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ACTION MEMORANDUM

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**TO:** SPCSA Board  
**FROM:** Mike Dang, Manager of Organizational and Financial Performance  
Rebecca Feiden, Executive Director  
**SUBJECT:** Transportation Plan: Futuro Academy  
**DATE:** July 28, 2023

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**Background**

[Assembly Bill 400 \(2023 Session of the Nevada Legislature\)](#) appropriated \$7 million to the State Public Charter School Authority (SPCSA) for each year of the upcoming biennium (the 2023-24 fiscal year and the 2024-25 fiscal year) to award to charter schools, including SPCSA-sponsored and district-sponsored charter schools, to fund student transportation. To receive funding, a charter school must submit a Transportation Plan to the SPCSA and the SPCSA may approve the Transportation Plan and award funding to the charter school if the plan meets the following criteria:

1. “The transportation plan is comprehensive and likely to be successfully implemented;
2. The transportation plan will materially improve access to education in the region served by the transportation plan;
3. The transportation plan demonstrates that the charter school will be able to comply with statutory and regulatory transportation requirements, including, without limitation, the certification of bus drivers and vehicle safety;
4. The transportation plan is financially viable;
5. The transportation plan would not cost more, on a per pupil basis, than the average cost for transportation for other public schools operating in the school district in which the charter school is located; and

6. The academic, financial and organizational performance of the charter school indicate that the transportation plan is in the interest of pupils who will be served by the transportation plan.”<sup>1</sup>

It is important to note that pursuant to NAC 388A.330(4), a charter school is only permitted to provide transportation to pupils if the school has approval to do so from its sponsor. Therefore, charter schools that are not already approved to provide student transportation will be required to submit to their sponsor a contract amendment request in order to implement the Transportation Plan. For those schools sponsored by the SPCSA, the amendment request to provide student transportation was incorporated into the application process, and the SPCSA Board will consider approval of the amendment request in conjunction with the Transportation Plan.

Applications for the 2023-24 school year will be accepted and reviewed on a rolling basis from July 7, 2023 and through September 30, 2023<sup>2</sup>. While the SPCSA hopes to fund all applicants that submit a compliant transportation plan, because there is only \$7 million available in each school year, the SPCSA may prioritize funding Title I charter schools.

Additional details and form associated with the Transportation Plan and Funding Application can be found on the [SPCSA’s website](#).

### **Transportation Plan Overview**

Futuro Academy is requesting a total of \$216,000 to implement the school’s Transportation Plan. Below is an overview of the proposed Transportation Plan for Futuro, as provided in the application.

“Futuro Academy Charter School is a K-5 Title I elementary school (CEP). The transportation funding will be utilized to provide consistent, reliable, low-barrier bus transportation to students within an approximate radius of 4 miles from the Futuro Academy Campus in East Las Vegas. The chief objectives of this transportation program will be:

1. Remove barriers to consistent attendance, transportation resilience via centralized transit, i.e. providing for transportation challenges, work schedule changes and other barriers, and
2. Remove barriers to enrollment for any family within the immediate area of Futuro Academy that would otherwise require transportation assistance.”

In addition to the school bus transportation, the budget contemplates 150 thirty-day transit passes through the Regional Transportation Commission of Southern Nevada to support at-risk students not within centralized transportation range.

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<sup>1</sup> Section 28.5 of Assembly Bill 400 (2023 Session of the Nevada Legislature)

<sup>2</sup> After September 30, 2023, the SPCSA will determine if there are remaining funds that have not yet been awarded. If funds remain, the SPCSA will re-open the transportation application.

## **Analysis and Recommendation**

Futuro Academy is a Title I School and is requesting approval of its Transportation Plan and funding to implement the Transportation Plan. In addition, because Futuro Academy is not currently approved to provide transportation, the school is also requesting to amend its charter contract to provide transportation, and has submitted a good cause exemption request to have this amendment considered outside of the established amendment windows.

SPCSA staff has reviewed the Transportation Plan and find that the Plan meets the requirements set forth in Assembly Bill 400.

1. The Transportation Plan is comprehensive and likely to be successfully implemented.
2. The narrative provided by the school explains that “the most common withdrawal reason is transportation, and that we are still seeing approximately 33.4% chronic absenteeism, we believe anywhere between 15-40% of our students would benefit from centralized transportation.” This demonstrates that the Transportation Plan will materially improve access to education in the region.
3. The Transportation Plan includes details regarding how the charter school will ensure compliance with statutory and regulatory transportation requirements.
4. The budget provided within the Transportation Plan demonstrates that the Transportation Plan is financially viable.
5. The average daily enrollment for Futuro Academy during the fourth quarter of the 2022-23 school year was 458.88. Futuro is located in Clark County where the four-year average (per pupil) in transportation funding for the 2023-24 school year is \$481. The total funding request for Futuro was \$216,000, which is less than or equal to the average cost, per pupil, for transportation within the Clark County School District.
6. The academic, financial and organizational performance of the charter school indicate that the transportation plan is in the interest of pupils who will be served by the transportation plan. Specifically, the Transportation Plan indicates that transportation will reduce chronic absenteeism which has a high correlation with high academic risk. The school also believes this will reduce the risk of enrollment declines caused by transportation difficulties. Additionally, there will be an additional benefit of reduced traffic congestion with fewer students being dropped off and picked up by private vehicles and reduce how much staff is needed to direct drop off and pick up procedures, allowing them to focus on other tasks.

Therefore, SPCSA staff recommend approval of the Futuro Academy Transportation Plan, along with funding to implement the plan. Furthermore, SPCSA staff recommend approval of the good cause exemption and amendment request to enable the school to provide transportation to students.

### **Proposed Motion:**

1. Approve the Futuro Academy Transportation Plan, along with funding to implement the Plan and allow SPCSA staff to work with the school to make budget revisions as long as the total funding does not exceed the average per pupil cost in the local school district.

2. Approve the charter contract amendment request for Futuro Academy to allow the school to provide student transportation.
3. Require the school to provide SPCSA staff with documentation to demonstrate that the school is in compliance with applicable laws and regulations prior to beginning to transport students.

*If approved, the enrollment for the remainder of the contract term will remain unchanged<sup>3</sup>:*

<b>School Year</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>
Grade Levels	K-5	K-5	K-5
Total Enrollment	522	522	522

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<sup>3</sup> Note that under a separate amendment request being considered on the same day, July 28, 2023, Futuro Academy is requesting to reduce its enrollment to 450 students for the remainder of the charter contract.