

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON EDUCATION**

**Eightieth Session  
February 28, 2019**

The Committee on Education was called to order by Chairman Tyrone Thompson at 1:33 p.m. on Thursday, February 28, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/80th2019](http://www.leg.state.nv.us/App/NELIS/REL/80th2019).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Tyrone Thompson, Chairman  
Assemblyman Edgar Flores, Vice Chairman  
Assemblywoman Bea Duran  
Assemblywoman Michelle Gorelow  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblywoman Lisa Krasner  
Assemblywoman Brittney Miller  
Assemblywoman Connie Munk  
Assemblywoman Sarah Peters  
Assemblywoman Jill Tolles  
Assemblywoman Selena Torres

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Kelly Richard, Committee Policy Analyst  
Victoria Gonzalez, Committee Counsel  
Sharon McCallen, Committee Secretary  
Trinity Thom, Committee Assistant



**OTHERS PRESENT:**

Ignacio Prado, Executive Director, Futuro Academy Charter School, Las Vegas, Nevada  
Melissa Meetze, Private Citizen, Sparks, Nevada  
Ashley Meetze, Private Citizen, Sparks, Nevada  
Allison Bower, Private Citizen, Sparks, Nevada  
Anthony Mooney, Private Citizen, Las Vegas, Nevada  
Alexander Marks, Political Coordinator, Nevada State Education Association  
Logan Kenison, Private Citizen, Carson City, Nevada  
Emily Tran, Private Citizen, Carson City, Nevada  
LeAnn Morris, Private Citizen, Carson City, Nevada  
Maria Martinez, Private Citizen, Las Vegas, Nevada  
Jenny Hunt, Private Citizen, Reno, Nevada  
Andrea Morency, Private Citizen, Reno, Nevada  
Amiliana Korin, Private Citizen, Reno, Nevada  
Melissa Mackedon, Board Member, Charter School Association of Nevada  
Renee Fairless, Lead Principal, Mater Academy of Nevada, Las Vegas, Nevada  
Aaron Cash, Principal, Nellis Air Force Base Campus, Coral Academy of Science, Las Vegas, Nevada  
Tambre Tondryk, Executive Director of Operations, Beacon Academy of Nevada, Las Vegas, Nevada  
Ryan Herrick, General Counsel, State Public Charter School Authority  
Rebecca Feiden, Deputy Director, Achievement School District, Department of Education  
Sarah Hartman, Lead Teacher, Nevada Prep Charter School, Las Vegas, Nevada  
Sarah M. Adler, representing Charter School Association of Nevada  
Bradley Keating, Director, Government Relations, Clark County School District  
Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association  
Patricia J. Haddad, Manager, Community Impact Initiatives, Opportunity 180°

**Chairman Thompson:**

[Roll was called. Committee rules and protocol were explained.] Due to the large number of people here today, we will provide two opportunities for public comment. Public comment will be limited to two minutes per person. We will have a presentation explaining charter schools, and then we will have a hearing on Assembly Bill 78.

**Ignacio Prado, Executive Director, Futuro Academy Charter School, Las Vegas, Nevada:**

We are a second-year neighborhood option Achievement School District charter school located on the intersection of East Washington Avenue and North Lamb Boulevard in east Las Vegas in ZIP Code 89110. We currently serve 260 students in kindergarten through second grade. At last count, 86 percent of our student body qualifies for free and reduced-priced lunch; 39 percent of our students are English language learners (ELLs);

95 percent are students of color, the largest group being Hispanic or Latino at 79 percent. We are a new school inside of a new authorizing agency—the Achievement School District—which has brought a lot of curiosity. People involved in legislation and policy have had one recurring question, What would prompt an educator to teach and lead at Futuro Academy? To that end, I will read some thoughts one of our founding teachers prepared for me to share with you. So far, this school year—according to our fall to winter measures of academic progress (MAP) data—students have shown 148 percent of expected growth in reading and in mathematics, 164 percent. At my direction, instead of being here she is still with children. I have printed other testimony from other teachers which I will leave for the Committee.

Futuro Academy is built upon the passion and deep-rooted belief of educators, families, and community members that all students deserve access to an excellent education. I am motivated to continue to work at Futuro Academy because I am a piece of a larger community that wants to do what is necessary to see our students succeed. The school culture is supportive and empowering, allowing me to openly voice my opinion and see changes happen—not just for my classroom, but for the whole school. As a school, we strive for consistency in meeting high expectations across every classroom. We support each other in doing so. That way, we reiterate our belief that having an excellent education should not be a matter of chance depending on the school you are zoned for, the teacher you happen to be assigned, or what your ZIP Code is; it is a right, a right I am getting a chance to help students experience.

**Assemblyman Flores:**

Thank you for allowing me to visit with you last year. I know you are working hard. We are very proud of you.

**Melissa Meetze, Private Citizen, Sparks, Nevada:**

I am here today because I have two daughters. Both have attended Nevada public charter schools. These schools have been outstanding. They have all gone above and beyond. My younger daughter attends Alpine Academy College Prep High School where she is a senior. They have helped her meet every goal and succeed. She will be attending the University of Nevada, Reno next year. She is a student with an individualized education program (IEP) who has been able to meet and exceed all of her goals. That would not be the case without the help of Nevada public charter schools.

**Ashley Meetze, Private Citizen, Sparks, Nevada:**

I have been to both The Honors Academy of Literature and Alpine Academy. I believe they are the reason I have flourished and succeeded as a student.

**Allison Bower, Private Citizen, Sparks, Nevada:**

I have flourished. I was in a public school my freshman year, but I learned most of what I know now by attending the charter school. It has helped me a lot. I feel like it is

a community overall, and I really like it because I get to be the best me that I can be. With the public school, I believe I did not get enough one-on-one. Now that I am attending Alpine Academy, I believe it is a great fit for me.

**Anthony Mooney, Private Citizen, Las Vegas, Nevada:**

I am a fifth- and sixth-grade math teacher at Nevada Preparatory Charter School in Las Vegas. I am a third-year teacher. This has been the hardest, yet the most rewarding, job I have ever had. I spent 15 years in the United States Army and am a retired combat veteran. I was also a professional boxer. I came to Nevada because I saw the disparities in education, and I wanted to be a part of making a difference that is taking place. I am seeing a huge change in disparities in educational gaps being closed by the charter schools. I was a part of Nevada Prep prior to its opening. It was a work that took place over several years. Now I am at Nevada Prep, and it is going extremely well. I am seeing a lot of growth by our students. I am not here to testify about a bill, but we know that it is important for schools like ours to be present for these important conversations. I have been a part of our school's founding team since before it opened, so I have spoken with many families and community members during our outreach and recruitment work. We have heard several misconceptions about schools like ours. Our mission drives us to serve families who do not have many school options. As of today, 90 percent of our scholars qualify for free and reduced-priced lunch based on family income. The overwhelming majority of students are zoned to attend one or two district schools. Most of our students live in low-income communities on the east side of Las Vegas. Many times, while knocking on doors this summer, we spoke with families who were surprised to hear about a charter school in their community.

**Alexander Marks, Political Coordinator, Nevada State Education Association:**

Nevada State Education Association continues to have serious policy concerns regarding the State Public Charter School Authority in the Department of Education and asks for appropriate controls and accountability. Charter schools were initially promoted by educators who sought to innovate within the local public school system to better meet the needs of their students, but over the last 22 years, charter schools have grown dramatically to include a large number of charters that are privately managed, largely unaccountable, and nontransparent as to their operations and performance. The explosive growth of charters has been driven in part by a deliberate, well-funded effort to ensure that charters are exempt from the basic safeguards and standards that apply to public schools. We have seen this in the lobbying efforts of the National Coalition for Public School Options, which is reported to have connections to K12 Inc., the largest online charter operator in the country. Too frequently, charters are operated expressly for profit or are nominally nonprofit, but managed or operated by for-profit entities. These charters have devolved far from the original concept of charters as small incubators for innovation. Most importantly, the growth of charters has undermined local public schools and communities without producing any overall increase in student learning and growth.

It is important to note most recent studies have shown that public schools outperform charter schools on average, and public schools educate every student—including English learners, students in poverty, and students with individualized education plans. While they are

prohibited from discriminating, charter schools serve far fewer students with disabilities. Charter schools rarely are held to the same standards as traditional public schools. Adding insult to injury, we have now learned the controls we thought governed Nevada's state public charter schools have not been followed. Site visits are a basic component of delivering oversight and accountability for any regulator; the State Public Charter School Authority went years without following the Charter School Performance Framework, including not conducting site visits until last month. We believe it is time for the Legislature to exert strong controls on Nevada charter schools, including joining the 21 other states that have decided to cap charter school expansion. Meanwhile, the Legislature needs to just continue its good work on our traditional public schools.

**Logan Kenison, Private Citizen, Carson City, Nevada:**

I am with Eagle Valley Middle School to support the Digital Learning Day. We have some things about continuing to support and to give money for technology in our classrooms—like having the Chromebooks in the classrooms helps with a lot of us for at home and at school to publicly be able to use this with teachers and with classmates as well. The funding is, like, for my brother with an IEP and it helps him a lot because he does not have a teacher having to be right by his side the entire time reading the entire thing to him. You just have the computer itself read it to him instead of having a teacher. I am in eighth grade.

