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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: PilotEd – Cactus Park Elementary  
**DATE:** August 25, 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**

Cactus Park Elementary is requesting \$66,000 to implement the school’s Transportation Plan. Below is an overview of the proposed Transportation Plan for Cactus Park Elementary as provided in the application.

“Cactus Park is in its second year of operation. Ensuring students are arriving at school safely and consistently is top priority as we grow from our founding year. We are entering the 23-24 school year in our new permanent campus. Because we have embarked on this relocation, we want to use every opportunity to make the school as accessible as possible.

Based on enrollment data, we have designed a strategic bus route around Cactus Park that will meet the needs of our existing families and build on current trends to enroll more students from the same areas who face similar barriers.

Cactus Park is pursuing school transportation because we believe it is critical to our school’s mission and commitment to equity. Students in areas targeted by our new bus route have demonstrably more challenges and acute barriers getting their students to and from school – and so deployment of these new transportation and safety solutions addresses that inequity.

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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.

At a cost of \$66,000, Cactus Park can secure an annual contract with a qualified vendor to provide full-size yellow bus transportation access to as many as 70-80 students every day. We are open to adding new transportation services in the future as our enrollment and budget allocation allows.

Based on our 2023 EEGA Audit and enrollment of 150, we are eligible to apply for \$72,150 in SPCSA transportation funding, and we are currently applying for \$66,000. This funding will support Cactus Park's mission to keep students safe and support families by providing an equitable and safe option for transportation."

## **Analysis and Recommendation**

PilotEd at Cactus Park is a Title I School and is requesting approval of its Transportation Plan and funding to implement the Transportation Plan. In addition, because PilotEd 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 "Cactus Park will be able to serve a wider geographic area and reach more families who currently cannot attend the school due to the transportation barriers we have articulated here, including challenges maintaining their own vehicles and covering the cost of daily transport and the inaccessibility of the RTC network and infeasibility of those journeys for our families. The proposed plan would expand our equitable, safe recruitment footprint to approximately 20 square miles, with the crossing guards expanding walkability in the immediate vicinity." 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. In accordance with the Nevada Department of Education's guidance for significantly expanding schools, PilotEd Cactus Park received an enrollment audit during June of 2023 to establish the student count for the purpose of funding through the Pupil Centered Funding Plan. As of the enrollment audit, the student count was 150. PilotEd is located within Clark County where the four-year average (per pupil) in transportation funding for the 2023-24 school year is \$481.00. The total funding request for PilotED Cactus Park was \$66,000, 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 help to address chronic absenteeism, assist the school in reaching enrollment targets, and enable more streamlined arrival and dismissal processes.

Therefore, SPCSA staff recommend approval of the PilotEd transportation funding plan to provide transportation to students.

**Proposed Motion:**

1. Approve the PilotEd at Cactus Park Elementary 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 PilotED Cactus Park Elementary 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:*

School Year	2023-24	2024-25	2025-26	2026-27	2027-28
Grade Levels	K-5	K-5	K-5	K-5	K-5
Total Enrollment	432 <sup>3</sup>	459	486	486	486

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<sup>3</sup> During the SPCSA’s August 25, 2023 board meeting, the Authority is also hearing a request to reduce the enrollment during the 2023-24 school year to 300 students.