

# Resubmitted Charter School Application Review

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*Athlos Academy of Reno*

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# Summary of Application Section Ratings

*Rating options for each section are Meets the Standard; Approaches the Standard; Does not Meet the Standard*

## Section 1. Executive Summary

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

## Section 2: Meeting the Need: Targeted Plan

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

## Section 3: Parent and Community Involvement

- ~~Does Not Meet the Standard~~ **APPROACHES THE STANDARD**

## Section 4: Academic Plan – Mission & Vision

- Approaches the Standard

## Section 5: Transformational Change

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

## Section 6: Curriculum & Instructional Design

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

## Section 7: Distance Education

- Not Applicable

## Section 8: Pre-K

- Not Applicable

## Section 9: High School Graduation Requirements

- Not Applicable

## Section 10: Driving for Results

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

## Section 11: At-Risk Students and Special Populations

- Approaches the Standard

## Section 12: School Structure: Culture

- Approaches the Standard

## Section 13: School Structure: Student Discipline

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

## Section 14: School Structure: School Calendar/Schedule

- ~~Does Not Meet the Standard~~ **APPROACHES THE STANDARD**

## Section 15: Day in the Life & Scenarios

- ~~Does Not Meet the Standard~~ **MEETS THE STANDARD**

**Section 16: Operations Plan– Leadership Team**

- ~~Does Not Meet the Standard~~ **APPROACHES THE STANDARD**

**Section 17: Operations Plan– Leadership for Expansion**

- Approaches the Standard

**Section 18: Operations Plan – Staffing**

- ~~Approaches the Standard~~ **APPROACHES THE STANDARD**

**Section 19: Operations Plan – Staffing**

- Approaches the Standard

**Section 20: Operations Plan – Scale Strategy**

- Approaches the Standard

**Section 21: Operations Plan – Student Recruitment and Enrollment**

- ~~Does Not Meet the Standard~~ **MEETS THE STANDARD**

**Section 22: Operations Plan – Board Governance**

- Meets the Standard

**Section 23: Operations Plan – Incubation Year Development**

- ~~Approaches the Standard~~ **MEETS THE STANDARD**

**Section 24: Operations Plan – School Management Contracts and Services**

- ~~Does Not Meet the Standard~~ **APPROACHES THE STANDARD**

**Section 25: Operations Plan –Services**

- Approaches the Standard

**Section 26: Operations Plan – Facilities**

- Approaches the Standard

**Section 27: Operations Plan – Ongoing Operations**

- Meets the Standard

**Section 28: Financial Plan**

- Approaches the Standard

# Academic

## Area of Concern:

While it is understandable and appropriate that the Applicant intends to consider advice from its EMO vendor, references to the EMO providing training to the governing body can raise concerns about the level of independence of the school. Given the EMO's role as the primary service provider, it is important to explain how the governing body will ensure that it also receives unbiased governance training from reputable third parties with specific experience in charter school governance, as well as from organizations or individuals with Nevada-specific expertise. **Please address.**

## *Applicant Response:*

The Board Governance section in the Operations Plan has been revised, on pages 138 and 139, to show third-party and Nevada-specific training that will be conducted.

## *Staff Review:*

The Applicant clearly addressed the concerns regarding the EMO providing the governance training for the Athlos Reno board. The Applicant included a more defined training regimen which will also include additional third party resources, including but not limited to Nevada Department of Education, state charter association, National Alliance for Public Charter Schools, and Athlos Academies' EMO ([Page 139, prompt 8, Operations Plan](#)). The Applicant also stated that Athlos Academies' EMO will facilitate training for the board with third part resources. The Applicant also clearly demonstrated the necessary components a quality board will need to be trained in and listed those components on [page 138, prompt 8](#), of the operations plan. The Applicant provided examples of the network schools in other states and the types of third party training they had completed in addition to the EMO training program. While this information is far more responsive than the original text, it is important to note that the Applicant may not fully understand the trainings offered by some of the parties they have listed. Notably, the Nevada Department of Education does not provide training to either charter school governing bodies or the trustees of school districts. Our state charter school association currently provides little, if any, training focused on the governance of charter schools. The primary audiences for CSAN conferences have historically been charter school leaders and teachers. While CSAN has expressed interest in providing additional services to charter school boards, it is unclear at this time what those services may entail. Moreover, while the National Alliance for Public Charter Schools has historically included a governance track in its conference programming, the content of that track varies widely from year to year. Additionally, any such conference-based trainings would be inappropriate to provide training to the full board in its entirety because of open meeting law quorum limitations.

