



STATE PUBLIC CHARTER SCHOOL AUTHORITY

1749 North Stewart Street Suite 40
Carson City, Nevada 89706-2543
(775) 687-9174 · Fax (775) 687-9113

2080 East Flamingo Road Suite 230
Las Vegas, Nevada 89119-5164
(702) 486-8895 · Fax (702) 486-5543

August 23, 2024

Legislative Review of Adopted Regulations as Required by NRS 233B.066
LCB File #R080-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 388:

1. A clear and concise explanation of the need for the adopted regulation.

The proposed regulatory language within R080-24 is in response to Governor Lombardo's Executive Order 2023-003, which required all Executive Branch agencies to review their regulations. The proposed language in R080-24 is intended to clean up regulatory language to streamline the work of the State Public Charter School Authority.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop agenda and notice was posted 15 days prior to the workshop. The attached public hearing agenda and notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

There was no public comment at either the workshop or the public hearing.

3. The number of persons who:

- a. Attended Workshop: 0; Hearing: 27
- b. Testified at Workshop: 0; Hearing: 0
- c. Submitted Written Statements: Workshop: 0; Hearing: 0

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: (a) name; (b) telephone number; (c) business address; (d) business telephone number; (e) electronic mail address; and (f) name of entity or organization represented.

There was no public comment at either the workshop or the public hearing.

- 5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Public comment was solicited through both the regulation workshop and public hearing. The attached workshop agenda and notice was posted 15 days prior to the workshop. The attached public hearing agenda and notice was posted 30 days prior to the public hearing. A description of how members of the public could provide comment is included in both items.

There was no public comment at either the workshop or the public hearing.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The State Public Charter School Authority adopted the proposed regulation language at the public hearing held on August 23, 2024. No changes were requested, so it was adopted without change.

- 7. The estimated economic effect of the adopted regulation on the business which is to regulate and on the public. These must be stated separately and each case must include:**

There will be no economic effect of the regulation on the business that it regulates. There is no estimated economic effect on the public.

- 8. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of this regulation.

- 9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

- 10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

There are none.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide for a new fee or increase an existing fee.

Joe Lombardo
Governor

STATE OF NEVADA

Melissa Mackedon
Executive Director



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NOTICE OF PUBLIC MEETING

The State Public Charter School Authority will conduct a public meeting on August 23, 2024, beginning at 9:00 a.m., at the following location:

Nevada Department of Education
First Floor Board Room
2080 East Flamingo Road
Las Vegas, Nevada 89119

Members of the public may also view the meeting online via the link on the SPCSA Public Notice web page: https://charterschools.nv.gov/News/Public_Notices/ or by using this link to access the Livestream directly: <https://bit.ly/SPCSABoardMeetingLivestream> (please note the link is case sensitive).

This public meeting will be conducted in accordance with Nevada's Open Meeting Law, NRS 241.020.

Public Comment: Time for public comment will be provided at the beginning of the meeting regarding any agenda items on which action may be taken by the public body and again before the adjournment of the meeting on any matter within the jurisdiction of the State Public Charter School Authority. See NRS 241.020(2)(d)(3)(I). In addition to these two public comment periods, public comment may also be taken during specific agenda items as noted on the agenda or at the discretion of the Authority Chair.

Public comment may also be provided telephonically by utilizing the following conference call line: 1-312-584-2401; extension 3952176#.

Finally, public comment may also be submitted in writing via email at publiccomment@spcsa.nv.gov, and any such public comment received prior to or during the meeting will be provided to the Authority and included in the written minutes of the meeting.

A time limit of three (3) minutes, subject to the discretion of the Authority Chair, will be imposed on public comments in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Authority. Public comment will not be restricted based on viewpoint.

The Authority reserves the right to take agenda items out of order, items may be removed or delayed from the agenda at any time, and two or more items may be combined for consideration.

The Authority is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Authority, in

writing, at 2080 East Flamingo Road, Suite 230, Las Vegas, NV 89119; via email at tpotter@spsca.nv.gov; via phone at 702-486-8895.

