

**MINUTES**  
**of the meeting of the**  
**BOARD OF DIRECTORS of SOMERSET ACADEMY OF LAS VEGAS**  
**November 4, 2015**

The Board of Directors of Somerset Academy of Nevada held a public meeting on November 4, 2015 at 5:30 p.m. at 7038 Sky Pointe Drive, Las Vegas, Nevada.

**1. Call to order and roll call.**

Board Chair Cody Noble called the meeting to order at 5:47 p.m. Present were Board Members Cody Noble, Will Harty, Travis Mizer, and Carrie Boehlecke.

Also present were Executive Director John Barlow, Principal Gayle Jefferson, Principal Elaine Kelley, Principal Francine Mayfield, Principal Sheri Pendleton, Principal Andre Denson, Principal Dan Phillips, and Assistant Principal Scott Hammond, as well as Academica Nevada Representatives Ryan Reeves, Carlos Segrera, Trevor Goodsell, and Kristie Fleisher.

**2. Public Comments and Discussion.**

Mr. Larry McKnight, elementary art teacher at Sky Pointe, thanked the Board members for making it possible for teachers to receive bonuses and pay increases. Mr. McKnight suggested that the Board consider publically acknowledging teachers for their longevity, adding that next year many teachers and administrators will have been at the school for five years (perhaps continuing some sort of acknowledgement for every five years thereafter). Mr. McKnight stated that the importance of teachers is invaluable and asked that the Board recognize those teachers and admin in some way, whether it be monetary or some other form of recognition.

Ms. Stephanie Sakillanor, third grade teacher and athletic director at Losee, stated that she had come before the Board to discuss athletics, in an effort to convey a high level of frustration she has had with the athletic league. Ms. Sakillanor further stated that she is happy that Somerset offers a sports program, however, she encouraged both the Board and Academica to take a closer look at the league they were contracted with, adding that there was a high level of disorganization within the league. Ms. Sakillanor stated that she received daily emails making changes to the schedule, changes to the location, or game cancellations, often without time to adequately alert parents and students who made arrangements and then have to scramble to change plans, adding that when these changes occur it makes her look incompetent.

**3. Review and Approval of Minutes from the May 20, 2015; June 2, 2015; July 28, 2015; August 13, 2015; and September 16, 2015 Board Meetings.**

**Member Harty Moved to Approve the Minutes from the May 20, 2015; June 2, 2015; July 28, 2015; August 13, 2015; and September 16, 2015 Board Meetings. Member Boehlecke Seconded the Motion, and the Board voted unanimously to Approve.**

**4. Student Recognition.**

Executive Director John Barlow addressed the Board and stated that in 2007 the legislature called for the selection of twenty-one students across the state of Nevada, selected by the Senator from each district to form the

for the shortage in funding for special education, so if you look at the DSA funding for each campus, it is about 5% higher, however, when you look at the categories below that you can see that most of them are special education revenues as well as class size reduction revenue for schools that have kindergarten, and not all of those funds had been received at that point. Member Harty asked for confirmation that they should be receiving \$700,000.00 for which they should be hearing about in the month of November, adding that if they took two months of that and divided it by twelve he could add that to the variance, to which Mr. Segrera replied in the affirmative.

## **6. Review and Approval of the 2014/2015 School Year Financial Audit.**

Mr. Goodsell stated that there were two items that contributed to the fact that the audit was not ready for review, one is that the capital lease is in restatement, and the other has to do with PERS and some items that will be new to the financial statement, adding that support documents for this item begin on page 100. Mr. Goodsell stated that these changes are as a result of a new accounting pronouncement that became effective for years ending after June 15, 2015, adding that it is called GASB 68 and is basically a pension recognition statement. Mr. Goodsell stated that in the past they had to report on what was given to PERS every year as an expense, adding that now they must recognize their portion of the liability on the balance sheet, which comes out in total at 14.8 million on the balance sheet now. Mr. Goodsell stated that everyone is aware that this change has been made and will not affect current or future bonds, adding that it is just an accounting pronouncement that must be put on the balance sheet and will not affect cash flow or income statements, and instead will show up as its own fund. Mr. Goodsell stated that they will still be able to show how things are running from an operations standpoint, adding that there will be a separate line listed as PERS Liability.

Mr. Goodsell stated that he had included in the support documents information that was received from the state regarding this pronouncement, adding that there will be additional pages added to each of the financial statements devoted to this accounting pronouncement and Nevada PERS. Member Harty asked for verification that they were adding a liability of 14 million to their balance sheet, to which Mr. Goodsell replied in the affirmative, adding that every government entity is now required to do this. Member Harty asked what this would do to their assets and equity, to which Mr. Goodsell replied that there was not a hit because it would simply be recognized as an expense. Some discussion ensued regarding assets, equity, and PERS

Member Noble asked if there were any legal claims to PERS that would allow people to demand those funds, to which Mr. Goodsell stated that there were no legal ramifications, adding that they are attempting to show what the liability would be if there was a call for those funds, which is something that not any of the government entities would be prepared to do.