## *Staff Recommendation:*

This element will meet the standard with the following pre-execution condition: prior to the execution of the charter contract, the charter school will enter into a contract with a recognized board training provider with specific expertise in charter school governance providing for extensive pre-opening and year-one training and evaluation of the board's process, practices, and performance.

## Area of Concern:

The Applicant's theory of change is based on the three foundational pillars (p10) but does not clearly

articulate a demonstrable plan to place school within top tier of Nevada schools, including basic elements such as a protocol for rigorously analyzing student performance on state assessments and remediating areas of concern based on this analysis. **Please address.**

### *Applicant Response:*

Prompt 1 of Transformational Change on page 16 of the Academic Plan was revised to provide a more thorough plan than what was written originally. Additionally, the response to prompt 3 in Curriculum & Instructional Design on page 46 describes the data inquiry team that will analyze student performance. The new response to prompt 5 in A Day in the Life and Scenarios starting on page 101 of the Academic Plan offers examples of how the data inquiry team would remediate areas of concern.

### *Staff Review:*

The Applicant provided a more detailed response in their resubmission. The Applicant's inclusion of the Pillar Implementation Guide provided more clarity as to how students will be assessed and remediated when necessary. The Applicant delineates a detailed educational strategy that is aligned with the mission and vision for the school ([page 15, prompt 3 and page 16 prompt 1, Academic Plan](#)). Staff would note that the Applicant provide insufficient specificity in how the educational strategy will be carried out – the description tends to provide a list programs, activities, etc. rather than provide of a clear description of *how* they will be carried out in the school ([pg. 15-20, Academic Plan](#)). Nevertheless, the Applicant's described academic programs are rigorous and the academic plan includes multiple tools and strategies for differentiation that will accelerate advanced learners and allow for personalized learning ([page 44, differentiation, Academic Plan and continued on page 45](#)). The Applicant states that student's performance will be regularly assessed and that low-performing students will receive support through a Response-to-Intervention program ([pg. 46-47, Academic Plan](#)). The Applicant also provides an overview of an instructional program that will offer a continuum of services to students through a tiered system of interventions.

The Applicant will use the MAP assessment and aimswebPLUS, which are both objectively verifiable ([pg. 60](#)) and the Applicant makes a clear delineation between assessments utilized for internal monitoring and those which are sufficient to be presented externally. The Applicant's assessment plan is sufficiently detailed to demonstrate collection and analysis of individual student performance over time, including a process for monitoring student progress ([pg. 60, 4<sup>th</sup> bullet point](#)). The Applicant demonstrates commitment to using state assessments. The Applicant articulates process for utilizing data to support instruction and providing adequate training to teachers so that teachers can use data to inform their instruction and tailor their instruction to meet student needs ([pg. 60-61](#)). The Applicant's inclusion of the social and emotional learning (SEL), which it claims is critical to the development of Performance Character helped to better demonstrate not only what, but how the students' progress towards Performance Character will be measured in a more analytical way that will allow the data obtained to better lead the school to educational decisions that will provide the most benefit to students. However, the Applicant's leading indicator goals are not SMART – they are not specific or measurable; in most of the rows it is unclear to what the anticipated performance targets are referring ([pg. 58-59, table](#)). These indicators could be more defined in a conditional approval. The Applicant does not describe a clear process for setting, monitoring and/or revising internal leading indicator academic goals which should also be addressed in the conditional approval.

***Staff Recommendation:***

Staff recommends that no additional conditions be required.

