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ACTION MEMORANDUM

TO: SPCSA Authority Board
FROM: Danny Peltier, Management Analyst III, SPCSA
SUBJECT: **Do & Be Arts Academy of Excellence– Charter Amendment Request to Alter Grade Level Offerings**
DATE: April 18, 2025

Summary of Request and Recommendation

Do & Be Arts Academy of Excellence (DBAE) has submitted an amendment application requesting that the State Public Charter School Authority (SPCSA) grant a Good Cause Exemption and approve the request to modify grade level offerings in Year 1 to add grade levels previously approved for Year 2 of operation.

SPCSA staff has reviewed the application and recommends that the Authority grant the Good Cause Exemption and approve the amendment request. A proposed motion along with conditions can be found on pages 2 and 3 of this memo.

Background and Overview of the Amendment

DBAE was approved by the Authority at the August 25, 2023, board meeting. The school requested, and was granted, and deferral to open in 2025-26. The school was originally approved to open in grades K – 2nd and 6th. DBAE is requesting the Authority approve a modification to its grade level offerings in Year 1 to add 3rd grade and 7th grade for its first year of operation.

According to the amendment application, DBAE seeks to add grades 3rd and 7th to the initial charter opening year to address critical educational and community needs identified through extensive stakeholder engagement. DBAE was originally approved to open in the fall of 2024 and was approved to defer to the fall of 2025. As such, the engagement of students and families who would have been in 2nd or 6th grade was delayed and those students are still interested in attending the school. As such, DBAE is requesting to add 3rd and 7th grades to accommodate those students.

According to the school, this amendment will mitigate student enrollment losses during charter deferral period, provide consistent educational experience for families, and increase potential enrollment by

offering more comprehensive grade levels. DBAE was able to secure a permanent facility for the 2025 – 26 school year and will be located at 5355 Madre Mesa Drive, Las Vegas, Nevada, 89108. DBAE still intends to primarily serve students residing in the 89108, 89030, 89031, 89032, and 89081 zip codes. Additionally, DBAE provided information regarding the community outreach that had been completed and was the rationale to add the additional grade levels for Year 1. DBAE noted that they had over 300 documented community conversations, three community advisory panels, six neighborhood listening sessions, and representation from four key Las Vegas zip codes. DBAE also continues to aggressively market the school through various means to ensure the school is able to meet its Year 1 enrollment projections.

As part of the amendment application, DBAE provided an updated staffing chart and budget which reflected the additional grade levels.

If approved, the enrollment cap for DBAE will be:

| School Year | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 |
|--------------------|----------------|----------------|----------------|----------------|----------------|
| Grade Levels | K-3 & 7 | K-4 & 7-8 | K-8 | K-8 | K-8 |
| Enrollment Cap | 100 | 250 | 325 | 425 | 500 |

Legal Authority

Existing charter schools that are sponsored by the SPCSA may submit a charter school contract amendment application to the SPCSA – which is reviewed by SPCSA staff and presented for SPCSA Board action – to, among other things, increase enrollment, add grade levels above and beyond what the charter school is approved to serve, or add a new campus. When determining whether to approve an amendment request, the sponsor considers the charter school’s compliance with applicable local, state and federal laws and regulations and evidence relating to the academics, finance and organization of the charter school.¹

Analysis and Staff Recommendation

When reviewing an amendment application for RFA eligibility, SPCSA staff reviews the academic, financial and organizational performance of the applicant charter school. DBAE has not started operating yet and therefore does not have performance results to analyze. However, SPCSA staff does not have concern regarding DBAE’s performance during the pre-opening process.

Regarding the amendment request, SPCSA staff is recommending approval. SPCSA staff would note that since DBAE deferred opening until the 2025 – 26 school year, this request allows DBAE to be able to enroll students who have progressed a grade since the approved deferral. The additional grades will also allow for DBAE to have a better chance to meet its first year of enrollment projections. Additionally, the school was approved to operate with grades K through 3rd and 7th in Year 2 and this request does not deviate from that projected growth which was approved in the original charter application. Finally, the school provided updated staffing charts and an updated budget which reflects reasonable staffing alignment and budget projections for the first year of operation.

Proposed Motion: Grant Do & Be Arts Academy of Excellence Good Cause Exemption request and approve DBAE’s request to modify grade level offerings with the following conditions:

- **By Jun 1, 2025, provide evidence that DBAE has 60 or more students fully enrolled for the**

¹ NAC 388A.400(8) and NRS 388A.276

2025 – 2026 school year.

- **By June 1, 2025, submit a fully executed lease for a facility that will meet the needs of the school for the 2025—2026 school year.**
- **By June 8, 2025, submit a board approved Final Budget that includes revenue based upon the confirmed enrollment and expenses that incorporate the cost of the identified facility.**
- **Complete the SPCSA pre-opening process for new charter schools.**

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|--------------------|----------------|----------------|----------------|----------------|----------------|
| Grade Levels | K-3 & 7 | K-4 & 7-8 | K-8 | K-8 | K-8 |
| Enrollment Cap | 100 | 250 | 325 | 425 | 500 |

Historical Performance, Demographic Information, Academic, Financial, and Organizational Performance – Not Applicable