

PUBLIC NOTICE

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NEVADA STATE BOARD OF EDUCATION NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION

MISSION STATEMENT

The Nevada State Board of Education/Nevada State Board for Career and Technical Education is dedicated to fostering excellent educational opportunities provided to all learners by sustaining a coherent, aligned system of instruction and support in partnership with all educational communities.

SUBCOMMITTEE ON CHARTER SCHOOLS VIDEO CONFERENCE MEETING

Date: Thursday, May 1, 2008
Time: 1:30 p.m.
Locations: Grant Sawyer Building
555 East Washington Avenue
Room 4412
Las Vegas, Nevada

And

Legislative Building
401 South Carson Street
Room 2135
Carson City, Nevada

If you cannot attend the meeting, you can listen to it live over the internet. The address for the legislative website is: <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Assistant to the Board, in writing at 700 East Fifth Street, Carson City, Nevada, 89701-5096, or by calling (775) 687-9225, at least one week prior to the meeting.

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Locations: Grant Sawyer Building
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Committee Members:

Cindy Reid, Chair
Barbara Myers, Member
Anthony Ruggiero, Member

- AGENDA -

Note: The Subcommittee will only have access to the meeting locations until 5:00 p.m. on May 1, 2008. Therefore, each of the 3 discussions and possible recommendations scheduled for this meeting will commence at a specified time. It is anticipated that only 1 hour is available for each; therefore, each discussion and possible recommendation will be completed within 1 hour or will be continued in compliance with the Open Meeting Law. Public Comment will be taken following the other agenda items. No action may be taken on a matter raised under the Public Comment agenda item until the matter is included on an agenda as an item on which action may be taken. The Chair of the Subcommittee may place reasonable limitations as to the amount of time individuals may address the Subcommittee.

1. Call to Order; Roll Call (Cindy Reid, Chair)
2. **Time: 1:30 p.m.**: Discussion and Possible Recommendation that the Subcommittee on Charter Schools of the State Board receive information from Department staff regarding the status of a NRS 376.527 Subsection 7 Charter for the Insight School of Nevada (Bill Arensdorf, Director, Office of Fiscal Accountability and Tom McCormack, Consultant, Office of Fiscal Accountability) (*Information/Discussion/Action*)
 - A. Department staff will make recommendations about the completeness and compliance of the application. Although Department reviewers have found the application to be mostly complete and possibly compliant, clarification is needed on 1) a complete and accurate budget; 2) the employment status of the school's administrator; and 3) the start up costs provided by the EMO "Insight Schools, Inc." Department staff will make recommendations about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.
 - B. Representatives of Insight School of Nevada will have the opportunity to present information and evidence about the completeness and compliance of the application. Representatives of Insight School of Nevada will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

C. The Subcommittee will discuss and possibly make recommendations concerning: 1. Whether or not the application is complete and compliant; and, 2. Whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto. The possible recommendations should be based upon findings of fact (reasons for its recommendations) and conclusions of law (the recommendations), separately stated. Findings of fact and recommendations must be based upon substantial evidence.

3. **Time: 2:30 p.m.:** Discussion and possible recommendation that the Subcommittee on Charter Schools of the State Board receive information from Department staff regarding the status of a NRS 376.527 Subsection 7 Charter for the Imagine School at Las Vegas Charter School Application (Bill Arensdorf, Director, Office of Fiscal Accountability and Tom McCormack, Consultant, Office of Fiscal Accountability) *(Information/Discussion/Action)*

A. Department staff will make recommendations about the completeness and compliance of the application. The Department will recommend that the Subcommittee deny the application. Although Department reviewers have found the application to be mostly complete and possibly compliant, other concerns about the school have arisen along with serious deficiencies discovered in the proposed contract between the governing body and the EMO, "Imagine Schools." The Committee to Form the School stopped communicating with the Department about October 30, 2007, and did not respond to Department inquiries about continuing issues with the EMO contract.

