

SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION

On behalf of Chair Daly, please find below a second set of follow-up questions submitted to the State Public Charter School Authority following the hearing held on April 23, 2024.

THE AUTHORITY AND AUTHORITY BOARD OF DIRECTORS

1. List any current or previous first or second-degree connections that members of the Authority Board of Directors have with charter schools and for-profit Educational Management Organizations, including the companies contracted by or associated with them.

There are two current SPCSA board members who work at SPCSA sponsored charter schools: Sandra Kinne and Cindi Rivera. There have not been any SPCSA board members who work for an EMO.

2. What process does the Authority use to identify and remedy conflicts of interest between its board members and potential applicants that come before the Authority?

Pursuant to NRS 281A.400, should conflicts of interest arise on the SPCSA board, those members shall recuse themselves from voting on the matter.

CHARTER SCHOOL FLEXIBILITY UNDER STATUTE

1. Are charter schools required to choose their curriculum from approved options offered by Nevada's Department of Education (NDE) as public schools are required to do?

Charter schools are not required to choose their curriculum from approved options offered by the NDE. Curriculum choices are part of charter school autonomy. However, the curriculum must align with Nevada Academic Content Standards (NVACS).

- a. If no, how do charter schools select their curriculum?

Initially, the committee to form outlines what curriculum will be used in the school's charter school application. Reviewing the curriculum is part of the review process. The rubric for charter school applications requires that curricula include:

- Describes instructional model and learning environment that align to the proposed mission and vision, academic program, and instructional strategies. Instructional model and learning environment will engage students in ways that are culturally responsive and relevant.
- Identifies curricula for all core academic subjects and demonstrates that they align with the Nevada Academic Content Standards.
- Includes a logical plan for delivering required courses, including arts, computer education and technology, health, and physical education.
- Demonstrates that instructional strategies are well suited to the identified student population and will enable effective differentiation.
- Demonstrates how the instruction model and curriculum will enable all students, including students with disabilities, English language learners, economically disadvantaged students, at-risk students, and students above or below grade level, to build the knowledge base necessary to access rigorous instruction.
- If the school intends to include a career and technical education program, the application outlines a logical plan that is aligned with the school's mission, vision, instructional model, and goals for students, as well as the State's requirements for career and technical

education.

- b. NDE approves curricula local school districts may adopt. Does the Authority similarly approve eligible curricula for a charter school to adopt? If yes, how is that process managed and by whom?

No, the Authority does not have a list of approved curricula. The curriculum review is part of the application approval process.

2. Does the Authority track the curricula used by the charter schools it oversees, and are those curricula subject to public record requests?

The Authority has record of curricula charter schools plan to use in the approved charter application. All curricula are subject to public records request.

3. How does a charter school address a situation in which a child is diagnosed with or has a learning disability or need requiring accommodation or services not currently offered by the charter school? Is the charter school able to transfer the student to a public school that provides programs that meet the student's needs?

A student cannot be transferred from a charter school to a district public school to meet their Individualized Education Plan (IEP). If the school is not currently offering what is required by the IEP, the school must make arrangements to meet the IEP requirements per IDEA.

4. Regarding students categorized by public schools as "vanished," meaning their whereabouts are unknown, do charter high schools include vanished students in their graduation rates as do public high schools?

Graduation rates are calculated the same for all public schools in Nevada. If a charter school has a "vanished" student and the charter school was the last known school of attendance, that student would count as a nongraduate at the charter school.

5. Is a charter school allowed to unenroll a student who no longer attends the school without making any Authority-mandated attempt to locate the student as is required of other public schools?

Charter schools must follow all Nevada laws and regulations regarding the withdrawal of students.

CHARTER SCHOOL PERSONNEL AND FACILITIES

1. Are all charter schools current on their Public Employees' Retirement System contributions?

No, not all charter schools are current on PERS. We are working closely with PERS to implement training and procedures to ensure this does not happen again.

2. Are charter schools considered public buildings, and are they required to follow the same laws for access, community use, and benefit as are public schools?