***Area of Concern:***

The vision response provided states that its main goal will be to develop “performance character” and describes how research identifies this as being more important than “intellectual talent or educational attainment.” (p11) How this will be measured is not described. **Please address.**

***Applicant Response:***

Performance Character traits will be measured using Collaborative for Academic, Social, and Emotional Learning's (CASEL) as mentioned on pages 19 to 21 in Academic Plan in the Transformational Change section under prompts 2 and 3. A further explanation of student and school-wide assessments of the Performance Character pillar as well as a schedule and sample of culture and climate assessments is on pages 51 to 56, in the response to prompt 1 of Driving for Results.

***Staff Review:***

The Applicant’s response is acceptable.

***Staff Recommendation:***

Staff recommends no additional conditions in response to this item.

***Area of Concern:***

The Applicant indicates a desire to address serious overcrowding in area schools but does not articulate a compelling academic need to be addressed other than this. **Please address.**

***Applicant Response:***

The section on overcrowding has been rewritten starting on page 5 of Meeting the Need. Additionally, the need to help Hispanic/Latino, African American, and ELL students has been added on pages 6 and 7 in the Meeting the Need section under the Targeted Plan section on prompt 2.

***Staff Review:***

The Applicant provided a far more detailed analysis, specifically identifying the target community as South Reno, a growing part of Washoe County ([pg. 5 paragraph 2](#)). The Applicant provided clear and compelling rationale for the selected community, and in particular provided convincing data on achievement gaps that demonstrated academic need ([pg. 5-6, WCS, NV State Demographer’s Office](#)). The Applicant plans to serve underserved student demographics, which aligns with the mission and vision of SPCSA ([pg. 5-6](#)).

***Staff Recommendation:***

These new inclusions address the SPCSA’s concerns from the Reason’s For Denial and Meets the Standard. No further conditions are necessary.

***Area of Concern:***

The academic goals articulated in the application are qualitative instead of quantitative. For example, the Applicant group did not identify ways in which they expect students to obtain critical-thinking skills referenced on page 1 or how mastery of such skills will be measured objectively. Even given the limited and incomplete baseline data available at the time of application, the Applicant’s quantitative assumptions appear unrealistic. **Please address.**

### ***Applicant Response:***

A revised response begins on page 21 and continues under prompt 3 in the Transformational Change section of the Academic Plan section, and it explains CASEL and how students will obtain and be measured on skills such as critical thinking. The academic goals have been significantly revised to reflect an accurate baseline determined by the average of districtwide and South Reno school CRT data. The academic goals section now outlines general education growth of 10-15 percent over the first three years and Healthy Body growth of 10 percent over the first three years. For at-risk populations, the achievement gap is significantly greater for a margin of growth. Students with an IEP and students identified as ELL will show 10 percent growth over the first three years. As described in the Academic Plan, the school-wide strategies and support will contribute to the overall success of reaching these ambitious and feasible academic goals with the population that Athlos Academy of Reno will likely be serving.

### ***Staff Review:***

The Applicant's education strategy is supported by research and compelling evidence of success ([pg. 15-20, Academic Plan](#)). The Applicant's described educational model is designed to drive academic improvement for all students via targeted interventions based on fall assessments (pg. 21 paragraph 3, page 22 paragraph 1). The inclusion of a more targeted educational growth data set including general education growth of 10-15 percent over the first three years and Healthy Body growth of 10 percent over the first three years better addresses the SPCSA's concerns regarding a more quantitative versus qualitative approach from the original application. The Applicant still doesn't provide enough specificity in how the educational strategy will be carried out – the description tends to list programs, activities, etc. rather than describe how they will be carried out in the school ([pg. 15-20, Academic Plan](#)), but this concern could be addressed in a conditional approval.

### ***Staff Recommendation:***

Prior to contract execution, the Applicant will provide amended language to provide a more specific description of how the educational strategy will be carried out.

### **Area of Concern:**

While the Applicant notes some of the impact of overcrowding in the target community, there is no data shared that would illuminate to what degree this particular school will help to alleviate the overcrowding.

**Please address.**

### ***Applicant Response:***

The response on pages 5 and 6 in the Meeting the Need section regarding overcrowding has been revised to include data from Washoe County School District, including nearby elementary and middle schools.

