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ACTION MEMORANDUM

TO: SPCSA Board of Directors
FROM: Melissa Mackedon
SUBJECT: SPCSA Staff Recommendation Regarding TEACH Las Vegas Charter School Closure, Appointment of Trustee/Administrator & Submitted Closure Plan
DATE: June 21, 2024

Summary of Recommendation

During the June 5, 2024, TEACH Las Vegas board meeting, the TEACH Las Vegas Board voted to voluntarily surrender their charter contract and close TEACH Las Vegas permanently after the 2023-2024 school year. The State Public Charter School Authority (SPCSA) staff recommends the SPCSA Board accept the surrender of the charter contract and vote to close TEACH Las Vegas permanently.

Background

TEACH Las Vegas Charter School (TEACH) is located at 4660 N. Rancho Blvd, Las Vegas, Nevada 89130, and began serving students in grades K-8 during the 2021-2022 school year. TEACH contracted with a Charter Management Organization (CMO), TEACH Public Schools. The mission of TEACH Las Vegas is to create a high-quality, innovative K-12 teaching and learning environment in North Las Vegas that focuses on literacy, integrating state-of-the-art technologies across the core curriculum to achieve academic proficiency for all students.

Throughout the charter term, the school has been rated on the performance framework twice. Their performance is summarized in the table below:

	2021-2022	2022-23
Nevada School Performance (NSPF) ¹	Elementary: 8.5 Middle: 62.6	Elementary: 1-star Middle: 1-star
SPCSA Academic Performance	Elementary: Not Rated Middle: Meets Standard	Elementary: Below Standard Middle: Does Not Meet Standard
SPCSA Financial Performance	Notice of Concern	Not Rated: Pending Audit
SPCSA Organizational Performance	Meets Standard	Meets Standard

On September 29, 2023, the TEACH board had an emergency board meeting in which they were going to consider and approve the resignation or termination of the Executive Director (ED). At the conclusion of that meeting, the ED did not resign and was not terminated by the board. Subsequently, on October 4, 2023, the ED resigned, as did most of the teaching staff. This resulted in a school closure for two days on October 5-6, 2023. Many students withdrew from the school as a result. At this point, the board of directors consisted of just two individuals, who, on October 17, 2023, terminated the annual contract with the CMO and moved to a month-to-month contract. Between this date and November 6, 2023, the board membership dropped from two members to one member. On November 6, 2023, Frank Williams was instated as Interim Executive Director. On December 7, 2023, SPCSA staff visited the school to meet Mr. Williams and assess the situation, which appeared to be under control, with adult supervision in every classroom. At the SPCSA board meeting on December 8, 2023, the school was issued a notice of concern on the academic framework for both elementary and middle school. Interim ED Frank Williams, Board Chair Trish Allison, and Matt Brown from TEACH Public Schools gave an update to the board. All three individuals desired to be given at least a year to rectify the situation, and the SPCSA agreed.

Following the December 8, 2024, SPCSA Board Meeting, SPCSA staff followed up with the school with the following concerns and due dates:

- TEACH Las Vegas will reconstitute its Board of Directors by March 29, 2024, to comply with its bylaws and NRS 388A.320. *As of June 5, 2024, the board had only three members. The board of three became a board of two when Board Chair Trish Allison immediately resigned during the June 5, 2024 board meeting.*
- By March 29, 2024, provide the SPCSA with a list of all outstanding debt and a timeline for repayment for each vendor. *This was not submitted to the SPCSA.*
- Hire a full-time executive director by June 15, 2024. *The school hired a new executive director who started on February 13, 2024.*
- Submit all outstanding reporting requirements. As of June 12, 2024, the school has 39 outstanding tasks, which include:
 - Board meeting minutes for several meetings
 - Board Meeting Agenda
 - Special Education Aversive Intervention Training

¹ The Nevada Department of Education (NDE) calculated NSPF index scores for the 2021-22 school year but did not calculate corresponding star ratings.

- Title IA Supplement not Supplant Attestation
- Title I: Parent and Family Meeting
- School Performance Plan - Reviewing our Journey (Fall)
- State Performance Plan Indicator 8, Parent Survey Data
- Annual Independent Audit
- Special Education Policies and Procedures Manual and Forms
- Title IA Time & Effort Certification
- Title IIA Time & Effort Certification
- Annual Website Certification
- School Performance Plan - Status Check 1
- AB 245 (2023) Power-Based Violence MOU
- NDE Desktop Monitoring: Foster Care
- NDE Desktop Monitoring: Title I School Performance and Plan
- NDE Desktop Monitoring: Title IA Parent Meeting
- NDE Desktop Monitoring: Title IA Professional Development
- NDE Desktop Monitoring: Title IA Schoolwide Comprehensive Plan
- Federal Single Audit Requirement
- Emergency Management Floor Plan Submission
- Federal Program Perpetual Inventory
- School Performance Plan - Status Check 2
- Annual SBAC/Science Assessment Administration and Validation Certification
- Annual NAA Assessment Administration and Validation Certification
- Annual WIDA Assessment Post-Reporting Data Validation Certification
- MAP Growth Reading Assessment Administration Certification
- School Contact Update Certification
- Special Education Local Plan - Child Identification Activities
- Special Education Local Plan - Early Intervening Services
- Special Education Local Plan - Excess Cost Computation
- Special Education Local Plan - Services to Parentally-Placed Students
- Special Education Local Plan - Submission of Assurances
- Special Education Speech-Language Pathologist Data Table
- Budget - Final

Between the December 8, 2024, SPCSA board meeting and June 5, 2024, SPCSA staff continued to have serious concerns regarding the operations, academics, and financial situation at the school. Those concerns include, but are not limited to:

- A delay in getting a PERS repayment plan submitted;
- A delay in the completion of the Annual Audit for FY2022-23, which was paused due to lack of payment from the school and still has not been completed;
- Not conducting any winter MAP testing as required by law;
- Not conducting WIDA testing for all English Language Learners, as required by law;
- Lack of fully licensed teaching staff, including licensed special education staff;
- During the 2023-24 school year, the school received hold harmless dollars based on the previous school year's enrollment, money it would not be eligible for in the 2024-25 school year. SPCSA staff were concerned about the financial viability of the school under these circumstances.
- On April 30, 2024, a site visit was conducted, which uncovered several educational and programmatic concerns;
- Staff, student, and family access to Infinite Campus and the validity of the records within Infinite Campus.

