academy (NVVA) has submitted an amendment application requesting that the State Public Charter School Authority (SPCSA) approve a change in Education Management Organization. More specifically, NVVA is requesting approval to terminate its Education Management Organization (EMO) agreement with Stride (formerly K12) and to enter into a new EMO agreement with Accel Online West LLC (Accel). SPCSA staff has reviewed the application, and recommends that the Authority approve the request, with conditions.

Yolanda Hamilton, Executive Director and Samantha Morris, Board Chair, were present on behalf of the school and provided comment.

**Motion:** Vice Chair Moulton made the motion to grant the Good Cause Exemption request of Nevada Virtual Academy and approve the school’s request to terminate its agreement with K12 Virtual Schools LLC (a wholly owned subsidiary of Stride, Inc.) with the following conditions:

- That by May 1, 2023 NVVA provide SPCSA staff with the final, executed, contract between NVVA and Accel Online West LLC
- That by June 1, 2023 NVVA provide SPCSA staff with:
  - i. The Nevada Department of Education’s approval of NVVA’s distance education application; and
  - ii. The State Board of Education’s final, approved course offering, for Accel.

Member Holmes-Sutton seconded the motion. The motion passed unanimously.

**b. Signature Preparatory – change in Education Management Organization**

Mr. Peltier said Signature Preparatory (Signature Prep) has submitted an amendment application requesting that the State Public Charter School Authority (SPCSA) approve a change in the school’s Education Management Organization through the termination of its Education Management Organization

(EMO) agreement with Charter One LLC and approve a new EMO agreement with Charter One NV. SPCSA staff has reviewed the application, and recommends that the Authority approve the request, with conditions.

Gabe Shirey, Executive Director, Carey Roybal-Benson, Principal, and Michael Olsen, Board Chair, as well as three other board members. Mr. Shirey provided comment.

**Motion:** Member Olsen made the motion to grant the Good Cause Exemption request of Signature Prep and approve the school's plan to change its EMO by terminating its service agreement with Charter One LLC and enter into a service agreement with Charter One NV, effective July 1, 2023, with the following conditions:

- That by May 1, 2023 Signature Prep provides SPCSA staff with a final, executed agreement, with Charter One NV.

Member Holmes-Sutton seconded the motion. The motion passed unanimously.

**c. Nevada Rise Academy – reduction of school's enrollment cap [01:51:22]**

Mr. Peltier said Nevada Rise is requesting that the State Public Charter School Authority (SPCSA) grant a Good Cause Exemption request and approve the school to reduce the enrollment cap for the 2023 – 24 school year from 476 to 374 students and to also reduce its enrollment cap for remainder of its charter term. SPCSA staff has reviewed the application and recommends that the Authority grant the Good Cause Exemption and approve the amendment request.

Justin Brecht, Executive Director, was present with Catherine Sourk and provided comment and responses related to the Authority's questions.

**Motion:** Member Holmes-Sutton made the motion to grant NV Rise a Good Cause Exemption and approve the request of the school to reduce the enrollment cap for the 2023 – 24 school year from 476 students to 364 and additionally reduce the enrollment cap for the remainder of the charter term as detailed in the recommendation memo. Member Schafer seconded the motion. The motion passed unanimously.

**Agenda Item 9 – Girls Empowerment Middle School (GEMS). SPCSA staff and school representatives will provide the Authority with information related to the continued financial viability of Girls Empowerment Middle School for the 2023 – 2024 school year, and the Authority may take action based on SPCSA staff's and school representative's reports. [02:25:51]**

Director Modrcin said staff was not planning to bring a recommendation regarding Girls Empowerment Middle School (GEMS) but the situation at the school has been very fluid and fast developing over the last several weeks and they feel it is in the best interest of the school, students and staff to provide some updates and make a recommendation that the Authority issue a Notice of Breach under the SPCSA Financial Framework based upon the available information that they have. The situation at the school is very unusual and is not something they see very often, and so because of this and the rapid development, he has also spoken to Executive Director Feiden, and she is in support of the recommendation today. Director Modrcin provided some history and context related to the school which can be found in staff's recommendation memo within the supporting materials.

Given the realities alluded to in the recommendation memo, SPCSA staff is increasingly concerned that the school is financially impaired and may not be viable beyond the current academic year. Therefore, SPCSA staff is recommending that the Authority issue GEMS a Notice of Breach under the SPCSA Financial Performance Framework and direct the school to develop and submit a School Viability plan no later than Tuesday, April 25th for consideration by the Authority at an upcoming meeting. There was further discussion between the Authority and SPCSA staff regarding this agenda item.

Jason Guinasso, Esq., legal counsel for GEMS, responded to the Authority's questions regarding the school. Additionally, Barbara Wiggins, Vice Chair, GEMS, provided context regarding the school.

**Motion:** Member Holmes-Sutton made the motion to issue a Notice of Breach under the Financial Performance Framework to GEMS, and require the school to develop and submit a Viability Plan by April 25, 2023 that includes at minimum the school's tentative FY24 budget, evidence of enrollment, confirmation of facility costs, and any evidence of necessary philanthropic funding to demonstrate how the school plans to sustain operations through June 30, 2024. Designate Director Feiden and Director Modrcin to meet and confer with the GEMS leadership and board to discuss the requirements and expectations of the Viability Plan.. Vice Chair Moulton seconded the motion. The motion passed unanimously.

**Agenda Item 10 – Long-Range Calendar.** [03:40:02]

Chair Mackedon asked board members to keep an eye on their emails regarding the special meeting that the board anticipates related to the prior agenda item.

**Agenda Item 11 – Public Comment #2.** [03:42:54]

There was no public comment.

**Agenda Item 12 – Adjournment** [03:43:24]

The meeting was adjourned at 12:42PM.

DRAFT