**Emily Tran, Private Citizen, Carson City, Nevada:**

I am a seventh-grader at Carson Middle School. I wanted to talk about the great things the Nevada Ready 21 grant has done for us and to voice my concern about the high school not being included in this grant, because as a middle-schooler, I found this program to be amazing for our learning. I think it really enhanced how well we were able to learn, and it added a lot of interactivensness to our class and allowed us to not only have great organization, but also to be able to communicate with our peers as well as our teachers. I know that some of you were able to go to our display to see the types of things we were doing in our schools and what this funding does—for example, computer science like coding and drones that a friend of mine, Jake, was flying. We also have a news course where we get to film and produce all sorts of videos. Also, I would draw attention to what the funding is for. Obviously it is for not only just the technology, like the Chromebooks, but it is also for the staff. They have to be there in order to properly teach teachers and students how to use technology and to properly integrate it into the classroom. Today was a great opportunity to showcase all the things we have been able to do with this grant. I think that it is very important for it also to be integrated into the high school. I have been thinking about what will happen to middle school students who have been exposed to all these technologies going to high school and not having the same things. I think it would be difficult to adjust. Instead of taking a step forward like we are supposed to do in education and our development, we would actually be taking a step back, especially since, as we showed on our little stand, how amazing this opportunity was. One of the biggest things is because in the twenty-first century, there is more of a demand for people knowing how to use technology, and companies are going to want to employ people who have a lot of exposure to technology and how to use it—all sorts of different media. I think it is important for everyone to have the same opportunity to learn with the things that we have now.

**LeAnn Morris, Private Citizen, Carson City, Nevada:**

I am the lead technology integration specialist for Carson City School District. We saw several of you in the lobby where we were promoting National Digital Learning Day. Students all over the country are doing showcase pieces today like we are at the Nevada Legislature. I would like to welcome you to please come to Carson Middle School or Eagle Valley Middle School while you are here in session. Both of our middle schools have had the opportunity to be a part of the Nevada Ready 21 project for the last three years. We would like for you to come and see what they have been able to do in action at school. They just showed a glimpse of it today in the lobby.

[The meeting recessed at 1:51 p.m. It resumed at 1:55 p.m.]

**Chairman Thompson:**

Is there anyone else in southern Nevada for public comment?

**Maria Martinez, Private Citizen, Las Vegas, Nevada:**

I am a mom of a student at Nevada Rise Academy. I want to let you know the reasons why I chose a charter school. First, it does not have crowded classrooms. Second, it is because they have a value, values I continue at home—respect, integrity, self-control, and enthusiasm. These things are beliefs for me. They continue the work I do at home. I feel emotion when my daughter comes every day to tell me she had a dream, and her dream is to climb the mountain to college. For me, it means all. I am asking for your support.

**Jenny Hunt, Private Citizen, Reno, Nevada:**

I am the principal and director of Mariposa Academy Charter School. I have been an educator for 18 years. Most of those years were in a traditional neighborhood school as a teacher, a principal, or an assistant principal. I am so excited that I have joined the charter world in the last two years. I want to give you a brief overview. As a principal and leader in a traditional neighborhood school and now as a leader in a charter, what I can tell you is that the accountability measures and oversight as a charter principal and director are more rigorous and more intensive than my experience at a traditional school in a neighborhood. I can tell you that I am aware, as you are aware, that there are triggers in the law for schools that are maybe 1-Star schools or underperforming over time and that the responsibility is within us to make sure that we are meeting the needs of our learners. I also can tell you that the majority of students enrolled in charter schools around the state are of minority populations. Mariposa is an example of that. We serve 90 percent of our learners who are English language learners, 90 percent who are free and reduced-price lunch rate, and 20 percent of them are on IEPs. We serve their needs, and we help them to grow in our school setting. Also, on the star framework, it says that 3 Stars is adequate. Fifty-nine percent of charter schools in the state are at 3 Stars or above. Fifty-seven percent of schools in the state are 3 Stars or below. Those are not charter schools. As we navigate and support our learners in Nevada as they move in with their needs that are diverse, we are so excited that we offer an opportunity for students and their families of choice to meet their needs because their needs are diverse.

**Andrea Morency, Private Citizen, Reno, Nevada:**

I am the executive director of the The Honors Academy of Literature, a K-8 charter school. Looking around the room at my other school leaders who are here, I can absolutely state that incubation and innovation is happening in these charter schools. Our school is not sponsored or run by a charter management organization or an education management organization; we are completely independent. We are our own school and our own school district. We serve a population that was not being served in their traditional district schools. One of the critiques of charter schools is that we do not serve special populations. We are a 5-Star elementary and middle school. We serve 20 percent of our students on IEPs. I have one of our students here to talk about what it is like for her to be at our school.

**Amiliana Korin, Private Citizen, Reno, Nevada:**

I am a student at The Honors Academy of Literature. My experience at Honors Academy has been amazing. I have made friends with such amazing people, and I have been learning so much stuff. I feel like the school really embraces me if I am advanced or if I am behind on something. Last year I was at another charter school. It was a good experience, but Honors Academy has been an amazing charter experience for me. I am in fourth grade.

**Chairman Thompson:**

We will close out public comment. If you feel the urge to comment later, there will be time at the end of the meeting. We will now have a presentation on charter schools.

**Melissa Mackedon, Board Member, Charter School Association of Nevada:**

I am the founder and director of Oasis Academy in Fallon, Nevada. I come at this with a unique perspective. I am able to see the sector on the advocacy level, the authorizing level, and the boots-on-the-ground level. I will run through Charter Schools 101 ([Exhibit C](#)). Public charter schools are public schools [page 2, ([Exhibit C](#))]. They are under the control of a local governing body. Public charter schools offer diverse educational options for Nevada's diverse learners. Like all public schools, public charter schools:

- are tuition-free and all students are eligible to attend;
- are focused on excellence in education;
- have a full slate of accountability measures;
- are subject to the open meeting law and the transparency required by those laws; and utilize vendors and professional services from the private sector, such as textbook companies, furniture distributors, and auditors [page 3].

There are a few characteristics that make charter schools different. Public charter schools receive no funding for their buildings; they pay for their buildings right off the top of their State Distributive School Account (DSA) [page 4]. Public charter schools have individual contracts with their sponsors. They fill their seats via a lottery that is publicly posted in accordance with the open meeting law and which all families are eligible to attend. We are not magnet schools. The law prohibits us from looking at or considering test scores, grade point averages, or behavior records as eligibility criteria.

We included maps of Nevada and Clark County that show the locations of charter schools in the state [pages 5-6]. We also provided a link for those who would like more specific information [[charterschools.nv.gov](http://charterschools.nv.gov)]. Page 7 breaks down enrollment by race at state-sponsored public charter schools, district-sponsored public charter schools, and district public schools according to Nevada's Department of Education (NDE). As you can see, the reality is not as dire as some would have you believe. We recognize our enrollment must mirror that of the state. We are making significant improvements, especially with Hispanic and low-income students [page 8]. The majority of students enrolled in public charter schools are minority students.

Sometimes the numbers are confusing, so I want to clarify some information [page 9]. The State Public Charter School Authority (SPCSA) within NDE authorizes 31 charters, which includes 53 campuses, and 83 star ratings—one for each elementary, middle, and high school level. I will give you one example that may help explain this. The Pinecrest Academy of Nevada has one charter. They operate four campuses. Each campus receives two star ratings, one for its elementary school and one for its middle school. They have one board which is responsible for them.

The NDE defines any school receiving a 3-Star rating or higher as meeting state standards [page 10]. All public charter schools should be 3 Stars or higher. How do Nevada's public charter schools really perform [page 11]? The statistics are impressive and important. I want to share this information with you because it shows that charter schools are a big part of the educational ecosystem in our state. They are a big part of making sure that Nevada becomes the fastest-improving state in the nation.

What about the 1-Star schools [page 12-13]? Is the sector holding them accountable? The answer is absolutely. According to the SPCSA there are eight 1-Star schools. When you drill down into the data you will see the following:

- One of those schools has moved to the Alternative Performance Framework.
- One has closed.
- Three are attributed to one online school that is up for renewal in 2019.
- One is an elementary school that will close at the end of this school year as a result of that rating.
- Two were schools in their first year of operation.

All public schools in Nevada are subject to NDE oversight should they underperform [page 13]. The charter sector imposes additional requirements. In the last three years the additional accountability has resulted in the following:

- school closures;
- schools in receivership;
- a school's enrollment being capped;
- comprehensive improvement plans being submitted to sponsors;



- quarterly reports to sponsors; and
- performance contracts with strict benchmarks that include closure triggers.

There is one thing in the public charter sector we all share in common, regardless of the pedagogy we provide—we put students first [page 14]. The charter sector is serving every type of student. The data is crystal clear—we are doing right by Nevada's kids. We are not complaining about the oversight of our schools; we welcome and champion the oversight. It is working. A bill will come before you today that strengthens that. The Charter School Association of Nevada will also have a bill coming this session that continues to strengthen oversight and accountability.