AGENDA

1. Call to Order, Roll Call, and Pledge of Allegiance.
2. Public Comment #1. *Public Comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. See NRS 241.020. A time limit of three (3) minutes, subject to the discretion of the Chair, will be imposed on public comments. The Authority Chair may allow additional public comment at her discretion. Public Comment #2 will provide an opportunity for public comment on any matter not on the agenda.*
3. Portrait of a Learner Presentation. A member of Ed Extraordinaire will present an update on Nevada’s Portrait of a Learner to the SPCSA Board.
Melissa Mackedon, Executive Director. ***Information/Discussion.***
4. 9:00AM: Public Hearing for Proposed Regulatory Changes—Legislative Counsel Bureau File No. R080-24. Notice of Intent to act upon proposed regulatory changes to NAC 388A, relating to charter schools.
Melissa Mackedon, Executive Director. ***For Possible Action.***
5. Approval of Consent Agenda
 - a. July 26, 2024, SPCSA Board Meeting Action Minutes.
 - b. August 2-3, 2024, SPCSA Order following the public hearing in compliance with the procedures for adjudication under NRS 233B regarding the Notice of Termination for Eagle Charter School.
 - c. August 2-3, 2024, SPCSA Public Hearing Meeting Action Minutes.
 - d. TEACH Las Vegas 2022-23 Financial Performance RatingsTonia Holmes-Sutton, Chair. ***For Possible Action.***
6. School Closure Updates. Josh Kern to provide an update to the SPCSA board regarding:
 - a. TEACH Las Vegas
 - b. Eagle Charter Schools of NevadaMelissa Mackedon, Executive Director. ***Information and Discussion***
7. SPCSA Charter School Governing Body Governance Standards. A member of the Authority will briefly discuss the Governance Standards adopted by the Authority pursuant to Assembly Bill 419 (2021).
Lee Farris, Member. ***Information/Discussion.***
8. SPCSA Executive Director’s Report. Executive Director Mackedon will provide the Authority with information and updates regarding the following:
 - a. School Highlight
 - b. Delinquent schools PERS contributions
 - c. Update on Student Representative on the SPCSA boardMelissa Mackedon, Executive Director. ***Information and Discussion.***
9. Approval of Opening Requirements for Schools that Deferred Opening to 2025-2026.
 - a. Pioneer Technology & Arts Academy
 - b. Rooted School Las Vegas

- c. Do & Be Arts Academy of Excellence

Melissa Mackedon, Executive Director. **Information and Discussion.**

- 10. New School Charter Applications. SPCSA staff will provide the Authority with staff's recommendations related to the new charter school applications from the SPCSA's application cycle, and the Authority may approve or deny the following new school charter applicants:

- a. Nevada Classical Academy Elko
- b. Nevada Early College & Career Academy (Necca Academy)
- c. Western Youth Leadership, Engagement, and Empowerment Middle School (WYLEES)

Melissa Mackedon, Executive Director; Katie Broughton, Director of Authorizing; Danny Peltier, Management Analyst III. **For Possible Action.**

- 11. Proposed changes to Site Evaluation Process and Site Evaluation Schedule for 2024-2025.

Dr. Selcuk Ozdemir, Manager of Academic Performance; Karen Gordon, Education Programs Professional; Dr. Denise Shaw, Education Programs Professional; John Pilotin, Education Programs Professional; Gretchen Pfahler, Education Programs Professional. **For Possible Action.**

- 12. Approval of Charter Sponsorship Transfer Application - SPCSA staff will provide an overview of the application charter schools would use if they wanted to change from their current sponsor to the SPCSA in accordance with [NAC 388A.300](#) and [NRS 388A.231](#)

Melissa Mackedon, Executive Director. **For Possible Action.**

- 13. Review of expenses and fees incurred from Eagle Charter Schools of Nevada public hearing.

Samantha King Powell, Esq., General Counsel. **For Possible Action.**

- 14. Long-Range Calendar. The Board will review and discuss its long-range calendar.

Melissa Mackedon, Executive Director. **Information and Discussion.**

- 15. Public Comment #2. *Public comment will be taken during this agenda item on any matter not on the agenda. See NRS 241.020(d)(3). No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. A time limit of three (3) minutes, subject to the discretion of the Chair, will be imposed on public comments. The Authority Chair may allow additional public comment at her discretion.*

- 16. Adjournment.

Supporting materials for items listed on the above-referenced agenda are available, at no charge, at the State Public Charter School Authority's website, <http://charterschools.nv.gov/>, or by contacting Teresa Potter, Board Secretary, at 2080 East Flamingo Street, Suite 230, Las Vegas, Nevada 89119; via email at tpotter@spsca.nv.gov, or via phone at 702-486-8895.