### ***Staff Review:***

The Applicant specifically identified the target community as South Reno, which is a growing part of Washoe County ([pg. 5, WCSD, NV State Demographers Office](#)). They provided clear and compelling rationale for the selected community, and in particular provided convincing data on achievement gaps that demonstrates academic need ([pg. 5-6](#)). The Applicant plans to serve underserved student demographics, which aligns with the mission and vision of SPCSA ([pg. 5-6](#)).

### ***Staff Recommendation:***

No further conditions are necessary.



### Area of Concern:

The Applicant discusses truancy issues and notes a general lack of engagement (page 5), but does not address how their model will specifically meet the needs of the target community. **Please address.**

### *Applicant Response:*

This text has been removed as the response to our commitment to community has been adjusted to show the achievement gaps happening in Washoe County School District and why Athlos Academy of Reno is needed on page 6 of the Meeting the Need section.

### *Staff Review:*

The Applicant provided a more detailed response to truancy and the general lack of engagement by citing third party studies including the Washoe County School District and the Nevada State Demographer's Office which shows a full understanding of the target community they plan to serve.

### *Staff Recommendation:*

The response is satisfactory. No additional conditions are necessary.

### Area of Concern:

The Applicant does not address significant existing issues related to low academic performance of many of the existing schools in the local school district. **Please address.**

### *Applicant Response:*

The response on pages 6 of Meeting the Need has been revised to include data from the Criterion-Referenced Tests that shows the achievement gaps of low academic performance in WCSD. Minority students are achieving significantly below their Caucasian peers in both mathematics and reading. Students who are English Language Learners (ELLs) and students with Individualized Education Plans (IEP) are also affected by the achievement gap. The data analyzed is shown in the Supporting Documents on pages 293 to 300.

### *Staff Review:*

The Applicant provided more data to show their understanding of the existing issues related to academic performance of many of the existing schools in Washoe County. The Applicant's described academic programs are rigorous and the academic plan includes multiple tools and strategies for differentiation that will accelerate advanced learners and allow for personalized learning ([pg. 44 paragraph 1-3, page 45 paragraph 1 - 4](#)). They Applicant also better demonstrated how student's performance will be regularly assessed and that low-performing students will receive support through a Response-to-Intervention program ([pg. 46-47, prompt 3](#)). The Applicant described a clear process for identifying at-risk students, including those with academic and behavioral needs ([pg. 65-67, flowchart](#)) and provided clear and appropriate delineation within the state-mandated Response to Intervention model ([pg. 65-67, flowchart](#)). A member of the committee to form and a member of the EMO have demonstrated track records of success serving a wide range of students with disabilities ([pg. 67 paragraph 3, page 68 paragraph 1](#)). The Applicant delineates a clear process for identifying students with disabilities that is well defined and includes using Child Find ([pg. 68-69](#)). However, the Applicant does not describe clear processes for identifying homeless students; the application only states that the school *will* identify homeless students ([pg. 76 prompt 2](#)). The application states that there will be appropriate professional development to teachers to ensure they can support and accelerate special populations, but doesn't provide a plan for this ([pg. 72 prompt 5](#)). The Applicant does not state that ELL staffing will require full Nevada licensure for all

ELL teachers and coordinators ([pg. 74-75, prompt 1, 2, 3, 4, 5, and 6](#)). The Applicant also states that the school will promote participation and inclusion of parents of ELL students, but doesn't state *how* the school will do this ([pg. 75 prompt 4, 5 and 6](#)). These concerns should be addressed in a conditional approval.

***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant will provide additional narrative to satisfy the concerns raised by staff.

**Area of Concern:**

The Applicant asserts that the proposed model will reduce the number of high school dropouts in Washoe County, but it does not provide any data to articulate how low dropout rates are a pressing issue in South Reno. **Please address.**

***Applicant Response:***

This text has been removed and the response to our commitment to the community has been revised on pages 6 of Meeting the Need.

***Agency Review:***

The Applicant removed language regarding dropout rates. As it does not plan to offer a high school program, a discussion of dropouts is not germane to the application.

***Staff Recommendation:***

No additional conditions are required.