**Renee Fairless, Lead Principal, Mater Academy of Nevada, Las Vegas, Nevada:**

Mater Academy serves two campuses on the east side of Las Vegas. I have been an educator for 34 years, 28 of those were in the Clark County School District. I am a product of that school district which led me to lead amazing schools today. About nine years ago, I had the opportunity to open a Clark County School District high school on the east side of Las Vegas. It was the first time in my life that I felt completely overwhelmed by not being able to help my students graduate. When I asked my students what the problem was, I was asked why I cared so much. Many said they could not read English in the fifth grade and quit trying. I was profoundly changed by the awareness that we had a crisis on our hands and that something had to be done. I started doing a tremendous amount of research. One of the things that led me to Mater Academy was that the 25 Mater Academies in Florida, serving Hispanic and minority students, were achieving a highly successful graduation rate and received high star ratings. I thought if we could do that in Las Vegas, we could bring about change in education. I have had the opportunity to do that for five years. It takes a minute to get the star ratings where you want them. My middle school, which serves over 1,000 students, is at 79.5; if we rounded up just 0.5 point, I could tell you my school is a 5-Star school. We do not do that, so we are a 4-Star middle school; we are 3-Star elementary school. We have another campus not too far away that was in its first year last year; its star rating did not come in as well. I was able to meet with an Assemblywoman yesterday to explain some of the issues we are trying to overcome—not just as a charter system, but for the state. We do not provide the accommodations that are required by the Every Student Succeeds Act (ESSA) and the Nevada ESSA Consolidation Plan State Plan for English language learners. I know there are people present today who will help me champion that cause for all students, not just charter students, but charter school is what led me to be empowered as a leader, to find what I need to do to make my students successful.

**Aaron Cash, Principal, Nellis Air Force Base Campus, Coral Academy of Science, Las Vegas, Nevada:**

We serve a unique population of students. Nellis Air Force Base (AFB) is one of a handful of military bases throughout the country that serves military members who have children with special needs. As I listened to previous testimony, one thing that struck me was the notion that charter schools do not serve all students. Over 12 percent of our students have IEPs and Section 504, Rehabilitation Act of 1973 designations. We are one of a few campuses that have a self-contained classroom. When I was brought to Nellis AFB, one

of the things that struck me was the unique nature of the population we serve on the base. Coral Academy of Science was brought to Nellis because the public school that had been on base decided not to return. Our population of parents needed someone on base to serve their children. The Department of Defense gave us a challenge. They told us that we had to not only serve all students with special needs, but we had to meet the needs of our growing population. They wanted us to extend our grade levels, from kindergarten through Grade 5 to kindergarten through Grade 8. We have done that. They wanted us also to build a new campus on the base which we are currently doing. We are proud to say that we are serving all children where they need to be.

**Tambre Tondryk, Executive Director of Operations, Beacon Academy of Nevada, Las Vegas, Nevada:**

Beacon Academy of Nevada was the first state public charter alternative education school. I am sure everyone in this room knows of students who had challenges in high school and could not graduate. They were called to the counseling office and told they would not graduate on time. Such students are given some options—they can enroll again for the next year; they can stay enrolled with extra afternoon classes or online classes; they can enroll in adult education; or they can find an alternative. Many decide to search for something different. They know they have not been successful in a traditional school, but are not ready to drop out; they want to give it one more try. That is where we come in. At Beacon Academy we specialize in credit-deficient students. We are a safe place that allows students to leave their academic history at the door; we give them a clean slate. We start over. We recognize that they have had challenges and barriers to overcome. We help the students realize their goals. Our staff truly cares about these students, this special population. We have to work very hard to build trusting relationships. Every student in our school is supported by a social worker and a teacher and is provided an academic schedule that is unique to each student. Our innovative, blended learning program places equal emphasis on the academic, social, and emotional needs of our students and provides numerous mission-specific programs and interventions.

Beacon Academy is independently operated. It has not always been an alternative education school, but its mission has always been to serve at-risk students. In December 2016 the SPCSA board approved an amendment by Beacon which limited enrollment to students qualifying for alternative education. Every student who has been enrolled in Beacon since December 2016 is either credit-deficient; holds an IEP; is under court supervision, which is known as adjudicated probation; or has been expelled from a traditional public school. In July 2018 Beacon Academy met the state's criteria to be evaluated under the Nevada Alternative Performance Framework (APF) by having more than 75 percent of its alternative education students enrolled for the 2017-2018 school year. Beacon is held accountable under three different frameworks. Every other school is held accountable under one or two. We are accountable to the Nevada School Performance Framework, the APF, and SPCSA under a unique contract under a framework unique to our school.

As you can imagine, the transition from a traditional school that was online and serving students statewide to a blended alternative education school was challenging, but every

stakeholder agreed we wanted to continue to serve the at-risk students and stay true to the mission of the school. I am pleased to report that in 2017-2018, we had 118 graduates from 4 different cohorts stemming back from 2016, 2017, 2018, and 2019. Our school is 70 percent free and reduced-price lunch, 14 percent English language learners, 7.4 percent of our population is parenting or pregnant, and 10 percent are homeless. None of these is criteria for the Alternative Performance Framework. Today 87 percent of our students are alternative education; 65 percent of our students enroll as credit-deficient; 24 percent have an IEP; and 9 percent are adjudicated or under court supervision. The majority of our school is in eleventh or twelfth grade; 27 percent of our population is past cohort—they are nongraduates. I invite you to come and visit our campus, to meet our students, hear their stories, and learn why so many students enroll in our public charter school. It is their school of last resort.

**Assemblywoman Tolles:**

Thank you for the specific examples and statistics given in the presentation along with the overview of accountability. On page 2 ([Exhibit C](#)) of the presentation it says, "Public charter schools are public schools." In conversations and with constituents, there seems to be some confusion about that. I appreciate that you addressed that at the beginning of the presentation. Do you know why there is confusion about the fact that charter schools are public charter schools? How can we help to clarify that?

**Melissa Mackedon:**

It largely has to do with the perception that when you move to a new town, you go to the local school district to enroll your children. In Nevada there are as many students on the waiting lists for charter schools as there are students in seats. I think the confusion comes in because of the lottery process. The matter is confounded because magnet schools have lotteries that operate completely differently—there can be enrollment criteria for a magnet school while there is no enrollment criteria for a charter school. I think it is the initial entry and having to go through the lottery process that causes confusion in the general public.

**Assemblywoman Tolles:**

To be abundantly clear, they are all paid for with public dollars and support. There is not some sort of hybrid that changes the funding model of public charter schools.

**Melissa Mackedon:**

There is no tuition charged at any public charter school.

**Assemblywoman Torres:**

Would you talk a little bit more about accountability for public charter schools and how that compares to the accountability metrics we have for our traditional public schools?

**Melissa Mackedon:**

I will use my school as an example. One of the things the State Public Charter School Authority did was to require that every charter school submit all of its application processes for its lottery. We all did. The State Public Charter School Authority came back to Oasis

Academy and pointed out the things on the application that it did not like, things that could be viewed as barriers to entry for some families. They did not care about any of my explanations; we had to do a wholesale change of our application process. That is one little example of their oversight.

**Renee Fairless:**

Mater Academy is 100 percent free and reduced lunch at one campus and over 80 percent at the other campus. We have to follow all federal guidelines as a national school lunch program—the same audits, the same levels of accountability take place on a daily basis. Some people ask questions about children lining up—we follow the exact same federal processes. It is the same thing. We are under the same guidelines from NDE with the same level of accountability. As someone who worked in a district school for so long, I think there is more accountability because I not only have to provide all of the data for NDE, I also have to provide data for the State Public Charter School Authority. Often, I am duplicating everything that I do. One big misconception is that we run under some sort of different entity. Whether it is free lunch or anything to do with how we register students—my students fill out the same papers they filled out when they went to traditional public schools. I do think there is a misconception; I would love to speak to more specific examples. The NDE guidelines, state and federal guidelines, and ESSA guidelines are the same for charter schools.

**Assemblywoman Torres:**

To be clear, how might those guidelines differ from the expectations of all other public schools?

**Renee Fairless:**

I do not know of any. After 28 years in traditional schools and now my years in a charter school, I do not know of any difference other than duplication of reports for two totally different entities. I just filled out an English language learners report that was over ten pages. I do not remember doing that—there was probably someone at the school district office who did that for me when I was at the traditional public school. Now the level of accountability is on me as a charter school leader.

**Assemblywoman Torres:**

I know there has been a lot done to hold charter schools accountable for their data and their students' performance. Would you talk a little more about that?

**Melissa Mackedon:**

I will speak from the perspective of being a State Public Charter School Authority board member. I would say 75 percent of the work we do as a board is on oversight and accountability. If you go back through our agendas for the last few years, it is evident that is what we spend the majority of our time doing at a board meeting. We put performance contracts with strict benchmarks, including closure triggers, in place. There was a school that received a 1-Star rating at their elementary school. They will close down their

elementary level next year as a result. We have capped their enrollment, when historically they have had the ability to serve thousands of students.

**Tambre Tondryk:**

I would like to speak to that as Beacon Academy is a distance education school, so we have a blended school. Prior to our being blended, we were an online charter school. We were an underperforming school and were issued a notice of closure. We worked with the Charter Authority because we wanted to continue serving our students. We changed our model. We are still considered a distance education school online, but our students are required to come onto campus two to four days per week for morning or afternoon sessions. In that way they are provided the interventions. We had to make a decision. It was unanimous that we would continue to serve at-risk students, but we would transition to the alternative framework so that we could continue to serve an even higher-risk student and are held accountable under those three frameworks as a result of that decision.

**Assemblywoman Torres:**

As an educator I think one of our big fears when we send students home with work is whether the student actually does the work. How are virtual charter schools holding students accountable and ensuring our students are learning?

