

STATE OF NEVADA

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BRIEFING MEMORANDUM

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Agenda Item 10—Beacon Academy Update  
**DATE:** January 27, 2017

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**Background:**

Beacon Academy of Nevada was approved by the State Board of Education in 2008 and was renewed by the Authority in 2014. It currently operates pursuant to a charter contract. The charter contract expires in 2020.

For each of the preceding five years, Beacon’s graduation rate has been below 60 percent.

	2011	2012	2013	2014	2015	2016
<b>Graduation Rate</b>	16.38%	14.30%	37.61%	56.52%	52.63%	52.48
<b>Rank in State</b>	104/106	108/110	100/111	104/117	104/117	107/120
<b>Position from Bottom</b>	3 <sup>rd</sup> lowest in state	3 <sup>rd</sup> lowest in the state	12 <sup>th</sup> lowest in the state	14 <sup>th</sup> lowest in the state	14 <sup>th</sup> lowest in the state	13 <sup>th</sup> lowest in the state
<b>Percentile Rank</b>	3 <sup>rd</sup>	3 <sup>rd</sup>	11 <sup>th</sup>	12 <sup>th</sup>	12 <sup>th</sup>	11 <sup>th</sup>

While Beacon saw a significant increase between 2012 and 2013 in its performance relative to the rest of the state, the school remained at the 11<sup>th</sup> or 12<sup>th</sup> percentile through the 2014-15 academic year.

Based on the school’s graduation rate reported in 2015-16, the Agency recommended the Authority approve the issuance of a Notice of Intent to Terminate the Charter Contract of Beacon Academy in

both [February](#) and [March](#) of 2016. The Authority did not take any action on the recommendation, ultimately [voting](#) to remove it from the agenda. Individual members of the Authority requested Agency staff to engage in discussions with the school regarding its plan for improvement and asked that the Agency report back on the progress of those discussions. The school made multiple presentations to the Authority since February 2016, including an extensive dialogue with members in [May](#) and [June](#). The most recent plan, submitted to the Agency on July 24, 2016, incorporated the school’s most recent written proposal. Based on [discussion](#) at the table during the [July 29, 2016](#) Authority meeting, school leader Tambre Tondryk proposed the following measurable graduation rate targets:

Year	2016	2016	2017
4 Year Adjusted Cohort Graduation	52%	55%	60%

Based on that proposal, staff recommended that the Authority accept those targets and require that they be memorialized in an amended charter contract. In recognition of the school’s willingness to set annual adjusted cohort graduation targets for the next three years, staff recommended that the contract provide that the Authority would not terminate the charter contract based on any failure to meet those targets, and that only reconstitution and receivership could be imposed if the targets were not met in addition to other changes. The Authority [approved](#) the goals proposed by the school and the staff recommendation, requiring that the school and the Agency negotiate a contract acceptable to both parties. At the August 26, 2016 Authority meeting, the Authority [voted](#) to direct staff and Beacon Academy to negotiate an amended charter contract by September 19, 2016. Staff and the school did not agree to mutually agreeable terms by the deadline.

Pursuant to [NRS 388A.330](#) and [NAC 386.330](#), the Authority later directed staff to Issue a Notice of Intent to Terminate the Charter Contract of Beacon Academy based on having a graduation rate for the preceding school year that is less than 60 percent. After [discussion](#), the Authority [approved](#) the issuance of this Notice on [September 23, 2016](#) and the [Notice](#) was officially issued on September 30, 2016.

Subsequently, Agency and Beacon representatives negotiated a contract acceptable to the Authority. The contract language provides a mechanism for Beacon to transition to serve a more high need student population via an amendment to its admissions policy to exclusively serve at risk youth. This will be accompanied by revisions to the graduation rate benchmarks to provide appropriate and rigorous achievement goals for that new population. This amendment will also permit the school to eventually qualify for the alternative performance framework. This amended contract was approved by the Authority on [October 21, 2016](#). Due to the execution of this agreement and in accordance with guidance from counsel and staff recommendation, the Authority also [voted](#) to dismiss the Notice of Intent to Terminate the Charter Contract of Beacon Academy.

The Authority received the admissions policy [amendment](#) request in December 2016 and [approved](#) that amendment on December 16, 2016. Following Agency guidance, the school has also engaged with Momentum Strategy and Research to develop and propose revised academic goals which are applicable to all students enrolled under the new policy. Those goals will form the basis for a revised transitional framework which will be considered by the Authority in the first quarter of 2017.

While the school did not meet the statutory graduation rate requirement of 60 percent in 2015-16, the school’s 2015-16 graduation rate was consistent with the negotiated improvement plan and the current charter contract. Pursuant to these conclusions, staff would recommend that the Authority not issue a Notice of Intent notwithstanding the performance of the high school program in 2015-16 because the charter school is meeting its obligations pursuant to the revised contract and has agreed

to acceptable contractual terms with the Authority. Consequently, there is no cause to issue a Notice of Intent pursuant to NRS 388A.330(e). The Authority should continue to monitor both programmatic and operational improvements and school progress towards meeting its academic targets as set forth in the contract and use its contractual authority to intervene in the event that the school fails to meet its contractual targets.