Charter schools may choose to grant access to the school building and grounds for community use, but they are not statutorily required to do so. NRS 393.010.

STUDENT ENROLLMENT AND UNENROLLMENT

1. Do Authority-sponsored charter schools follow a uniform framework for enrolling students and, if not, how does each sponsored charter school handle enrollment? Does the Authority track this information?

All charter schools must outline their lottery policies and processes in their charter school application and must post those on their website. They are additionally submitted to the SPCSA each year. All charter schools utilize Infinite Campus to track enrollment, as the state requires. NRS 388A.456.

2. Are charter schools allowed to give preference or weighting to certain potential students? For example, for a family who makes a volunteering or financial commitment or for a child within a certain demographic, and is this tracked by the Authority? If yes, please disclose all the specialty weighting preferences for Authority charter schools.

Charter schools cannot give preference or weight to potential students for volunteering or making financial commitments.

Nevada law does allow for both preference and weight. Please see [NRS 388A.456](#) for priority enrollment rules and [NRS 388A.459](#) for weighted lottery rules. The SPCSA does track this information and, in some cases, has required schools to offer weighted lotteries.

3. Are charter schools allowed to require interviews or meetings with parents or guardians as part of the enrollment process?

Charter schools are not allowed to require interviews or meetings with parents or guardians prior to the application and lottery. Once the child has been selected in the lottery, schools may require a meeting as part of their onboarding process; for example, they might need to meet with the counselor to determine credit status and build their academic plan.

4. Are charter schools allowed to set requirements regarding student performance, behavior, discipline, attendance, learning abilities, or any other categories which could result in unenrollment that are different from the requirements set by public schools?

No, charter schools cannot set enrollment requirements or criteria that violate Nevada attendance laws.

5. When a student is unenrolled from a charter school for attendance, is the charter school required to re-enroll the student if or when the student returns or at a future point when the student's family desires they be re-enrolled?

If the charter school has not reached its enrollment capacity, then it must enroll students on a first come, first served basis. If the charter school has reached its capacity based on its charter contract, then no.

6. When a student is unenrolled from a charter school for behavioral or disciplinary reasons, or any related reason, is the charter school required to re-enroll the student at a future point or provide the student learning through alternative means?

Charter schools must follow the same laws regarding suspension and expulsion as traditional public schools. There are circumstances in which public schools must provide alternate means of learning, for example, at the student's home.

7. How many students were unenrolled from Authority charter schools for School Year 2023–2024 for any reason including, but not limited to, attendance, behavior, discipline, learning ability, and performance? Please provide:

- a. The category of reason for each unenrollment, along with aggregated totals for each category; and

Withdrawals from SPCSA schools for the 2023-24 school year are shown below for the period of July 1, 2023, to May 28, 2024, as of May 28, 2024.

Withdrawal Code	Withdrawal Code Description	Withdrawal Count	Withdrawal Percent
W2A	To enroll in a different Nevada district (includes university school)	2303	35.8%
W1B / W1C / W2F	To enroll in another SPCSA school	1255	19.5%
W2D	To enroll in a school in another state	951	14.8%
W3E1	As a result of absence: 10 consecutive school days if whereabouts are unknown	869	13.5%
W2C	To receive instruction as a homeschooled student (not part of public education)	461	7.1%
W3A	Not known to be receiving K-12 educational services: withdrawn by the pupil, parent, or guardian	151	2.3%
W2E	To enroll in a school in another country	93	1.4%
W2B	To enroll in a Nevada private school	72	1.1%
W3E2	As a result of absence: 20 consecutive school days (no matter the reason)	72	1.1%
W2H	To enroll in a district-sponsored charter school in a different Nevada district	51	0.7%
W3C2	Not known to be receiving K-12 educational services: disciplinary or other eligibility reasons	30	0.4%
W3C1	Not known to be receiving K-12 educational services: permanent expulsion	29	0.4%
W3E5	Did not return next school year: reason unknown	20	0.3%
W2G	To enroll in an ed. program for adults or other diploma program not within the same school district	12	0.1%
W3E4	Runaway: 10 days whereabouts unknown	9	0.1%
W3C3	Not known to be receiving K-12 educational services: incarceration	8	0.1%
W3D1	To enroll in an ed. program for adults or other non-diploma program: HSE exam	7	0.1%
W3E3	Unexplained absence: did not return on expected date (not out of the country)	6	<0.1%
W4A	As a result of death	5	<0.1%
W4D	Upon completion of a course/program/activity	5	<0.1%
W3H	Not known to be receiving K-12 educational services: physical or mental long-term condition	4	<0.1%
W4B	As a result of student being under the compulsory age of 7 years	2	<0.1%