Mr. Reeves stated that his first call upon hearing this pronouncement was to the bond underwriter, who was well aware of the situation as it is commonly known that unfunded liabilities in public pensions are the norm, adding that there is a general understanding amongst rating agencies that this is not a true liability in the sense that it will be called upon in any reasonable foreseeable circumstance.

Mr. Goodsell stated that there are times when online payments sometimes reach limits in dollar amounts, adding that the auditors had some concerns that it might be unclear who is signing checks. Mr. Goodsell stated that he will come back before the Board and clarify this process. Some additional discussion ensued regarding the adjustments to the policy. Mr. Goodsell stated that he should hear back from the auditors within a few days and that they might need to schedule a telephonic board meeting for its approval. Member Harty stated that one of the treasurers from another charter contacted him and they would be meeting with BDO the following day to go over a few items in the audit.

**This item was tabled.**

## **8. Discussion and Possible Action Regarding the Formation of a Committee for Board Member Search.**

Mr. Reeves expressed appreciation for Eric Elison and Amy Malone and their time on the Board, adding that Somerset could look forward to two new Board members in the near future. Mr. Reeves stated that this agenda item would form a committee that would search for new Board members (a task which had previously been performed by Academica acting at the Board's direction), in addition to principal and other stake-holders to bring back finalist candidates to be interviewed by the Board. Mr. Reeves further stated that it had been recommended that the composition of the group be changed, however, the basic process (getting word out to the community, narrowing the field of candidates, and the final candidates being interviewed by the Board) would remain the same. Mr. Reeves stated that, to date, they had received about sixteen resumes, including two who are licensed educators, which was a requirement for one of the seats.

Mr. Reeves stated that the change to the composition of the committee would be that it could consist of prior Somerset Board members, adding that all four prior Board members had agreed to participate, should the Board ask them to, acknowledging that former Board members could best ensure that the spirit and consistency of Somerset to be carried forward. Mr. Reeves stated that the names were contained on the cover sheet, adding that it "shall be an independent committee, which shall be able to implement their own procedures for completing the search process, subject only to the requirements set forth within the Board's Bylaws of nondiscrimination and ensuring a comprehensive search for qualified candidates." Mr. Reeves further stated that this group "will complete initial resume reviews, any preliminary interviews they deem necessary and take any other steps they deem pertinent in order to select candidates to bring before the Board as finalists." Mr. Reeves stated that this was a new method that was proposed for bring forth prospective Board members to the Board, adding that one item that was left ambiguous was the number of candidates that would be brought to the Board for each seat, adding that they could leave that number up to the committee or they could designate a specific number. Mr. Reeves stated that the Board could approve this proposal or make changes to it as they saw fit.

Member Harty asked if Academica had taken care of these searches in the past and, if so, was the Board under any obligation to choose a Board member from the proposed finalists, to which Mr. Reeves replied that the Board was not under any obligation. Member Harty asked if they would be under that obligation with this new proposal, to which Mr. Reeves replied in the negative, adding that the Board could delegate powers to that committee that the Board could then not reverse, however, that would make the committee subject to the open meeting laws and would not make for an effective search process. Mr. Reeves stated that this committee would be considered an outside search committee in order that the final candidates could be interviewed in an open meeting setting. Member Harty asked if they set up the independent committee and those members were, at some future point, unable to serve on the committee, it would then be up to the Board to replace those members. Mr. Reeves replied that they could set it up in such a way that prior Board members would be invited to join the committee, adding that if they wanted to change it at some point, it could be placed on a future agenda.

Member Noble stated that Eric Elison, Amy Malone, Crystal Thiriot, and Scott Hammond were people who gave Somerset vision, adding that his concern was that they were getting farther away from the original vision. Member Noble further stated that he had asked Academica to make this proposal to ensure that the Somerset vision might be maintained by future Board members, which was something he felt strongly about as they all move on from their positions on the Board at some point, adding that he would like to build something into their search committees that would take them back to those original roots and vision as Board members are replaced on a continual basis. Member Noble suggested that, for now, they name these specific people and make changes in the future.

Member Boehlecke stated that part of the beauty of the Somerset system is growth, adding that as new people join the Board they can add to that vision and continue to create an amazing system. Member Boehlecke further stated that perhaps in the future they could add some of the newer voices to the committee along with

involved in the process, to which Mr. Reeves replied that he could be in the Board wished that to be, however, they could leave it up to the committee to bring Executive Director Barlow in if they deemed it necessary.

