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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Patrick Gavin
SUBJECT: Agenda Item 4—Nevada Connections Academy Update
DATE: September 23, 2016

Background:

At the August 26, 2016 Authority meeting, the Authority directed staff and Nevada Connections Academy to negotiate an amended charter contract by September 19, 2016.

After extensive discussions with the school and its counsel, Staff and counsel have not agreed to mutually agreeable terms. While the school has raised a number of objections related to standard terms in the charter contract and staff has proposed language to accommodate a number of their concerns, a variety of sticking points remain. Most notably, the school disagrees with staff's interpretation that the Authority directive included the expectation that in exchange for approval of the improvement plan targets and a prohibition on termination of the charter contract for failure to achieve those specific goals, the school would be required to agree that any judicial review of such a decision be limited to a determination of whether or not the school did or did not achieve the annual graduation rate target specified in the agreement.

Counsel is prepared to answer any questions the Authority may have with regard to the negotiations between the school and staff.

Recommendation:

Staff recommends:

- 1) The Authority affirm that the following language in the draft contract:

“For the graduating cohorts, as defined by NAC 389.0246, of 2016, 2017,

and 2018 the Charter School's Charter Contract shall not be eligible for termination based on a graduation rate, as calculated by the Nevada Department of Education, below 60%. However, the Charter School shall be eligible for reconstitution of its governing board or appointment of a receiver if its graduation rate is below the benchmarks established by this section. For the graduating cohorts included in this section, judicial review of any decision to reconstitute the governing board, or appoint a receiver under this section or NRS 388A.330(1)(e) shall be limited to a review of whether the school has or has not achieved the annual graduation rate target.

Graduation rate benchmarks for the Charter School:

Cohort 2016: 45%

Cohort 2017: 52%

Cohort 2018: 60%

- 2) Pursuant to [NRS 388A.330](#) and [NAC 386.330](#), the Authority direct staff to Issue a Notice of Intent to Revoke the Written Charter of Nevada Connections Academy based on having a graduation rate for the preceding school year that is less than 60 percent.