W3B	Not known to be receiving K-12 educational services: student exceeds max age for public education	1	<0.1%
W3D2	To enroll in an ed. program for adults or other non-diploma program: vocational or technical	1	<0.1%
Grand Total		6417	

- b. Where the student went for his or her education following the unenrollment, including whether he or she attended another charter school, a traditional public school, a private or parochial school, a school in another state, or unknown.

See the answer above.

8. Does the Authority monitor the advertising, marketing, and recruitment efforts of each charter school? If yes, does the Authority review marketing or other materials to ensure that a school is not misleading families and students about the services it provides?

The Authority does not review marketing material in advance. Were the Authority to get a complaint about marketing materials, we would investigate that complaint.

CHARTER SCHOOL PERFORMANCE FRAMEWORK

1. Did the Authority develop the Charter School Performance Framework? If not, which agency did?

The Authority is responsible for creating the Charter School Performance Framework. They contract with vendors like The National Alliance of Charter School Authorizers to help.

2. Does a score of 50 to 79 percent designate that a school "meets standards" within the Charter School Performance Framework?

The Academic Framework is comprised of Measures categorized under Indicators. A school earns points based on their performance in the Measures, according to point attribution tables (PATs). Points earned for Measures are totaled under their respective Indicators, which are then summed to generate a final score worth a possible 100 points. This total Framework score corresponds to one of four academic performance levels: Exceeds Standard, Meets Standard, Does Not Meet Standard, or Below Standard. The table below outlines point ranges corresponding to these performance levels. This is very similar to the Nevada School Performance Framework or "star-rating" system used statewide. For a more detailed explanation please reference the [technical](#) guide.

Score Range	Performance Level
≥80	Exceeds Standard
≥50 and <80	Meets Standard
≥20 and <50	Does Not Meet Standard
<20	Below Standard

The Organizational and Financial frameworks work differently. Under the organizational framework, a school must earn 80 points to meet the standard. The [technical](#) guide with full details is available and public-facing. The Financial Framework includes four near-term and four long-term measures. If

a school has three “Does Not Meet Standards” or one “Falls Far Below Standard,” they may be issued a notice of concern. The [technical](#) guide has full details.

3. Similarly, does a score of 80 percent designate that a school "meets standards" within the Charter School Performance Framework? If yes, how is this designation different from the one mentioned above for a lower score?

[See the answer above.](#)

4. Are Authority-sponsored charter schools required to submit data on student achievement, enrollment, and other activities to the Authority?

[Yes, schools submit data related to achievement and enrollment to the SPCSA and, in some cases, directly to NDE \(i.e., quarterly average daily enrollment reports\).](#)

- a. How many personnel at the Authority are responsible for validating the data submitted to them by charter schools across the State?

[Three individuals validate academic data.](#)

[Two individuals validate financial data.](#)

[Three individuals validate organizational data.](#)

- b. What methods are deployed to analyze this data?