The Department recommendation is for denial of the application for the following reasons:

1. Department reviewers identified concerns with the proposed Operating Agreement between the charter school and the EMO "Imagine Schools, Inc."
2. The Committee to Form the School did not respond to Department inquiries about conditions in the proposed contract between Imagine School at Las Vegas and the EMO, "Imagine Schools."
3. The proposed contract appears to enable the Chief Financial Officer (CFO) to act as a fiduciary advocate for the contractor rather than the school.
4. The proposed contract appears to tie the hands of the governing body into a forced operation with the contractor having powers that remove authority from the governing body.
5. The two year budget submitted by the school as required by NAC 386.180 (4) does not appear to contain realistic expectations or sound and accurate estimates of expenditures for operation in the Clark County market for various reasons. Additionally, the school failed to provide a statement of cash flow as required by the NAC.
6. Past performance of the EMO contractor with One Hundred Academy of Excellence has resulted in serious deficiencies discovered by Department staff in completing State oversight of public schools.
7. Past performance of this EMO contractor with One Hundred Academy of Excellence and its sponsor, Clark County School District, has resulted in serious deficiencies noted in the sponsor's annual review with noncompliance findings in several areas.
8. Past performance of this EMO contractor in other states has resulted in publicly reported deficiencies including debt of the school(s), control of school(s) by the contractor rather than a public entity, and lack of proper control for financial management insuring tax payer dollars are being appropriately spent.

B. Representatives of Imagine School at Las Vegas will have the opportunity to present information and evidence about the completeness and compliance of the application. Representatives of Imagine School at Las Vegas will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

C. The Subcommittee will discuss and possibly make recommendations concerning: 1. Whether or not the application is complete and compliant; and, 2. Whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto. The possible recommendations should be based upon findings of fact (reasons for its recommendations) and conclusions of law (the recommendations), separately stated.

Findings of fact and recommendations must be based upon substantial evidence.

D. If the State Board denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The Subcommittee findings of fact (reasons for its recommendations) should be specific enough to assist the State Board in describing the reasons for the denial and the deficiencies in the application, if the recommendations from the Subcommittee include denial of the application.

4. **Time: 3:30 p.m.:** Discussion and possible recommendation that the Subcommittee on Charter Schools of the State Board receive information from Department staff regarding the status of a NRS 376.527 Subsection 7 Charter for the Imagine School at Mountain View Charter School Application (Bill Arensdorf, Director, Office of Fiscal Accountability and Tom McCormack, Consultant, Office of Fiscal Accountability) *(Information/Discussion/Action)*

A. Department staff will make recommendations about the completeness and compliance of the application. The Department will recommend that the Subcommittee deny the application. Although Department reviewers have found the application to be mostly complete and possibly compliant, other concerns about the school have arisen along with serious deficiencies discovered in the proposed contract between the governing body and the EMO, "Imagine Schools." The Committee to Form the School stopped communicating with the Department about October 30, 2007, and did not respond to Department inquiries about continuing issues with the EMO contract.

The Department recommendation is for denial of the application for the following reasons:

1. Department reviewers identified concerns with the proposed Operating Agreement between the charter school and the EMO "Imagine Schools, Inc."
2. The Committee to Form the School did not respond to Department inquiries about conditions in the proposed contract between Imagine School at Mountain View and the EMO, "Imagine Schools."
3. The proposed contract appears to enable the Chief Financial Officer (CFO) to act as a fiduciary advocate for the contractor rather than the school.
4. The proposed contract appears to tie the hands of the governing body into a forced operation with the contractor having powers that remove authority from the governing body.
5. The two year budget submitted by the school as required by NAC 386.180 (4) does not appear to contain realistic expectations or sound and accurate estimates of expenditures for operation in the Clark County market for various reasons. Additionally, the school failed to provide a statement of cash flow as required by the NAC.
6. Past performance of the EMO contractor with One Hundred Academy of Excellence has resulted in serious deficiencies discovered by Department staff in completing State oversight of public schools.
7. Past performance of this EMO contractor with One Hundred Academy of Excellence and its sponsor, Clark County School District, has resulted in serious deficiencies noted in the sponsor's annual review with noncompliance findings in several areas.
8. Past performance of this EMO contractor in other states has resulted in publicly reported deficiencies including debt of the school(s), control of school(s) by the contractor rather than a public entity, and lack of proper control for financial management insuring tax payer dollars are being appropriately spent.

B. Representatives of Imagine School at Mountain View will have the opportunity to present information and evidence about the completeness and compliance of the application. Representatives of Imagine School at Mountain View will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

C. The Subcommittee will discuss and possibly make recommendations concerning: 1. Whether or not the application is complete and compliant; and, 2. Whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto. The possible recommendations should be based upon findings of fact (reasons for its recommendations) and conclusions of law (the recommendations), separately stated. Findings of fact and recommendations must be based upon substantial evidence.

D. If the State Board denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The Subcommittee findings of fact (reasons for its recommendations) should be specific enough to assist the State Board in describing the reasons for the denial and the deficiencies in the application, if the recommendations from the Subcommittee include denial of the application.

5. Public Comments

6. Adjournment

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