**Tambre Tondryk:**

I cannot speak for other charters. I came from Clark County School District (CCSD) and worked for a virtual high school, Nevada Learning Academy at CCSD, and I am now with Beacon Academy. We use providers like Turn It In for submitting papers. I do not know how any teacher can guarantee the work being done at home is the student's work. Students take pictures of their work and send it to each other all the time. What you can do as a teacher is that if you know your student, you know their level of writing. You would see a significant difference if someone else did the work. Using Turn It In allows you to find plagiarized work. There are plenty of tools a teacher can use.

**Assemblywoman Torres:**

Yes, there are plenty of tools we use, but that is why we do most of our assessments in the classroom. When I want to test my students' ability to write, I have them write their essays in the classroom.

**Assemblywoman Miller:**

I heard through the presentation that you have the same level of accountability, the same guidelines, the same mandates, the same rules, and that you have to do everything the same except for your lotteries based on enrollment caps. Would you explain what an enrollment cap is and why there is an enrollment cap?

**Melissa Mackedon:**

It varies from site to site, but largely it has to do with the size of the building, how many classrooms there are, and how many children will fit in the classrooms. Together, those determine the enrollment cap.

**Assemblywoman Miller:**

That is different from a traditional public school at which enrollment is not capped based on the criteria you listed. A traditional public school cannot turn down students; we have to continue to take them.

**Melissa Mackedon:**

Yes, that is correct. There is one other reason why a charter school would do that. You heard the word "innovation" thrown around. We were the last group of schools that was approved by NDE before the State Public Charter School Authority came into existence. We had capped our enrollment at 20 children per grade level. We were asked why we did that. We replied that it was an innovative model and we wanted to make sure we would serve rural Nevada students really well before we opened our doors to more students. Our model has been very successful, and we have been able to open the doors and triple in size. A school may choose to put a cap on because they are doing something innovative that has not been tried before and they want to make sure they are doing right by Nevada students.

**Assemblywoman Miller:**

I think we all appreciate that. I was just making the distinction. If we are going to compare, we need to be sure we are comparing on the same level.

**Assemblywoman Gorelow:**

How does the lottery actually work so that you can ensure you have a diverse population? Do you pick names out of a hat or use a computer program?

**Melissa Mackedon:**

We provide public notice of the meeting following open meeting law. Each school probably uses a different program, but we use a random number generator. We may draw for kindergarten after assigning a random number to each kindergartener. We draw 72 names because we have 72 kindergarten seats. Those who match with the numbers drawn are enrolled. Some of those are ELL students, some are free and reduced-price lunch students, some are IEP students, and some are not. There is a provision in the law that allows for a school to do a weighted lottery for at-risk students. Some schools do that for at-risk populations. That has been successful in helping us get to where we better mirror the population of Nevada as a whole.

**Assemblywoman Gorelow:**

Would you explain the weighting, such as the sibling preference?

**Renee Fairless:**

One of the things Mater Academy wanted to do was to make sure we were truly serving the east side of Las Vegas. Since charter schools are very popular, part of our weighted lottery was looking at students within a five-mile radius and making sure there was some preference given to those students. Acceptance is done in the lottery—I do not know whether a student has an IEP or any of those sorts of things. When they bring in their registration documents, a preference is given. If we have accepted 105 students for kindergarten, the students within

the five-mile radius will be given preference. You also mentioned sibling priority. That is looked at as well, but not prior to a lottery being run. The lottery is blind. People often show up begging for a place, but I have nothing to do with the lottery. It is similar to the way the district magnet schools draw. I can remember a time when the magnet school leader could not get her son into a magnet school because it was a true lottery. It is run the same way, whether for the district or for charter schools. The only difference is the cap on enrollment. When we opened the first Mater Academy, the two schools closest to me were going year-round because they could not fit the students in their building. We did not want to duplicate that problem; we wanted a solution. We cap our enrollment for the number of students who can fit in the building to alleviate what the surrounding schools are experiencing.

**Assemblywoman Hansen:**

You do not receive capital funding; the funds for you to have a building come from the top of your budget. Is that correct?

**Melissa Mackedon:**

That is correct. In the state of Nevada, the average that a charter pays for its building is about 15 percent right off the top of their DSA.

**Assemblywoman Hansen:**

That lends itself to a whole host of problems and the understanding that you might have to cap enrollment. As the demand grows for your school, you will have to find more real estate, build your buildings, or find occupied buildings. You will need to raise funds from the private sector or find grants.

**Melissa Mackedon:**

There are various ways charter schools fund their buildings. Oasis Academy is located in the back of an old Walmart building that we renovated so that we could have school. We were fortunate that our landlord was willing to make tenant improvements for us upfront, then recoup the costs in our lease. We had to sign a long-term lease so the landlord could recoup the costs over time. Without that, we would not have been able to open our doors.

**Assemblywoman Hansen:**

Charter school locations are in some creative areas. They may be in a Walmart or near an airport—not necessarily in neighborhoods. Are district-sponsored charters providing transportation for students?

**Melissa Mackedon:**

We are not a district-provided school. To my knowledge, no district-sponsored charter school is being offered transportation by their district sponsor.

**Renee Fairless:**

As a Title I school, we provide Title I vouchers so we can get bus passes for students. Our social worker helps families with Title I funding to provide transportation. Another thing

that is unique about charters is that because we do not have boundaries, my school as a Title I has some of the lowest transiency rates in the state. People often ask what we are doing so that our students do not leave. I would like to say it is us, but the reality is they do not have to leave. If they move down the next street, they do not have to change schools. The student can stay with us and continue his or her education even though the family may be transient.

**Assemblywoman Torres:**

One issue I am concerned about as an educator is how we deal with suspensions and expulsions. What are the rates of suspensions and expulsions in charter schools? You may not have the data now, but I would like to see it. I would also like to see the demographics.

**Melissa Mackedon:**

Yesterday I received the report template I need to fill out every couple of years for the federal Office for Civil Rights, Department of Education. The NDE collects the information every year. I do not have the information with me, but we will get it for you.

**Chairman Thompson:**

Are there any closing remarks? [There were none.] At this time I will open the hearing on Assembly Bill 78 with representatives from the State Public Charter School Authority.

**Assembly Bill 78: Revises provisions governing charter schools. (BDR 34-339)**

**Ryan Herrick, General Counsel, State Public Charter School Authority:**

With me is Rebecca Feiden from the Department of Education. She is the acting executive director of the Achievement School District which is a small subset of public charter schools located in Las Vegas. Ms. Feiden will talk a little bit more about achievement school districts when she discusses her portion of Assembly Bill 78.

Before getting into to the bill, I would like to give you some background on the State Public Charter School Authority and our schools. Ms. Mackedon gave an overview of public charter schools in the state, focusing on those schools that are sponsored by the State Public Charter School Authority (SPCSA). We were formed in 2011. Prior to that our schools were sponsored by Nevada's Department of Education (NDE). At that time there were approximately 10 public charter schools with 10,000 students. Since that time, the state public charter schools have grown to 42,000 students at 31 public charter schools.

You heard that Clark County School District, Washoe County School District, and Carson City School District also sponsor a few charter schools serving fewer than 10,000 students. The bulk of the public charter school students are with the State Public Charter School Authority. Ninety-one percent of our students are in Las Vegas. We have five public charter schools in Reno, one in Elko, one in Ely, and one in Fallon. Both the Department of Education and the State Public Charter School Authority are in transition. As you likely know, Dr. Steve Canavero resigned as the Superintendent of Public Instruction. Our executive director resigned in November. The State Public Charter School Authority typically gets to sponsor one bill each session. It had begun to prepare a 91-page, 80-section



bill. Since we only get one shot, that is historically what we have done. Given the growth of our agency since 2011 to where we are today, we took a look at that bill and decided to start over. We decided to try to find, in conjunction with NDE, a few specifically identifiable high-impact policy priorities ([Exhibit D](#)). What you have been provided is a technical summary that goes through those five policy priorities. We are requesting that A.B. 78 be amended into the proposed conceptual amendment that tracks along with the summary ([Exhibit E](#)).

I will go through the sections of the proposed conceptual amendments and the proposed statutory changes. The technical summary tracks the same order and subjects as the proposed conceptual amendments. We have divided the five policy priorities into two groups. The first group we designated as "Clear Lines of Authority and Accountability." Within that, we have further defined the SPCSA's role as a local education agency [page 1, ([Exhibit E](#))]. Many of you may not be familiar with that term. In the hierarchy of the education system there is typically the state education agency (SEA), which is the state-level Department of Education in most states. Under that you will typically have a school district which is the local educational agency (LEA). Then you have the individual schools. We are not a school district, but in this setting, we are akin to a school district. *Nevada Revised Statutes* (NRS) 388A.159 [Effective through June 30, 2019.] defines the SPCSA as an LEA for limited purposes. As the agency and our schools have grown in conjunction with the Department of Education, we need to be defined statutorily as a full-fledged LEA. That is the first change to NRS 388A.159 we are proposing. Although it is a minor legislative change, it will have major impacts on our agency. We already perform many of the LEA responsibilities including federal and state grant oversight relating to special education and data management as it relates to the Nevada School Performance Framework which you are probably familiar with as the star ratings. We perform some of those duties and are in the process of taking over more of them. We are working with the Department of Education to either transition those duties and responsibilities to us or some will remain with the Department for the interim. This statutory change defines us as the local educational agency. Given the growth of our agency and our portfolio, that is an important designation for us.