[The SPCSA conducts many required data collections and validations in conjunction with SPCSA schools, the Nevada Department of Education \(NDE\), and other parties per federal and state statutes and regulations. The SPCSA must ensure all required data are submitted in a timely and accurate manner.](#)

[During data validations and collections, and before submitting aggregated data to the NDE or other parties, the SPCSA:](#)

- [• Verifies relevant SPCSA schools are included.](#)
- [• Verifies required fields are filled in based on available guidance.](#)
- [• Verifies dependent fields are entered accurately \(i.e. logic is correct\).](#)
- [• Conducts checks for accuracy / reasonableness. These checks may include but are not limited to determining whether certain students should / should not be included, whether data are missing, whether data are included that should not be, eye tests, calculations regarding deviations from SPCSA averages / norms, year-over-year comparisons, comparisons to original versus submitted data, and additional checks that are specific to the task.](#)

FOR-PROFIT EDUCATION MANAGEMENT ORGANIZATIONS (EMO)

1. How many charter schools are franchises of a national brand owned by the for-profit EMO with which they are affiliated? Provide a list of each school and the name of the EMO that owns the brand.

[See attachment A.](#)

2. For each school run by a for-profit EMO, provide the amount of money paid to the EMO by the school for use of the name, brand, intellectual property or similar copyrights, trademarks, and corporate program.

Charter school must annually submit an EMO Revenue and Expenditure Report. Those reports for the 2022-2023 school year are included:

- Attachment B: CIVICA Report
- Attachment C: Doral Academy of Nevada Report
- Attachment D: Doral Academy of Northern Nevada Report
- Attachment E: Legacy Report
- Attachment F: Mater Academy of Nevada Report
- Attachment G: Mater Academy of Northern Nevada Report
- Attachment H: Nevada Connections Academy Report
- Attachment I: Pinecrest Academy of Nevada Report
- Attachment J: Pinecrest Academy of Northern Nevada Report
- Attachment K: Signature Preparatory Report
- Attachment L: Somerset Academy of Nevada Report
- Attachment M: Sports Leadership and Management Academy (SLAM) Report
- Attachment N: Young Women's Leadership Academy (YWLA) Report

3. Regarding charter schools that are run by a for-profit EMO, list all services provided by the EMO, an affiliate, subsidiary, shared brand company, or other partner of the EMO.

EMOs offer a range of services to their schools. Those services are outlined in the individual contracts with the charter schools. Those contracts are public documents.

4. Are staff that are provided or employed by an EMO considered to be Nevada public employees, and are they treated as such under Nevada law?

Staff employed by EMOs are not considered Nevada public employees.

CHARTER SCHOOL APPROVAL PROCESS

1. How was the content of the questionnaire given to a school district when the Authority intends to sponsor a charter school in the district developed?

The content of the questionnaire given to school districts when there is a new charter application in the school district was created by SPCSA staff after the 2019 session in accordance with NRS 388A.225.

2. What consideration does the Authority give to the answers to these questions?

A school district's input regarding the approval of new charter schools is posted on the SPCSA website and is included as part of the staff recommendation memo to the SPCSA board.

3. How does the Authority account for a school district's concerns that approving a proposed new charter school may reduce a public school's staff and/or the number of schools in the district?

If a school district identified a concern regarding enrollment during the solicitation of input, that concern would be included in the public posting of the solicitation of input form on the SPCSA website and included as part of the staff recommendation memo to the SPCSA board.

4. Can the Authority unilaterally approve an application for a new charter school site without any neighborhood meetings, forums, town halls, or similar engagement?

Community engagement is a major component of the charter school application and part of the review process, specifically Section 2: Meeting the Need of the [Charter Application](#). Charter school applications have been denied due to a lack of community engagement. Once the application is approved, the school must work with the appropriate municipalities and complete all their requirements prior to opening a school. In many cases, this does involve neighborhood meetings.

5. Does the Authority require charter school applicants to engage both county residents and the immediately surrounding neighborhood of a proposed charter school location prior to voting on an application? If so, how is this done? Please respond regarding both expansions and new charter school applicants.

The authority requires community engagement as part of the new charter school application, specifically Section 2: Meeting the Need of the [charter application](#). Charter school applicants have been denied due to lack of community engagement. Oftentimes the exact location of a school has not been identified prior to approval, rather the application identifies the zip code in which they would like to open a school.