## **9. Review and Approval of Revised Enrollment Policy**

Ms. Kristie Fleisher addressed the Board and stated that there needed to be some changes to the enrollment policy due to mandated statutes, the first of which is that if a campus is increasing by more than 10% or opening a new campus or grade level, they must send out postcards to homes within a two-mile radius of that campus. Mr. Fleisher further stated that the postcards must go out forty-five days prior to enrollment, adding that the open enrollment period must be a minimum of forty-five days. Member Noble asked if the 10% was per grade level or the school as a whole, to which Ms. Fleisher replied that it was 10% campus-wide. Member Noble asked if this would only need to happen if they were opening a new campus, to which Ms. Fleisher replied that they would have to send them for Sky Pointe (adding 12<sup>th</sup> grade); Losee (adding 11<sup>th</sup> grade); and Lone Mountain (adding 8<sup>th</sup> grade). Ms. Fleisher stated that an additional change to the enrollment policy is that the open enrollment period will begin the first day students return from winter break and will end the last day of February each school year, and the lottery will run on March 1, which is more than forty-five day minimum required, and is a time-frame that the community is familiar with.

Ms. Fleisher stated that this will also solve some of the wait list issues that they have dealt with, in that the wait list number that is given out following the March 1 lottery will not become active until the last day of the school year, adding that they will continue to seat off the existing wait list. Ms. Fleisher stated that this had been an issue in the past, however, they would communicate very clearly with parents how the wait lists will work. Member Harty asked how long the wait list might be with an open enrollment of forty-five days, taking in to account that they already have large wait lists with a much shorter open-enrollment period, to which Ms. Fleisher replied that they will be huge, adding that that fact would certainly be a concern, however, they have to do it in order to follow the statute. Member Mizer asked if the people who receive the postcards will still have to go through the lottery process, to which Ms. Fleisher stated that they will, adding that there will not be preferential treatment given. Ms. Fleisher stated that she had spoken with Executive Barlow in order to put a statement together for the receptionists who are bound to get calls wondering why they are receiving a postcard advertising a school that does not have any openings.

Member Noble asked Ms. Fleisher to go over the enrollment dates for existing students. Ms. Fleisher replied that parents of existing students will receive a recommitment email around December 14, 2015; and they will then have one week to reply and declare their recommitment for the following year. Some general discussion ensued regarding the enrollment process. Member Harty asked if they could make the enrollment policy very clear to parents as that had been a complaint in the past, to which Ms. Fleisher replied that it was their intention to make the policy extremely clear, adding that she had already met with the registrars of the campuses to make sure they understand the policy completely. Ms. Fleisher stated that they were ready with emails and other information as soon as the policy was approved by the Board.

Ms. Fleisher stated that there were a couple of other changes to the policy, one being that once school starts, families who are offered a seat have twenty-four hours to confirm that their student will be attending, and another is that, once registered, the students must begin attending class the following Monday, if not sooner.

**Member Harty Moved to Approve the revised enrollment policy as presented. Member Mizer Seconded the Motion, and the Board voted unanimously to Approve.**

Member Noble stated that the way the plan was drafted it would be mandatory for the AB521 Committee to convene, adding that they should change that wording if it would actually be optional, unless they would want it to happen in every case. Member Boehlecke stated that it would not be as if the AB521 Committee would be making a decision in a bubble, but rather they would have a lot of information with which to base a decision. Executive Director Barlow stated that they would take into consideration the case, the student's behavior history, the relationship with the leadership on the campus, and with the teacher, remembering that they would need to take the state statutes into consideration as well. Member Boehlecke stated that the students and his or her parents would still have the important right to appeal, to which Executive Director Barlow agreed. Member Noble clarified that if the Executive Director recommended expulsion, that student could opt to go before the Board for appeal.

Member Mizer asked Executive Director Barlow if the principals would have any say in the process and how they would like it handled, to which Executive Director Barlow replied that they would have a great deal of say in any matter of this nature. Member Mizer asked the principals if they had any comments about this aspect of the policy. Principal Jefferson stated that this was the first they were hearing about the situation and they had not had a chance to process or discuss it. Principal Mayfield concurred that this was the first they were hearing about it and that some red flags came up in regards to Executive Director Barlow's job description from a facilitator to a supervisor, adding that right now progressive discipline and expulsions are in the hands of the principal where she believed they should stay. Member Noble stated that he disagreed with that and stated that a principal does not have the power to expel a students, to which Principal Mayfield replied that they do have the authority to bring a student before the Board for a possible expulsion.