The second statutory change we are requesting is to NRS 388A.161 [Effective through June 30, 2019.] that allows some of our public charter schools to become their own local educational agencies. Nationwide it is typical for a public charter school to be its own LEA. We do not have that in Nevada, except for a limited subsection of schools that you will hear about. This would allow our larger networks of schools and our larger schools to become their own LEAs.

The next change we are requesting regards the local educational agency status relating to the very limited ability we have to adopt our own regulations. Like any state agency, we only have the ability to adopt regulations the statutes give. Presently we can adopt regulations related to our application, amendment, and renewal processes and a few other small subsets. We are asking, in this portion of the bill, to be given the wholesale ability to adopt our own regulations regarding SPCSA schools [page 2, ([Exhibit E](#))]. The regulations would be subject to oversight through public notices, workshops, hearings, and the Legislature through

legislative oversight by the Legislative Commission just like any other state agency. To tie the first two requested changes together, if our schools were to become their own local educational agencies, we would need to adopt regulations defining how they become LEAs, what the requirements are, and what duties and responsibilities they would be tasked with. That is one example of a regulation that we would want to pursue. The Department of Education has the ability to adopt regulations relating to anything in the education code. Presently many public charter school regulations are adopted by the Department. This would allow us to sidestep that process. The Department is in favor of that change.

The third policy priority in this section regards the SPCSA's accountability as sponsor of charter schools [page 3]. There were questions earlier about the accountability of our schools. This relates to accountability and oversight of the SPCSA. We are strengthening both the statutes and the regulations for charter school sponsors. The first change is at the bottom of page 3 ([Exhibit E](#)). It would change NRS 388A.351 regarding the annual reporting all charter schools are required to submit to the Department of Education. We are strengthening what it shall look like. The second change is at the top of the same page. We seek to strike language concerning regulations of a comprehensive review of charter school sponsors the Department does every three years. On page 4, you see we have taken the provision of the three-year evaluation from regulation and put it into statute. The State Public Charter School Authority is a sister state agency to the Department of Education, but in the state educational agency, the local educational agency and our schools answer to the Department of Education in some ways. This clarifies and strengthens that.

The third change regarding accountability we are seeking is to change the number of board members. We currently have a seven-member board that oversees the staff of the State Public Charter School Authority. Two of the board members are appointed by the Governor, two by the Assembly, two by the Senate, and one by the Charter School Association of Nevada. We are asking to expand our board from seven to nine members, with the two additional members appointed by the State Board of Education. Not only would this strengthen oversight, it would also strengthen the connection between us and the Department of Education.

Page 6 ([Exhibit E](#)) of the proposed changes introduces the second group of changes. We have proposed two changes here. The first relates to two changes to NRS 388A.453. This section of our statutes deals with admission and enrollment. The first change is to subsection 2. The McKinney-Vento Homeless Education Assistance Improvements Act of 2001 requires that homeless students must immediately be enrolled in school. We are clarifying that homeless students and foster students have enrollment priority under either state or federal law, under 42 U.S. Code §11301. Earlier, you talked about the lottery for admission. Under federal mandate and federal statute, these students are required to be enrolled.

The second change we are making to NRS 388A.453 is striking out subsection 8. Our public charter schools, just like all public schools, are required to provide special education services to those students who need them. This has caused some confusion. Our schools are required

to provide those special education services and can do that in a number of different ways. One way is to provide those services in-house by hiring a teacher or an aide to provide those services. They can also contract with a local school district or with another charter school that may be providing those services. The striking of this provision does not prevent our schools from doing that, but this section seemed to create confusion regarding the fact that our schools are public schools and are required to provide those special education services.

**Rebecca Feiden, Deputy Director, Achievement School District, Department of Education:**

I will begin by providing some brief background on the Achievement School District, then I will walk through the proposed changes we are discussing today. The Nevada Achievement School District was created during the 2015 Session to be one piece of the state's approach to improving underperforming schools. The Achievement School District is, in effect, a unique charter school sponsor housed within the Department of Education. There are two types of charter schools that we have sponsored. First, we have transformation schools where an organization can assume operation of an existing low-performing school to put that school on a trajectory for improvement. There is one transformation school in the Achievement School District. In 2017 Democracy Prep Public Schools assumed operations of the former Andre Agassi College Preparatory Academy. The other type of school is a neighborhood option school. With this type, an organization as a new school in a community with existing low-performing schools can provide an option or an alternative. Futuro Academy opened in 2017 in a new facility near Arturo Cambeiro Elementary School which had been a 1-Star school from 2012 through 2017. Futuro Academy provides an option for parents and families in that community.

There are currently four achievement charter schools: three are neighborhood options and one is a transformation school. All four are in Clark County. They serve 1,500 students, 96 percent of whom qualify for free and reduced-price lunch, 70 percent of whom are zoned to attend a 1-Star or 2-Star school. At full scale, these schools will serve 2,600 students. Some of them started with kindergarten or first grade and are growing grade-by-grade to fill a full elementary or middle school.

The Achievement School District falls under NRS Chapter 388B. While NRS Chapter 388B explicitly calls out the transformation schools, neighborhood options are not explicitly defined. Over the past year, the Legislative Counsel Bureau has inquired about the neighborhood options schools. Many parents and families are choosing these achievement charter schools as alternatives to their zoned schools. The bill draft request we submitted last summer, which was introduced as Assembly Bill 35, was aimed at directly clarifying the neighborhood option schools and ensuring the sustainability of these schools and our efforts to provide options for parents and families in communities that do not currently have access to many high-quality options.

Over the course of the fall the Department of Education and the State Public Charter School Authority began to take a broader look at what it meant to create a sustained effort to equitable access for students in historically underserved communities. Today we are here to

propose that instead of our proposed A.B. 35, which would have simply cleaned up NRS Chapter 388B, A.B. 78 would provide the clarifications as well as transition the achievement charter schools to the State Public Charter School Authority. This will not only ensure the sustainability for the achievement charter schools and for the students and communities they serve, but also enable the work of the Achievement School District to serve as an engine to strengthen the work the State Public Charter School Authority has undertaken to focus on equitable access. Through the proposed amendment to A.B. 78, NRS Chapter 388B would include a formal definition of "neighborhood option schools," providing a tool to ensure we can continue to serve the students who need it the most. We believe this is ultimately an opportunity for us to be better together.

I will take the amendments by subject, pointing you to the pages where the sections are amended to achieve the impact. We will start on page 8 ([Exhibit E](#)). Currently the Achievement School District has two primary functions: we review the performance of schools statewide to solicit community input to determine which communities would benefit most from an achievement charter school; and we serve as a sponsor of charter schools. Under the proposal, the duties and responsibilities related to identification of low-performing schools would stay with the Department of Education and the Superintendent of Public Instruction. At the same time we would propose moving the duties related to being a charter school sponsor to the State Public Charter School Authority and its executive director. To be clear, this means that in the event of school transformation, the Department of Education would identify the chronically underperforming school for a transformation and the State Public Charter School Authority would then oversee the school once it was open.

I will walk through all of the changes necessary. Starting on page 8, in NRS 388B.040, we would redefine "Executive Director" to be that of the State Public Charter School Authority. In NRS 388B.060, the proposal would affirm the responsibility of the Department's rulemaking authority over the process for selecting low-performing schools. It would shift rulemaking authority to the State Public Charter School Authority regarding duties as a sponsor. This would create the separation I pointed out. At the bottom of page 8 and the top of page 9, the proposal would repeal NRS 388B.100, NRS 388B.110, and NRS 388B.120 to dissolve the office of the Achievement School District within the Department of Education.

On page 9, in NRS 388B.200, the proposal would shift the role of selecting low-performing schools to the Superintendent of Public Instruction. Continuing that section onto page 10, the Superintendent of Public Instruction would be required to consult with the State Public Charter School Authority to understand the availability of operators to serve. In 388B.210, the proposal would shift duties related to authorizing schools to the State Public Charter School Authority and would establish the State Public Charter School Authority's role to identify an operator for an achievement charter school once the Superintendent had selected the low-performing school for a transformation. The proposal would also shift rulemaking authority regarding the process for an applicant to operate an achievement charter school to the State Public Charter School Authority.

On page 11, in NRS 388B.220, the proposal would establish the State Public Charter School Authority as the sponsor of achievement charter schools and give them the ability to terminate a contract prior to expiration. On page 12, in NRS 388B.260, the proposal would eliminate references to the Achievement School District and replace them with appropriate references to achievement charter schools. On page 14, in NRS 388B.290, the proposal would shift duties associated with the evaluation of schools at the end of their contract term to the State Public Charter School Authority.

On page 15, in NRS 388B.410, the proposal would remove references to the Department of Education and replace them with the State Public Charter School Authority. Some of these items are technical, but all of them deal with redistributing the responsibilities of the current Achievement School District such that the Department retains responsibility for identifying low-performing schools and communities in need of achievement charter schools and then shifting responsibilities associated with sponsorship to the agency of the State Public Charter School Authority.

On page 15, the proposed revision would transfer the current schools in the Achievement School District to the State Public Charter School Authority. In new section 2, beginning at the bottom of page 15 and continuing to page 16, the proposed revisions would define certain requirements for achievement charter schools to ensure they serve as options for students zoned to low-performing schools. Neighborhood option achievement charter schools would be required to locate in the vicinity of a low-performing school to ensure those students zoned to attend a low-performing school are enrolled before other students to maintain a rate of students qualifying for free or reduced-price lunch that is comparable to the local school district. Page 14 adds a provision to NRS 388B.290 to enable the closure of a neighborhood option school at the end of its contract, making sure appropriate accountability options are in place.