Once a charter school location has been identified, the process for various municipality approvals will dictate further community engagement. For example, if the property is not zoned to function as a school, a special use permit is required. This is true for new schools and expansions.

MATER ACADEMY OF NORTHERN NEVADA (MANN)

1. On what date did the Authority first learn of MANN's interest in locating a school in Washoe County's North Valleys?

Mater Academy of Northern Nevada first submitted an application for an expansion on April 15, 2023, and notice was sent to WCSD on April 21, 2023. This initial application contemplated a location at 1090 Bresson Avenue, near Vaughn Middle School. SPCSA staff and the applicant worked closely with WCSD staff. WCSD staff was not in favor of this location due to the proximity to Vaughn Middle School. At that time, Mater Academy of Northern Nevada withdrew the application and began looking for other sites.

Mater Academy of Northern Nevada submitted a second amendment for expansion on September 1, 2023. SPCSA staff communicated with the school that the application would not be considered until their audit for FY2023 was complete. The SPCSA received the completed audit on November 30, 2023, and then considered the application complete.

As the school narrowed its search, it began working with the City of Reno. Washoe County School District was aware of the proposed location in the North Valleys, and submitted a letter to the City of Reno regarding this project on November 30, 2023, included as Attachment O. Those documents indicate the WCSD had done a thorough analysis of the new location that would be proposed in the forthcoming application.

2. On what date did the Authority receive the full application for MANN's second separate school location in the North Valleys?

Mater Academy of Northern Nevada submitted a second amendment for expansion on September 1, 2023. SPCSA staff communicated with the school that the application would not be considered until

their audit for FY2023 was complete. The SPCSA received the completed audit on November 30, 2023, and then considered the application complete.

3. On what date did the Authority submit MANN's full application to the Washoe County School District (WCSD)?

SPCSA staff sent WCSD an overview of the amendment application and questionnaire on December 15, 2023. WCSD staff asked for the complete application on December 20, 2023, and the complete application was sent on December 20, 2023.

4. How many pages in total was the packet given to WCSD containing the full application from MANN and all relevant materials from the Authority?

The complete application was 511 pages.

5. What date did the Authority first give WCSD as the deadline to provide its response to the Authority?

The original deadline given was January 5, 2024.

- a. How many business days did the Authority give WCSD between the submission of MANN's full application to WCSD and the deadline originally provided by the Authority for WCSD's response?

10 business days.

- b. Is this timeline in accordance with law and/or Authority standard practice?

Yes.

- c. Has the Authority ever given a timeline of this length to any other public school district in Nevada in response to an application for a new school? Did WCSD request an extension for their response to the MANN application and the Authority's questionnaire?

The timeline offered to WCSD was in alignment with the notification to school districts the SPCSA typically provides for charter contract amendments.

Washoe County requested an extension, and it was granted.

- d. If yes, what date did the Authority set to close the extension?

January 12, 2024.

- i. If there were questions from WCSD to the Authority, when were they answered by the Authority?

Questions received via email were answered timely via email. The SPCSA also met with WCSD on January 3, 2024.

- ii. Did the Authority consider specifically the placement of a new charter school directly adjacent to an existing traditional public school?

Yes, the Authority board discussed the placement of a new charter school directly adjacent to an existing traditional public school. However, there are numerous examples of this throughout the state. Washoe County School District has one of their charter schools, Encompass Academy, across the street from Reno High School. Other examples of this successfully working in the state include, but are not limited to:

- a. Legacy Traditional School-North Valley Campus, Guy Elementary, and Wolfe Elementary (three schools immediately adjacent to one another all located on a single block);
- b. Signature Preparatory Academy and Robert Taylor Elementary School;
- c. Mater Academy East K-12 and Desert Pines High School;
- d. Doral Academy of Northern Nevada and Galena High School;
- e. Mater Academy Bonanza Campus and Robinson Middle School;
- f. Henderson International School (Private) and Lamping Elementary School;
- g. Nevada Prep Academy and Mountain View Elementary School.