**Area of Concern:**

The Applicant did not provide an answer to prompt # 4 under Family and Community Engagement (page 7). While the Applicant emphasizes the importance of community partnerships and articulates a thoughtful process for partnership selection, no partnerships are identified beyond the EMO vendor. Additional clarification as to the progress of ongoing efforts to develop community partners, as referenced on page 8, would be helpful to clarify what supports will be available to Athlos students and their families. **Please address.**

***Applicant Response:***

Prompt 4 under Family and Community Involvement in Meeting the Need now has an answer on pages 10 and 11. A list of community partners that have been established in the pre-approval phase is included. The chart provided in the response is also included in the Executive Summary section on pages 3 and 4. It explains the support or services the partnerships will provide and each organization's alignment with at least one of the three pillars.

***Agency Review:***

The Applicant demonstrated clear evidence of the involvement of parents and community parents in the development of the plan ([pg. 7, prompt 1](#)). They outlined a plan to effectively engage parents and community members, most of it reliant on the support of the EMO ([pg. 7, prompt 1](#)). The Applicant included detailed information about how the school will incorporate parents into the life of a school once the school is open; the plan includes curriculum that brings parents into the classroom to learn about their historic roots, parent surveys, and a preview day for families to learn about the school ([pg. 9, prompt 3 and](#)

[page 10 prompt 3 continued](#)). The Applicant specifically identified five key community partners that would help the school be successful and provides letters of commitment ([pg. 10, prompt 4](#)). The Applicant did not demonstrate involvement from the target population in the development of the plan ([pg. 7, prompt 1](#)). They stated that the school will have parent surveys but didn't describe any other more immediate feedback loop for parents or the larger school community.

***Staff Recommendation:***

The Applicant must amend the application to describe a clear and well-developed feedback loop for parents and the larger school community as a condition of execution of the charter contract. Additionally, the Applicant must amend the application to provide language describing a process to recruit additional governing body members while ensuring representation of a diversity of perspectives and backgrounds. The Applicants must commit to the adoption of board policies consistent with these requirements following the execution of the charter contract.

***Agency Concern:***

While the application describes parents “being invited” to be a part of the Athlos community (page 7), the Applicant did not identify the difference between being invited and being actively engaged. It is unclear how the Applicant will move the needle from basic outreach for the sake of compliance to the development of authentic relationship with parents and the community. **Please address.**

***Applicant Response:***

The response on page 10 and 11 to prompt 4 in Meeting the Need under Parent and Community Involvement now better reflects parent and community involvement. It demonstrates the strategies that Athlos Academy of Reno will implement to engage families and the community.

***Staff Review:***

The Applicant included detailed information about how the school will incorporate parents into the life of the school once the school is open; the plan includes curriculum that brings parents into the classroom to learn about their historic roots, parent surveys, and a preview day for families to learn about the school ([pg. 9-10 prompt 3](#)).

***Staff Recommendation:***

No additional conditions are required.

***Agency Concern:***

The Applicant's discussion of the mission and vision does not contain any specific or direct links to the academic plan. It is unclear how this mission and vision will be implemented on a day to day basis. To the degree that the assessment tool for these traits is proprietary to the EMO, it is unclear how the school will be able to monitor and report them in the event that the school and the vendor part ways. **Please address.**

***Applicant Response:***

The response on mission and vision has been rewritten on pages 13 to 15 of the Academic Plan. Regarding assessment of Performance Character traits, Athlos Academy of Reno will be assessed using CASEL as mentioned above on pages 20 of the Academic Plan. Although some of the assessment tools utilize “proprietary” elements from the EMO, the origin of the assessment tools are not. CASEL, aimswebPLUS, MAP, and any differentiation tools are not proprietary. The proprietary component of the assessments is

found in the rubrics and structures used to measure the overall three pillar approach.

In addition, the master service agreement (MSA), which has been revised in Attachment 13 starting on page 262, outlines termination regarding any curricular or operational issues that may arise. The MSA also outlines the scope of data collection and use, which gives the school control of its own tools to continue operations and only sever the EMO's access data in the event of a contract termination.