In accordance with Nevada's Open Meeting Law, this public notice and agenda has been posted on or before August 16, 2024, as follows:

At the State Public Charter School Authority's website, <http://charterschools.nv.gov/>, and
At the State of Nevada's official website, <https://notice.nv.gov/>.

At the following locations:

The State Public Charter School Authority, 2080 East Flamingo, First Floor Board Room and Suite 230, Las Vegas, Nevada 89119; and
The State Public Charter School Authority, located at 1749 North Stewart Street, Suite 40, Carson City, Nevada 89706.

DECLARATION OF POSTING

Pursuant to NRS 53.045, I declare under penalty of perjury that the following is true and correct:

That on or before 8/16/24, this Public Notice and Agenda was posted at the above-referenced websites and locations.

Teresa Potter

State Public Charter School Authority



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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August 23, 2024

Notice of Intent to Act Upon a Regulation

Notice of Hearing for the Adoption of Regulations of the State Public Charter School Authority
as proposed in LCB File #R080-24.

The State Public Charter School Authority will hold a public hearing at **9:00AM on Friday, August 23, 2024**, at the **Nevada Department of Education Boardroom at 2080 East Flamingo Road, Room 114, Las Vegas, Nevada 89119**. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to 388A.010, 388A.250, 388A.255, 388A.260, 388A.400, 388A.410, 388A.415, and 388A.680 of the Nevada Administrative Code (NAC).

The following information is provided pursuant to the requirements of Nevada Revised Statute (NRS) 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment:

Streamline and clarify the processes of the State Public Charter School Authority.

2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel Bureau pursuant to NRS 233B.063:

The revised text of the proposed regulation is attached to this notice.

3. Description of the proposed regulation, or the subjects and issues involved:

This regulation reorganizes certain provisions relating to the process for the State Public Charter School Authority to approve an application to form a charter school or request to amend a charter contract. Additionally, it revises the terms for which the Authority may renew a charter contract. It repeals authority for the Executive Director of the Authority to develop an abbreviated application to form a charter school and repeals provisions relating to the use of certain gifts, grants, bequests, or donations.

4. Estimated economic effect of the regulation on the business which it is to regulate and on the public:

There is no economic effect of the regulation on the business that it regulates and no impact on the public.

5. Method used by the agency in determining the impact on a small business:

Small business is not impacted by this regulation.

6. Estimated cost to the agency for the enforcement of the proposed regulation:

There is no cost to the agency for the enforcement of this regulation.

7. Description and citation of the duplicative or overlapping regulations of other state or local governmental agencies:

There is no duplication or overlap of regulations of state or local governmental agencies.

8. Is the regulation required by federal law?

This regulation is not required by federal law.

9. Does the regulation include provisions more stringent than a federal regulation regarding the same activity?

There are no federal laws affecting or overlapping the proposed regulation.

10. Does the proposed regulation establish a new fee or increase an existing fee?

The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency.

A copy of all materials relating to the proposed regulation may be obtained at the hearing; on the [Public Notices Page](#) of the SPCSA website; or, by contacting Teresa Potter, Board Secretary, via email at tpotter@spsca.nv.gov or via phone at 702-486-8895. Persons wishing to comment upon the proposed action of the SPCSA may provide in-person testimony, submit written comment to tpotter@spsca.nv.gov, or submit their comments, data, views, or arguments in written form to the State Public Charter School Authority at **2080 East Flamingo Street, Suite 230, Las Vegas, Nevada 89119**. Comments may be submitted via email leading up to and for the duration of the workshop, and those submitted via email must be received by the SPCSA on or before Thursday, August 22, 2024. A record of all submitted comments will be retained, and the SPCSA will proceed to consider any public comment received.

This notice and the text of the proposed regulation has been sent to all persons on the agency's mailing list; posted on the [SPCSA's website](#), [Nevada's Public Notice site](#), the [Nevada State Legislature's webpage](#); and, physically posted at the State Public Charter School Authority's offices and with the Nevada State Library and Archives. Copies of this notice will also be emailed and/or mailed to members of the public upon request.