On page 12 ([Exhibit E](#)), NRS 388B.230 would be changed to add a new requirement for all achievement charter schools to provide a program of free and reduced-price lunch to ensure students have access to that program. All four current achievement charter schools provide free and reduced-price lunch. This ensures all future ones will as well.

In combination, these requirements for achievement charter schools establish the tools to enable the SPCSA to sponsor schools with the explicit intent of providing options to students in their highest need areas.

In an effort to expand equitable access, on page 17 in the new section 3 for *Nevada Revised Statutes* Chapter 388B, the proposal would establish a streamlined process for high-performing in-state charter school operators to become approved to operate achievement charter schools and provide access for students currently zoned to attend low-performing schools. It would also give the State Public Charter School Authority the authority to establish regulations by which an existing charter school within their portfolio could apply to be a neighborhood option achievement charter school.

We know there are some charter schools, in addition to district schools, in need of improvement. In addition to existing provisions that allow charter sponsors to reconstitute or close a low-performing school, on page 8, the proposed revision to A.B. 78 would explicitly extend the eligibility for school transformation to include charter schools as an alternative to school closure in NRS 388B.050. Effectively, this would ensure that all public charter schools and district schools are subject to the same level of accountability.

There are a few technical changes. In an effort to increase coherence between the general charter law in NRS Chapter 388A and the achievement charter law in NRS Chapter 388B, there are a few modifications. On page 13 ([Exhibit E](#)), we propose repealing NRS 388B.270 and NRS 388B.280. These two statutes have parallel sections in NRS Chapter 388A. On page 12, you can see that those sections existing in NRS Chapter 388A would now be applicable to achievement charter schools instead of repeating them in a different chapter.

In the new section 4 on page 17, the proposed revisions would establish the requirement for an annual report on achievement charter schools.

**Chairman Thompson:**

As the Committee members ask questions, I would like to go with the flow of the technical summary of proposed revisions ([Exhibit D](#)). We will start with questions about local education agency status.

**Assemblywoman Peters:**

Would you explain the idea of letting charter schools be their own local educational agency (LEA)? What would that authority allow them to do?

**Ryan Herrick:**

"Local educational agency" is a federally defined term. It primarily deals with not just grant administration and management, but the oversight, particularly as it relates to special education grants and the grants that serve at-risk populations. When those federal monies flow through the LEA, it is not just administration and management, but a huge portion of those responsibilities are the oversight and management. One example is if a public school gets a special education grant, the oversight is to make sure that it goes to whatever the designated special education requirements of that grant are and not toward playground equipment or office supplies. The LEA designation is easy to see in a traditional district. You have the Department of Education, the local school district, and the local schools. The local school district is the LEA. In the public charter world, it is more complicated.

In many states, charter schools are sponsored by a district—in which case there is no confusion on the LEA designation because the district already is the LEA. In many states, public charter schools are their own LEAs, as are the Achievement School District charter

schools. When you have a standalone state agency such as the State Public Charter School Authority, it adds another twist. This would give us the requirements and the process, with our larger schools and the larger networks, to become their own LEAs.

As to your question about what the authority would allow them to do, those federal monies would flow directly to them and they would have the oversight responsibilities for them. I see the concerned look on your face—that is the regulatory portion as well because to hand off those LEA responsibilities to an individual public charter school would require a robust process and screening to go along with it.

**Chairman Thompson:**

Please be concise with your answers.

**Assemblywoman Hansen:**

I have a question regarding NRS 388A.161. Did you say in your opening comments about this section that the Department of Education is in favor of this change?

**Ryan Herrick:**

I think that was regarding to the regulatory authority and regulations. I think the Department is in favor of the LEA change.

**Rebecca Feiden:**

There were some formal communications last fall regarding LEA status with a directive from the former superintendent. The Department's position under memo was they are the LEA for these purposes. The achievement charter schools are their own LEAs. One thing to note, in terms of oversight, is that oversight comes directly from the Department because the state education agency directly oversees the LEA. The achievement charter schools have direct oversight from the Department, rather than a layer of oversight in between. There is oversight; it just comes in a slightly different form.

**Assemblywoman Hansen:**

Is the purpose for the change a flow issue that will increase efficiency by cutting through the red tape?

**Ryan Herrick:**

I think it is important when you are talking about individual charter schools becoming their own LEA to remember the State Public Charter School Authority still remains the authorizer and the sponsor, so we still have the accountability. The responsibilities remain with us. This deals with the LEA duties and responsibilities that would go directly to the school. The Department of Education is still the state educational agency overseeing the LEAs.



**Assemblywoman Miller:**

The accountability for the charter schools, if they became their own LEAs, would remain the same under the State Public Charter School Authority. Are you requesting the achievement charter schools become their own LEAs with their own lines of accountability? Would you please clarify?

**Rebecca Feiden:**

Achievement charter schools, by statute, are currently their own LEAs. Under the State Public Charter School Authority there has been a need for clarification in statute. The request today is for there to be clarification that they are, in fact, the LEAs. Then, if there are schools that qualify and demonstrate the ability to serve as their own LEAs, they could be granted that authority.

**Ryan Herrick:**

One of my main responsibilities as legal counsel for the State Public Chart School Authority is oversight and accountability. The LEA designation does not mean they are not held accountable under NRS Chapter 388A accountability measures or their own performance framework intervention ladder. For low academic performance, financial mismanagement, or organizational problems, we would still have the oversight irrespective of the LEA designation.

**Assemblywoman Torres:**

You mentioned the LEA is necessary for federal grants, such as those funded under the Individuals with Disabilities Education Act (IDEA), state requirements, data collection, and testing. I want to understand why the school itself needs the ability to have an LEA designation and why they could not go through the SPCSA as they are doing now.

**Rebecca Feiden:**

Both can work; both instances exist in the national landscape. What is most important is that there is clarity. We are suggesting moving the achievement charter schools, which currently have their own local educational agency status, under the SPCSA. We want to make sure that fits within their authority. There are circumstances, for grant responsibilities and purposes, when this would streamline things for a school that has the capacity to be more robust in terms of their grant responsibility. That might be an example of why a charter school would request the opportunity to be a local educational agency.

**Assemblywoman Torres:**

Are our traditional public schools LEAs? For example, is Red Rock Elementary School its own LEA?

**Rebecca Feiden:**

That is correct. The Clark County School District would be considered the local educational agency in the eyes of the federal government.



**Chairman Thompson:**

Let us move on to regulatory authority. Are there any questions?

**Assemblywoman Torres:**

How many people are currently with the SPCSA?

**Ryan Herrick:**

We have 17 full-time employees at the State Public Charter School Authority.

**Assemblywoman Torres:**

This piece of legislation would add a significant amount of responsibility to the SPCSA. How will the SPCSA be able to accommodate that?

**Ryan Herrick:**

Like most state agencies, we are chronically underfunded and understaffed. In our current budget we requested nine new positions. In the *Executive Budget*, we have four new positions. The LEA designation has gone back almost a year now. In the eyes of the federal government—for the U.S. Department of Education or the Office for Civil Rights—the State Public Charter School Authority would be the LEA. The legal designation is one thing; it would have a significant impact on the agency. We are seeking the four new positions recommended by Governor Steve Sisolak. Having lost our executive director and with the resignation of the Superintendent of Public Instruction, we have been talking with the Department of Education about splitting responsibilities. We cannot take on new duties tomorrow. We have discussed a three-, six-, and nine-month plan. We would outsource some LEA responsibilities to the Department. We are well aware of the fact there will be additional work for the State Public Charter School Authority.

**Assemblywoman Torres:**

I am concerned this would add a significant amount of responsibility and obligation the SPCSA may not have the manpower to handle. I do not understand why the current system is ineffective.

**Ryan Herrick:**

We are likewise concerned. In the hierarchy of our charter schools, Nevada's Department of Education is the SEA; then we have our schools. Neither is the LEA; we are the LEA. The trick for us is legally we are the LEA. How do we get the data management relating to the Nevada School Performance Framework and the star ratings and grant management and oversight? The four new positions would greatly assist us with data management. It would also pull a ton of responsibilities off our special education folks so they can actually concentrate on special education. It is a heavy lift, but we are the LEA and we have to figure out a way to do that work.

**Chairman Thompson:**

We will move on to oversight.

**Assemblywoman Tolles:**

From the conceptual amendment ([Exhibit E](#)) on page 3, under "Annual report by the sponsor of charter school," it says, "The written report shall be reviewed by the State Board by December 31 each year." It looks to me as if they are submitting reports on October 1. The State Board is given time for review. On page 4 it says once every three years the Department will conduct a comprehensive review. Is that standard for traditional public schools as well? Do they have a similar annual report and a three-year comprehensive review?

**Rebecca Feiden:**

I do not recall any specific requirements. I would rather have my team respond. Unfortunately, I know the charter sections quite well, but I do not know the other sections quite as well.

**Assemblywoman Tolles:**

Since we are comparing accountability, it would be helpful to have you reply so we can see if the standards are similar.

**Chairman Thompson:**

I have a question on NRS 388A.153, where you are adding two additional members appointed by the State Board of Education to the SPCSA [page 4, ([Exhibit E](#))]. Are there requirements for those appointees? Are you looking for certain types of voices or expertise on the SPCSA?

**Rebecca Feiden:**

Subsection 2(c) specifies the areas of expertise and knowledge required for the appointees. They would apply to members appointed by the State Board; they already apply to members appointed by the other entities.