#### *Agency Review:*

The Applicant's revised mission statement better defines the purpose and specialized focus of the school to its stakeholders and the public ([pg. 13 prompt 1](#)). The mission speaks to the value of the school, based on its own merit, and communicates the Applicant group's core beliefs and values about education ([pg. 13, prompt 1](#)). The mission encompasses the whole student through its focus on three pillars – intelligence, athleticism, and character ([pg. 13, prompt 1](#)). The mission better described key design elements proposed to achieve outcomes ([pg. 13-14 prompts 1 and 2](#)). The Applicant provided a more coherent description of what students will experience when the school is achieving its mission. However, it's still unclear how the school will know whether it has achieved its mission ([pg. 13 prompt 1](#)). The mission is not sufficiently specific with regard to high academic standards and measures of student success ([pg. 13-14, prompts 1 and 2](#)).

#### *Staff Recommendation:*

Prior to execution of the charter contract, the Applicant must revise the mission statement to more clearly and specifically commit to achievement levels consistent with the Authority's strategic plan and provide language which clearly describes how the governing body will continue to evolve its performance management processes and protocols to ensure that it is continuing to refine and replace its leading indicators of academic performance to ensure that they are predictive of student achievement consistent with state and Authority targets set forth in the contract and performance framework.

#### Area of Concern:

It is unclear what performance character traits students will be learning until far later in the narrative – while these traits have been mentioned numerous times by page 10, they have not been precisely identified. Given the centrality of this element of the school design, it is critical that the reader and the general public understand what exactly these traits are, how they will be taught, and how they will be measured. **Please address.**

#### *Applicant Response:*

The 12 Performance Character traits are now listed in a graphic on page 14 of the Academic Plan and further described on page 20 of the Academic Plan. Implementation of the Performance Character pillar is explained beginning on page 40.

#### *Agency Review:*

The Performance Character Traits are discussed earlier and more and more clearly in the narrative to allow the reader and general public to better understand what the traits are, how they will be taught, and how they will be measured.

#### *Staff Recommendation:*

No additional conditions are required.

### **Area of Concern:**

It is unclear exactly how the school's academic program is designed to address "the achievement gap" (page 13). This is the only explicit reference to an achievement gap in the entire application packet, and no additional details are provided to clarify. It is unclear from the narrative whether the Applicant has identified a particular achievement gap as there is no mention of gaps in school performance in this target community and the target population is not identified specifically enough to determine which gap or gaps may be referenced. Given the lack of specificity and data related to target population, need, demand, and intended outcomes, it is unclear what basis exists within the data to justify the assertion that there is a significant gap, and what demographic subgroups are most negatively impacted. **Please address.**

### ***Applicant Response:***

This reference to "the achievement gap" has been removed from the explanation of the academic model. However, the response on page 6 (mentioned above) shows that there are demographic subgroups that are not achieving at a high level, with data to support the response in the Supporting Documents starting on page 281. There is a new response to provide a clear explanation of the Athlos model on pages 18 to 20 in the Academic Plan in the Transformational Change section.

### ***Agency Review:***

The Applicant removed references to achievement gaps in the academic model. They did provide more detailed data from third party sources, referenced in earlier answers in this document, that better demonstrates the Applicant's understanding of and proposed plan to address demographic subgroups who are not achieving at an acceptable level. The transformational change section of the resubmission goes into much more detail regarding this, but weaknesses in the Applicant's response are still a concern for the SPCSA. These weaknesses have been addressed in earlier questions in this document.

### ***Staff Recommendation:***

Staff recommends no additional changes.

### ***Area of Concern:***

The Applicant asserts that the school's use of varied summative assessments will "engage all students" (p. 13). It is unclear how assessment is an appropriate engagement strategy. Moreover, given the explicit expectation in the rubric that Applicants develop a plan to invest students and families in school and state required assessments to ensure high levels of active participation, it is incongruous to assert that assessments are themselves an effective engagement strategy. **Please address.**

### ***Applicant Response:***

This explanation of assessments has been removed.

### ***Agency Review:***

The agency can confirm that this was removed from the resubmission.

### ***Staff Recommendation:***

As a condition of charter contract execution, the Applicant must articulate a strategy and commit to the adoption of a policy designed to ensure that parents, students, and staff are invested and engaged in essential elements of charter schooling, including but not limited to assessment and accountability.