Notice required by NRS 233B.064: Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

Joe Lombardo
Governor

STATE OF NEVADA

Melissa Mackedon
Executive Director



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NOTICE OF PUBLIC MEETING

The State Public Charter School Authority will conduct a public meeting on April 12, 2024, beginning at 8:00 a.m., at the following location:

Nevada Department of Education
First Floor Board Room
2080 East Flamingo Road
Las Vegas, Nevada 89119

Members of the public may also view the meeting online via the link on the SPCSA Public Notice web page: https://charterschools.nv.gov/News/Public_Notices/ or by using this link to access the Livestream directly: <https://bit.ly/SPCSABoardMeetingLivestream> (please note the link is case sensitive).

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Public Comment: Time for public comment will be provided at the beginning of the meeting regarding any agenda items on which action may be taken by the public body and again before the adjournment of the meeting on any matter within the jurisdiction of the State Public Charter School Authority. See NRS 241.020(2)(d)(3)(I). In addition to these two (2) public comment periods, public comment may also be taken during specific agenda items as noted on the agenda or at the discretion of the Authority Chair.

Public comment may also be provided telephonically by utilizing the following conference call line: 1-312-584-2401; extension 3952176#.

Finally, public comment may also be submitted in writing via email at publiccomment@spcsa.nv.gov, and any such public comment received prior to or during the meeting will be provided to the Authority and included in the written minutes of the meeting.

A time limit of three (3) minutes, subject to the discretion of the Executive Director, will be imposed on public comments in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Authority. Public comment will not be restricted based on viewpoint.

The Authority reserves the right to take agenda items out of order, items may be removed or delayed from the agenda at any time, and two or more items may be combined for consideration.

The Authority is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Authority, in writing, at 2080 E. Flamingo Rd, Ste 230, Las Vegas, NV 89119; via email at ksarabia@spcsa.nv.gov; via phone at 775-687-9174.

AGENDA

- 1) Call to Order.
- 2) Public Comment #1.
Public Comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. See NRS 241.020. A time limit of three (3) minutes, subject to the discretion of the Executive Director, will be imposed on public comments. The Executive Director may allow additional public comment at her discretion. Public Comment #2 will provide an opportunity for public comment on any matter not on the agenda.
- 3) 8:00 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.250 – Definition of “applicant”.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 4) 8:02 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.255 – Abbreviated application to form a charter school.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 5) 8:04 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.260 – Application to form a charter school.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 6) 8:06 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.265 - Submission of redacted application to be shared with the public.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 7) 8:08 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.400 – Request to amend a charter contract.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 8) 8:10 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.405 – Submission of version of request to amend charter contract with certain information redacted.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 9) 8:12 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.410 – Approval of application to form charter school or request to amend charter contract for certain purposes.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 10) 8:14 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.415 – Application for renewal of a charter school contract.
Melissa Mackedon, Executive Director. ***Information/Discussion***
- 11) 8:16 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.420 – Submission of version of application for renewal of a charter contract.
Melissa Mackedon, Executive Director. ***Information/Discussion***

- 12) 8:18 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.560 – Maintenance and reporting of certain data.
Melissa Mackedon, Executive Director. ***Information/Discussion***

- 13) 8:20 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) CHAPTER 388A.680 – Use of gift, bequest, or donation.
Melissa Mackedon, Executive Director. ***Information/Discussion***

- 14) Public Comment #2.
Public comment will be taken during this agenda item on any matter not on the agenda. See NRS 241.020(d)(3). No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. A time limit of three (3) minutes, subject to the discretion of the Executive Director, will be imposed on public comments. The Executive Director may allow additional public comment at her discretion.

- 15) Adjournment.

Supporting materials for items listed on the above-referenced agenda are available, at no charge, at the State Public Charter School Authority’s website, <http://charterschools.nv.gov/>, or by contacting Katie Broughton, at 2080 East Flamingo Road, Suite 230, Las Vegas, Nevada 89119; via email at kbroughton@spsca.nv.gov, or via phone at 775-.

In accordance with Nevada’s Open Meeting Law, this public notice and agenda has been posted on or before January 19, 2024, as follows:

At the State Public Charter School Authority’s website, <http://charterschools.nv.gov/>, and
At the State of Nevada’s official website, <https://notice.nv.gov/>.

At the following locations:

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The State Public Charter School Authority, located at 1749 North Stewart Street, Suite 40, Carson City, Nevada 89706.