**Chairman Thompson:**

Why do you need to expand the size of the board?

**Rebecca Feiden:**

The intent was for alignment and oversight, less so for expansion. The intent was to create a connection between the two boards.

**Assemblywoman Miller:**

Section 27 of [A.B. 78](#) refers to giving subpoena power to the State Public Charter School Authority in the event someone working for the SPCSA broke one of the charter school provisions or regulations. It goes on to say what the SPCSA can do if a person refuses to cooperate with the subpoena. Would you please explain that section for us?

**Ryan Herrick:**

I apologize for not making this clear earlier. We are entirely discarding [A.B. 78](#). In regard to subpoena power, I am legal counsel for the SPCSA, and I have no interest in our becoming

a quasi-judicial agency. If a school is under an accountability measure or up for renewal and will not give me the documents, I will not renew them. I do not want our executive directors signing subpoenas directed at our schools.

**Assemblywoman Miller:**

I agree.

**Chairman Thompson:**

We will move to questions about equitable admission and enrollment. This might be a question for Committee counsel. On page 6 ([Exhibit E](#)), special education provisions are crossed out. Should we at least mention special education so it is included? I hear you say you will meet the needs of special education students, but I am concerned that if we strike out that section, you would not be required to meet their needs. Should we have a provision stating that?

**Victoria Gonzalez, Committee Counsel:**

Yes. When we have an idea of what it is you are trying to address conceptually, we will draft according to the intent. If the intent of the bill is to make sure special education administration is included, we would make sure the drafting conforms to that.

**Ryan Herrick:**

For context, the provision in the original A.B. 78 created some confusion. We can put a free and appropriate public education or IDEA-type provision in here.

**Assemblywoman Gorelow:**

When you spoke about the lottery, you mentioned homeless and foster students are automatically enrolled. How do you know these students? Is there additional paperwork? I am asking because we had a presentation about a homeless girl who had difficulty getting into college. What process does a homeless person go through?

**Rebecca Feiden:**

Generally the school enrollment process includes a student residency questionnaire which asks some guiding questions of family members about where the family is housed. It is either included in the enrollment packet by default, or the family may answer a question in a way that causes concern to the person working with the family who will then give them the questionnaire. When they fill out the questionnaire, it can be determined if they are homeless. If a student is temporarily doubled up—the family is living with another family for financial reasons—that would be considered homeless. When the homeless presentation was given, they were just giving a training of school site coordinators focused on how to help make sure we appropriately identify homeless students. The intent under the federal law is to make sure there are no barriers for entry for students who are homeless. We want to make sure they get into school. This provision ensures charter schools also have to follow that provision.

**Chairman Thompson:**

Do you have to work with the McKinney-Vento coordinator for the state to ensure the state gets the proper documentation of homeless students so when there are resources we know the full picture?

**Rebecca Feiden:**

Each local educational agency—in this case, the SPCSA and in the case of achievement charter schools, the schools themselves—has to have a McKinney-Vento liaison who is tasked with it. The SPCSA identifies folks at the school level who provide resources and participate in the trainings to make sure we appropriately identify students and, when issues come up, communicate with the state director.

**Chairman Thompson:**

We will move on to the Achievement School District section.

**Assemblywoman Peters:**

Would you please run through what we are changing for the Achievement School District? It sounds as if we are changing it from a unique department, but I do not understand if it is a statewide department or if it was specific to where achievement school districts are. How is that changing?

**Rebecca Feiden:**

The Achievement School District is currently an office within the Department of Education; I am the sole person dedicated to that work. One of the major themes of my work is as a sponsor; one piece of this bill is to move the sponsorship responsibilities to the SPCSA given they have an agency dedicated to sponsoring schools. The other piece maintains the Department's role in oversight of the entire state, identifying where the low-performing schools are. That should be done by the Department, so the responsibility is retained by the Department in what we are proposing.

**Assemblywoman Tolles:**

The new section 4 of NRS Chapter 388B [page 17, ([Exhibit E](#))] says, "By September 30 of each year, the Executive Director shall present an annual plan for Achievement Charter Schools." Does that tie back to the annual report to the Department of Education that is reviewed by the State Board by December 31? Does the State Board of Education have the oversight of all charter schools and the Achievement School District?

**Rebecca Feiden:**

The achievement charter schools provide options within a certain intent to make sure there is time dedicated to understanding how that is working and how effective it has been. At the moment, it does not tie into the annual report, but it would be logical to include it.

**Chairman Thompson:**

I have a question about NRS 388B.200, subsection 3 [page 9, ([Exhibit E](#))]. You struck out "Executive Director" and inserted "Superintendent of Public Instruction." It now reads,

"Each year, the Superintendent of Public Instruction may select not more than six public schools approved for consideration." This is your Rising Stars Schools list from the lowest 20 percent of schools. There should be some type of additional rubric or selection process instead of allowing one person to decide which schools are chosen.

**Rebecca Feiden:**

Under the current process in statute, the Executive Director recommends schools to the State Board; the State Board approves; then the Executive Director selects. We wanted to make sure the role stayed with the Department, which is why we replaced "Executive Director" with "Superintendent of Public Instruction." We are open to discussion about how the decision would be made.

**Chairman Thompson:**

I understand the State Board will ratify and select the six schools, but the lower-performing schools will be nervous. I feel as if there needs to be an objective process for which schools advance to be one of the six approved by the State Board.

**Rebecca Feiden:**

We are open to discussing your proposals.

**Assemblywoman Miller:**

Are you saying your conceptual amendment is the bill? You are not adding or changing A.B. 78—your amendment is now the bill we would be voting on.

**Ryan Herrick:**

I apologize for the confusion. Given the transition we are in, we are discarding what A.B. 78 is. The new bill will be the proposed conceptual amendment ([Exhibit E](#)). We are hoping A.B. 78 is amended out of Committee into what we have proposed. Everything you have before you that says A.B. 78 can be disregarded. I originally tried to redline and go through A.B. 78, but it was too unwieldy.

**Assemblywoman Miller:**

Was the section about students with special needs struck out? That is a huge concern to me. Section 29 of the original bill said that if a student with a disability enrolled and the charter school could not serve the need, the charter school would try to transfer the student to a public school. If the public school denied acceptance, it could be appealed to the Department. Is that still a part of your bill?

**Ryan Herrick:**

Section 29 of our original bill was changed on page 6 ([Exhibit E](#)). The process described in section 29 for a charter school to transfer a student to a district school and the appellate process was struck out. Our schools are required to provide special education, and they can figure out how to do that.

**Assemblywoman Miller:**

The student enrolls and that is it.

**Ryan Herrick:**

Yes. There are a number of ways our schools can figure out how to provide those services, but they are obligated to provide them. The whole appellate process in the original A.B. 78 has gone away.

**Chairman Thompson:**

I would like everyone to understand the process. I want everyone to know there was a 91-page bill, but now there are 17 pages to consider. Things will not fall through the cracks.

**Victoria Gonzalez:**

The bill before the Committee today is A.B. 78. In the hearing, the conceptual amendment has been presented. When this bill comes up for a work session before this Committee, the Committee will consider this amendment. This amendment will replace everything in A.B. 78. If that passes out of this Committee, the conceptual amendment as drafted by the Legal Division of the Legislative Counsel Bureau would move on. Based on the discussion we just had about the special education component being included, I believe that is part of the reason to give them LEA status so the special education programs can be administered directly and not have to be transferred from school to school. We would incorporate that into the language based on the intent that it is part of the responsibility of being an LEA.

**Assemblywoman Torres:**

Would you explain the Achievement School District process for taking over schools?

**Rebecca Feiden:**

I will explain it as it currently is defined, acknowledging Assemblyman Thompson's wish to consider a different process for the selection. The process would require the school be selected from an existing low-performing school. The Superintendent of Public Instruction would be required to identify 20 percent of the low-performing schools to recommend to the State Board. The State Board would then review the list and approve some of those schools for potential selection to become an achievement charter school. The final selection would be made by the Superintendent of Public Instruction. I am looking forward to identifying some clearer criteria for that decision-making process. In terms of the transition, it would occur at the end of a school year in an effort to make it as clean as possible. It would ensure that every child enrolled at the school had the opportunity to continue at the school. The school would serve as the zoned school for the community even though it would be run by a separate organization to ensure all students had access to the school.

**Chairman Thompson:**

There are no further questions from the Committee. At this time, we will take testimony in support of Assembly Bill 78.

**Sarah Hartman, Lead Teacher, Nevada Prep Charter School, Las Vegas, Nevada:**

Nevada Prep Charter School is a middle school currently authorized by the Nevada Achievement School District. I am here to speak in qualified support of A.B. 78. We see the language in section 1 that moves our charter contract from the Achievement School District (ASD) to the State Public Charter School Authority. As an ASD school, we have been very satisfied with our partnership with the ASD. The ASD has high expectations for its schools. We have felt, at every step of the process, that the expectations were clear. If the proposed changes are implemented, we hope the level of clarity and communication remains consistent regardless of who holds our charter contract. As with most education policy, we know that smart, effective implementation is the key to a policy that benefits students and families. We hope to stay involved in any conversations about moving achievement charter schools to the State Public Charter School Authority.