### Agency Concern:

The Applicant frequently articulates positive and laudable aspirational goals, such as using differentiated instruction to foster growth for all students (p14) and alleviating high youth obesity rates in target areas (p12), but provides only cursory details as to how those goals will be realized. For example, response to prompt #4 under “Transformational Change” identifies differentiated instruction as a foundational practice (p14) and references a more detailed description of it on page 24 (note—this reference is incorrect, as the actual description is on page 26), but this description lacks specific detail. Differentiating instruction, especially to meet the needs of students performing below grade-level expectations, is a complicated process involving assessment, data analysis and careful instructional planning, among other items. The description consists of a brief paragraph that describes what teachers at Athlos will be expected to do but does not reference specifics of elements of differentiated instruction planning and delivery nor does it reference any specific literature on this instructional methodology (e.g. a discussion of Tomlinson’s approach versus other implementations to clarify how differentiated instruction will be implemented at Athlos). Consequently, it is unclear whether differentiated instruction will be enough to increase student achievement to meet state targets. The Applicant did not articulate the specific tactics, strategies, and methods that they will be using with students to ensure that they are making the gains necessary to move student achievement to the level necessary to meet SPCSA goals. **Please address.**

### Applicant Response:

The incorrect reference has been reworded. This response has been rewritten to better emphasize the approach for effective pedagogy, including differentiated instruction. Additionally, the revised response to prompt 2 of Curriculum & Instructional Design, starting on page 41, more fully outlines the instructional strategies that will be used. A more detailed explanation of differentiation starts on page 44 of the charter document.

### Agency Review:

The Applicant provided a more clear explanation, supported by evidence, of how the school’s academic program aligns to the Nevada Academic Content Standards, including both the Common Core Academic Standards and the Next Generation Science Standards and the school teaches all required subjects at each grade level, including: English, including reading, composition and writing; Mathematics; Science; and Social studies, including history, geography, economics and government ([pg. 22-36](#)).

The Applicant’s described academic programs are rigorous and the academic plan includes multiple tools and strategies for differentiation, which are better described in the resubmission, that will accelerate advanced learners and allow for personalized learning ([pg. 44-45](#)). The Applicant explained that students’ performance will be regularly assessed and that low-performing students will receive support through a Response-to-Intervention program ([pg. 46-47 prompt 3](#)). The Applicant’s instructional program will offer a continuum of services to students through a tiered system of interventions, which has been more defined in the resubmission application as opposed to what was submitted in the Applicant’s original application. The Applicant still does not discuss whether the chosen academic programs are suited to the specific target student population. Requirements for matriculation are not clearly defined but Applicant states that stakeholders will be informed in a timely manner ([pg. 48 prompt 7](#)). This concern should be addressed in a conditional approval.

### Staff Recommendation:

Prior to contract approval, the Applicant must take greater steps to articulate how the chosen academic

programs are suited to the specific target student population. This may well be assisted through the addition of additional perspectives on the governing body. Such issues must be addressed to the satisfaction of staff. Requirements for matriculation must also be revised to the satisfaction of staff.

#### **Agency Concern:**

At times, the application reads more like a marketing document than a thoughtful, well-crafted plan for a school. The narrative frequently references education catchphrases, such as “engaging curriculum,” “critical inquiry,” and “project-based instructional strategies,” without clearly articulating how these relate to the school’s intended model. For example, critical inquiry and project-based approaches can be effective instructional methods, but they do not necessarily in and of themselves “ensure [that] students [will] achieve their fullest academic potential,” as stated on page 12. It is critical that the Applicant articulate how these approaches will be used. **Please address.**

#### **Applicant Response:**

The response to prompt 1 in Transformational Change in the Academic Plan on pages 16 through 18 has been revised to better explain the Athlos model. The charter application now includes the Pillar Implementation Guide in the supporting Documents beginning on page 309. An explanation of the School-Wide Structures is included to show how the model will be implemented. The entire charter has been reviewed and revised by the CTF and Athlos Academies’ Prepared Mind team to ensure that it articulates a well-crafted plan for the school.