Between the December 8, 2024, SPCSA board meeting and June 5, 2024, the relationship between the board chair, the CMO, and the school leader deteriorated significantly, ultimately leading to the school's governing board voting to surrender its charter at the June 5, 2024, board meeting. This occurred after the board chair resigned at the beginning of the June 5, 2024, meeting, and the CMO of TEACH Public Schools indicated, in the same meeting, that they were severing ties with the school. The current school leader indicated he was not interested in working for the school without the CMO.

Legal Authority

NRS 388A.306 Closure of charter school; duties of governing body; written notice; written plan for closure; financial affairs of charter school; appointment, duties and financial compensation of trustee.

1. If a charter school ceases to operate voluntarily [. . .] the governing body of the charter school shall:
 - (a) Give written notice of the closure to:
 - (1) The sponsor of the charter school, unless the closure results from the non-renewal or termination of a charter contract;
 - (2) The Director of the Department of Business and Industry;
 - (3) The board of trustees of the school district in which the charter school is located, unless the board of trustees is the sponsor of the charter school and the closure results from the non-renewal or termination of a charter contract;
 - (4) The Department;
 - (5) The parents or legal guardians of the pupils enrolled in the charter school; and
 - (6) The creditors of the charter school;
 - (b) Except as otherwise provided in subsections 4 and 5, appoint an administrator of the charter school, subject to the approval of the sponsor of the charter school, to act as a trustee during the process of the closure of the charter school and for 1 year after the date of closure;

- (c) As soon as practicable, develop and present to the sponsor of the charter school a written plan for the closure of the charter school;
- (d) Maintain an office at the charter school or elsewhere, with regular hours of operation and voice messaging stating the hours of operation;
- (e) Maintain existing insurance coverage in force for the period required by the sponsor of the charter school;
- (f) Conduct a financial audit and an inventory of all the assets of the charter school and cause a written report of the audit and inventory to be prepared for the sponsor of the charter school and the Department;
- (g) Prepare a written list of the creditors of the charter school, identifying secured creditors and the assets in which those creditors have a security interest;
- (h) Supply any information or documents required by the sponsor of the charter school; and
- (i) Protect all the assets of the charter school from theft, misappropriation, deterioration or other loss.

The NRS allows a charter school board to voluntarily surrender its charter. The NRS clearly outlines the next steps for the school, as stated above. The SPCSA board must approve the charter surrender, the school board-appointed administrator, and the school closure plan.

Analysis and Staff Recommendation

SPCSA staff agrees with the above analysis and supports the board's decision to close the school.

At this point, for the school to continue, an amendment to the charter contract would be required for TEACH Las Vegas to remain operational without the CMO, TEACH Public Schools. The board, which currently consists of just two individuals, recognized that they did not have the bandwidth, considering all the issues, to keep the school operational without the support of the CMO. Significant concerns exist academically, organizationally, and financially for the school.

SPCSA staff further recommends that the Authority approve [Josh Kern](#) for [TenSquare](#) to act as the school's administrator throughout the closure process as required under NRS 388A.306. The TEACH board has appointed Josh Kern as the school's administrator pending approval of the Authority, and SPCSA staff believe that he is well-equipped to ensure that the closure process is executed with fidelity in the weeks ahead.

Finally, SPCSA staff recommends that the Authority approve the TEACH school closure plan as submitted. The written plan is required under NRS 388A.306 (1)(c) and has been reviewed by SPCSA staff. If approved, the SPCSA will work closely with TEACH regarding the requirements related to a charter school closure. The SPCSA will work with the charter school regarding any deadlines and logistics regarding the closure requirements.

More information on the various requirements of public-school closure can be found within the supporting materials alongside this item.

SPCSA staff remains focused on the students currently enrolled in TEACH for the upcoming school year and is committed to supporting their transition to a new school for the 2024-2025 school year. SPCSA staff will continue to work with TEACH throughout the coming months, and to the extent possible, help the school coordinate with other sponsored schools that may have the interest and space to offer enrollment to current TEACH students.

Proposed Motion

Accept the recent action by the TEACH Las Vegas board to surrender their charter contract and close the school, approve the appointment of Josh Kern to be the administrator overseeing the TEACH closure process, approve the school's closure plan as submitted, and direct the SPCSA staff to work with Josh Kern to ensure all closure requirements are met.

School Demographics

Year	Enrollment	A	B	C	H	I	M	P	FRL	IEP	EL
2021-22	112	0.0%	24.1%	15.1%	52.6%	0.0%	2.6%	5.3%	93.7%	*	27.6%
2022-23	332	0.9%	22.5%	14.4%	53.0%	0.6%	6.6%	1.8%	61.4%	10.8%	16.5%
2023-24	383	2.6%	18.0%	21.4%	48.3%	0.5%	7.3%	1.8%	>95.0%	14.8%	15.4%