Principal Jefferson asked what would happen if they recommended a student for expulsion and brought that student before Mr. Barlow who disagreed with the recommendation. Principal Dan Phillips addressed the Board and stated that whenever he had recommended expulsion, he always stated that he did not have the power under Nevada state law to expel a student, only the Board of Trustees can do that, adding that expulsions should not be dealt out lightly and should be a last resort. Principal Phillips further stated that he had never recommended an expulsion without consulting legal counsel and that, speaking for himself, that kind of referral should always go before the Board for a final decision and that the principals should abide by the Board's decision. Member Noble asked if Principal Phillips was suggesting that it should not go before a superintendent, to which Principal Phillips replied that he did not think it should be a unilateral decision made by one person.

Member Noble asked if the Board, by statute, had the authority to expel a student. Mr. Reeves stated that this issue was being approached from the expulsion side, however, this issue came to light from a situation where a student's actions mandated expulsion and they were looking for a way to provide leniency, adding that the statute provided it in the form of a person who could deliver leniency without convening the Board for every issue that might arise. Member Noble clarified that the superintendent figure would have the ability to provide leniency, however, the Board would not have that ability under statute. Principal Jefferson stated that they do not have a superintendent, to which Member Noble stated that it sounded like semantics to him, which was a matter of title because the Board could have used "superintendent" rather than "executive director." Principal Mayfield stated that the superintendent is the highest position. Member Noble stated that every superintendent has a board over him or her, to which Principal Mayfield stated that their structure is different in that they do not have superintendents, giving the principal the highest order of decision making. Member Noble asked if Principal Mayfield was implying that this statute would never apply in their case, adding that they could never take advantage of this statute because they do not have someone called "superintendent." Principal Mayfield stated that she was simply speaking about the structure of decision making in that there is a low level, a middle level, and a high level, which is the Board, adding that the law can be interpreted by the various levels, though not necessarily by the terms. Principal Mayfield further stated that, with her experience in one expulsion, legal counsel stated that the authority could be given to the principal, adding that she did not necessarily advocate that, however, she would like to see the decision making process stay as flat as possible.

effective or highly effective categories, adding that in response they had moved one employee, Becca Fitzgerald, to work solely on nothing but grant support; and added another part time employee, Colin Seale.

Mr. Reeves stated that another area was question nine, educational data, which received three “needs improvement,” adding that another new employee, Dr. James Kenyon, was added to Academica on a part-time basis as he is also a professor at UNLV in their education department, adding that he used to work for the State Department of Education. Mr. Reeves stated that Dr. Kenyon’s sole purpose would be to receive data from the schools, analyze it, and provide them with reports and helpful feedback.

Mr. Reeves stated that the final area that needed the most improvement was not necessarily Academica’s performance, but the vendor who provides payroll as per question sixteen. Mr. Reeves stated that they had been working with Pay Pros in order to make changes to the timeframe in which benefit package enrollment takes place, so that problems with paychecks and insurance cards will not continue to take place at the beginning of the school year. Pay Pros also agreed to triple their staffing for the upcoming school year.

Mr. Reeves stated that, in response to some of the comments, Academica had increased staffing to better provide services, adding that a staff list was available on page 165 of the support documents along with job titles in order to illustrate how Academica provides central office services so that principals can focus on the education aspect of the schools. Mr. Reeves stated that Academica would continue to reach out and obtain feedback so that they could provide the best services possible. Member Noble asked if Mr. Reeves believed Academica’s staffing was adequate to provide what was needed by all the schools, to which Mr. Reeves replied in the affirmative, adding that needs change from year to year and that Academica would be prepared to fulfill those needs, however, as things stand right now, Academica is adequately staffed to fulfill Somerset’s needs. Member Noble asked when the survey was sent out, to which Mr. Reeves replied that it was sent out in October only to employees who were with the system last year, as this was to be a review of Academica’s performance for the 2014/2015 school year.

Mr. Reeves stated that, although he focused on three somewhat negative questions, there were actually twenty-two questions total, most of which received very positive responses. Some discussion ensued regarding adequate staffing and how to anticipate that, with Mr. Reeves concluding that, due to his participation on the board of the Charter School Association of Nevada, he could comfortably say that most schools are envious of what Academica schools have.

**12. Review of Administrators, Principal Reggie Farmer, Principal Gayle Jefferson, Principal Francine Mayfield, Principal Elaine Kelley, Principal Dan Phillips, and Curriculum Coordinator Bethany Farmer.**

**Member Noble Motioned to Move to a Closed Session for the review of administrators. Member Mizer Seconded the Motion, and the Board voted unanimously to Approve.**

Some discussion ensued regarding whether or not Mr. Barlow should attend the evaluations, and the creation of an evaluation tool for future evaluations.

**Member Noble Motioned to Move to an Open Session. Member Harty Seconded the Motion, and the Board voted unanimously to Approve.**

**Member Noble Moved to Approve the salary adjustments that were discussed in the closed session. Member Boehlecke Seconded the Motion, and the Board voted unanimously to Approve.**