We are a neighborhood option school, as neighborhood option is described in the new section 2 [page 15, ([Exhibit E](#))]. The neighborhood option criteria described in this bill feels right to us. They represent the ASD's focus to ensure neighborhood option schools serve students and families who may need new school options the most. We are already in compliance with the bill's requirements for neighborhood option schools. For example, 90 percent of our students qualify for free and reduced-price lunch and we continue to recruit in neighborhoods of 1-Star schools. If you have any questions or want to see what a neighborhood option school in Las Vegas looks like, we invite you to visit our classrooms and meet our incredible students any day.

**Sarah M. Adler, representing Charter School Association of Nevada:**

The Charter School Association of Nevada is in full support of A.B. 78. I appreciate Assemblywoman Torres' questions about capacity to handle the responsibilities of an LEA and tying that to the budget request. I spent a year as Carson City School District's grants manager. I regret all of my phone calls to the Department of Education as a newbie in the grants world. One of the positions being requested in the SPCSA is a grants manager. It will make the lives of the Department of Education and charter schools much better.

**Chairman Thompson:**

Is there anyone else in support of Assembly Bill 78? [There was no one.] Is there anyone in opposition?

**Bradley Keating, Director, Government Relations, Clark County School District:**

Clark County School District (CCSD) offered an 11-page amendment because of the ongoing concerns from our trustees, district leaders, and community about the effectiveness of the Achievement School District ([Exhibit F](#)). This amendment includes entirely deleting the Achievement School District from NRS while allowing the current four schools to still find an operator and also allow for the neighborhood option to continue.

Our current board platform says that we oppose charter operators taking over our public schools, and the reasons are endless. We believe in the importance of neighborhood schools and that we are on a path to improving our schools and offering a quality education to every

student. We believe the specific ASD model in Nevada has been a failure for students, a waste of taxpayer dollars. The state has been unable to bring in charter operators to take over schools because of our per-pupil funding, even with \$10 million originally being allocated from the state to recruit charters in 2015. There is a lot of initial uncertainty about how schools would be taken over and a lot ambiguity over how students would be selected to attend those schools. Teachers in these schools were targeted. They were uncertain about their job status and put in transfer notices to move to other schools which hurt our schools with the highest needs throughout the district.

The CCSD had to host 90 community meetings to communicate with parents when the ASD was established because they did not do an adequate job of explaining the process. Many of our schools, parents, and community leaders felt they were being targeted. Another initial concern we have for the funding of the charter schools is there is a potential that a for-profit charter company could come in and take over a public CCSD building, yet CCSD would be required to make repairs up to a certain dollar amount. Technology, furniture, et cetera, would all stay at the school. Would CCSD be required to replace those items, or would the charter? When the ASD did find an operator to take over schools, California-based Celerity Educational Group's pending approval was revoked after the Federal Bureau of Investigation raided their offices.

**Chairman Thompson:**

Mr. Keating, you may provide the rest of your written testimony to be part of the public record ([Exhibit G](#)). Have you talked to the bill sponsor about your amendments?

**Bradley Keating:**

I have had numerous conversations with the SPCSA and the Department of Education.

**Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association:**

The Nevada State Education Association (NSEA) has been the voice of Nevada educators for over 100 years. Prior to this hearing, my colleague Alexander Marks spoke eloquently about issues concerning controls, or lack thereof, and accountability, or lack thereof, of the state's charter schools. I will associate myself with those comments. As for A.B. 78, the original or the amendments, we consider these a half-measure in that the additional controls are not nearly enough to hold the State Public Charter School Authority or district-sponsored charter schools accountable. We are asking for A.B. 78 to be amended to include caps on charter school expansion, joining 21 other states in this country that do that. The National Conference of State Legislatures has issued a policy brief on caps ([Exhibit H](#)). It is a little dated, but contains interesting guidance. There is a menu of approaches that can be taken when instituting caps on charter school expansion. The NSEA prefers a strong cap limiting the total number of charter schools as well as a cap on the total number of students enrolled in said charter schools. The conceptual amendments to this legislation did not appear on the Nevada Electronic Legislative Information System until this morning. I saw them for



the first time at lunch, so we have been unable to mobilize our members who have very strong feelings against the Achievement School District. We believe the ASD has been a failed experiment that takes away and does not add to public schools in our communities. It causes much consternation and grief. We believe the Achievement School District is a model that should be left behind in its entirety. To me, policymaking should be about good public policy and not about personnel decisions.

**Chairman Thompson:**

Is there anyone present who would like to testify as neutral to the bill?

**Patricia J. Haddad, Manager, Community Impact Initiatives, Opportunity 180°:**

We are taking a neutral position on A.B. 78. Every kid should have access to a high-quality public school in their neighborhood. All public schools, regardless of their governance structure, should be held to the highest standards of accountability—through the possibility of school closure or conversion—when they are not meeting the needs of students.

As a community we have a responsibility to work together to ensure that all students can access a high-quality public school, specifically students who do not currently have a high-quality school in their neighborhood, students who are eligible for free and reduced-price lunch, and students who require additional resources to serve.

While we recognize there is more work to be done to finalize details on the key components of this bill, we appreciate that the bill emphasizes the kids-first values of accountability for both schools and sponsors and equity in ensuring that all public schools serve all students regardless of their unique needs.

Our community needs great schools for every kid. We will continue to partner on efforts that put kids first and efforts that hold all schools accountable to results for kids.

**Chairman Thompson:**

Is there anyone else neutral on Assembly Bill 78? [There was no one.] Would the bill sponsors like to make closing statements?

**Rebecca Feiden:**

We appreciate your time today. We look forward to continuing conversations on items brought forward. We will continue to work with Clark County on their proposed conceptual amendment.

[Additional exhibits that were submitted include written testimony ([Exhibit I](#)) and ([Exhibit J](#)); newspaper articles ([Exhibit K](#)), ([Exhibit L](#)), ([Exhibit M](#)), and ([Exhibit N](#)); and fact sheets ([Exhibit O](#)) and ([Exhibit P](#)).]

**Chairman Thompson:**

We will close the hearing on Assembly Bill 78. Is there any public comment? [There was none.] I would like to thank those who were here for Charter School Day and Digital Learning Day. On March 4 we have a joint hearing with the Senate Committee on Education on school safety at 6 p.m. Our Assembly Committee on Education will meet again on March 5 at 1:30 p.m.

The meeting is adjourned [at 3:51 p.m.].

RESPECTFULLY SUBMITTED:

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Sharon McCallen  
Committee Secretary

RESPECTFULLY SUBMITTED:

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Joan Waldock  
Transcribing Secretary

APPROVED BY:

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Assemblyman Tyrone Thompson, Chairman

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation titled "An Introduction to Public Charter Schools: Capitol Public Charter School Days," dated February 27 and 28, 2019, presented by Melissa Mackedon, Board Member, Charter School Association of Nevada.

[Exhibit D](#) is a document titled "Technical Summary of Proposed Revisions to Assembly Bill 78," presented by Ryan Herrick, General Counsel, State Public Charter School Authority.

[Exhibit E](#) is a proposed amendment to [Assembly Bill 78](#), presented by Ryan Herrick, General Counsel, State Public Charter School Authority.

[Exhibit F](#) is a proposed amendment to [Assembly Bill 78](#), presented by Bradley Keating, Director, Government Relations, Clark County School District.

[Exhibit G](#) is an outline of "ASD Talking Points," as presented by Bradley Keating, Director, Government Relations, Clark County School District, regarding [Assembly Bill 78](#).

[Exhibit H](#) is document titled "Charter School Caps," dated December 2011, submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, written by Julie Davis Bell, published by the National Conference of State Legislatures, in opposition to [Assembly Bill 78](#).

[Exhibit I](#) is a letter dated February 28, 2019, to the Assembly Committee on Education, authored by the Nevada State Education Association, submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, regarding [Assembly Bill 78](#).

[Exhibit J](#) is a letter dated February 26, 2019, to the Senate Committee on Education, authored by the Nevada State Education Association, submitted by Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, regarding [Assembly Bill 78](#).

[Exhibit K](#) is a copy of article from *The Nevada Independent*, titled "More Than a Free Lunch," by Jason Guinasso, dated December 17, 2018, regarding [Assembly Bill 78](#). This copy was submitted by Pat Hickey, Executive Director, Charter School Association of Nevada.

[Exhibit L](#) is a copy of an article from *The Nevada Independent*, titled "Public Charter Schools Will Help Create a Better Nevada," by Pat Hickey, dated February 11, 2019, regarding [Assembly Bill 78](#). This copy was submitted by Pat Hickey, Executive Director, Charter School Association of Nevada.

[Exhibit M](#) is a copy of an article from *The Nevada Independent*, titled "Charter Schools Must Be Held Accountable," by Jason Guinasso, dated August 25, 2017, regarding [Assembly Bill 78](#). This copy was submitted by Pat Hickey, Executive Director, Charter School Association of Nevada.

[Exhibit N](#) is a copy of an article from *Nevada Current*, titled "This 1-Star High School Shows the Potential of Charter Schools," by April Corbin, dated February 11, 2019, regarding [Assembly Bill 78](#). This copy was submitted by Pat Hickey, Executive Director, Charter School Association of Nevada.

[Exhibit O](#) is a fact sheet titled "Nevada Achievement School District," submitted by Ryan Herrick, General Counsel, State Public Charter School Authority, Department of Education, regarding [Assembly Bill 78](#).

[Exhibit P](#) is a fact sheet from the Nevada State Public Charter School Authority, submitted by Ryan Herrick, General Counsel, State Public Charter School Authority, Department of Education, regarding [Assembly Bill 78](#).