#### **Agency Review:**

The Applicant presents a more complete theory of change based on a singular mission that is fulfilled through the three pillars (Prepared Mind, Healthy Body, and Performance Character) and these elements are supported by school-wide structures that clearly articulate systems and activities that guide implementation of the model ([Page 16 paragraph 1](#)). The Applicant named instructional practices and theories that are supported by research and align with the stated objectives of the three pillars, inquiry based learning, project-based learning & cooperative (Healthy Mind); scientific research to support the connections of exercise and brain health (healthy body); and twelve performance character traits development of these traits through CASEL 5 core SEL competencies, school wide practices, and explicit teaching ([Page 20-21 prompt 3](#)). The Applicant presented a better defined system for data review through a data inquiry team that will track success and progress of remediation efforts ([Page 46 prompt 3](#)).

#### **Staff Recommendation:**

Staff recommends no additional changes.

#### **Agency Concern:**

The Applicant states that the Athlos curriculum will be aligned to Nevada standards for ELA as well as to Common Core standards, and further states that this alignment will “ensure that students are successful on state and standardized tests.” Many underperforming Nevada schools utilize similar curricular resources. The alignment of a curriculum to established standards is not enough to “ensure” high academic performance, especially on standardized assessments like the SBAC assessments used in Nevada. **Please address.**

#### **Applicant Response:**

This section has been revised to clarify how curriculum has been and will be chosen. The response to

prompt 2 in Curriculum & Instructional Design, starting on page 41, better explains how the curriculum will be implemented to increase academic performance.

#### ***Agency Review:***

The Applicant provided a clear explanation, supported by evidence, of how the school's academic program aligns to the Nevada Academic Content Standards, including both the Common Core Academic Standards and the Next Generation Science Standards and the school teaches all required subjects at each grade level, including: English, including reading, composition and writing; Mathematics; Science; and Social studies, including history, geography, economics and government [\(pg. 22-36\)](#).

The Applicant's described academic programs appear to be rigorous and the academic plan includes multiple tools and strategies for differentiation that will accelerate advanced learners and allow for personalized learning [\(pg. 44-45\)](#). The Applicant explained in more detail that student's performance will be regularly assessed and that low-performing students will receive support through a Response-to-Intervention program [\(pg. 46-47\)](#). Questions still remain including what will the anticipated student demographic of the school look like, and whether the Applicant has data that shows that the students from these demographics will show significant academic success with these programs.

#### ***Staff Recommendation:***

As a condition of approval, the Applicant must identify at least one strategic partner, drawn from the state's list of evidence-based providers pursuant to AB7 of the 2017 Legislative Session, to support the school and its leader in data driven decision-making, leadership development, and other state articulated priorities.

#### ***Agency Concern:***

The Applicant plans to use proprietary social studies and science content developed by the EMO vendor. The limited description of this content notes that it was developed using Wiggins and McTigh's *Understanding by Design* (UBD) 'backwards' planning model. This is the framework upon which units in these subjects will be designed (p20). UBD has been used to develop highly effective assessments and curricula that have dramatically increased student achievement. Conversely, other curricula developed with the UBD approach have been far less successful. It is unclear whether there is evidence to support a conclusion that this particular curriculum will result in high student achievement for the target population. Additionally, as UBD is a standards- based approach whereby the curriculum developer first creates the assessment based on a careful analysis of both student needs and a particular academic standard, the lack of specific reference to standards, such as the Next Generation Science Standards adopted by the State Board as the Nevada Academic Content Standards for science is an additional deficiency which must be remedied. **Please address.**

#### ***Applicant Response:***

A much more thorough description of the social studies and science content is now provided on pages 28 to 34 in Curriculum & Instructional Design. The description includes images from Athlos Academies' learning management system to show resources the staff will have access to for professional development and assistance.

#### ***Agency Review:***

The Applicant meets the standard for a curriculum framework that meets Nevada Content and CCLS [\(Page 22-40\)](#). The Applicant described a Balanced Literacy model for reading and writing that includes workshop



model for reading, supported by explicit phonics and foundational skill development (K-5), for upper elementary and middle school grades the school will shift to EngageNY. The Applicant has defined their math program with Bridges in Mathematics, College Preparatory Mathematics (Page 26, 27). The Applicant proposed teacher professional development (PD) in Math instruction through Developing Mathematical Thinking, PD that focuses on applying students' ideas, developing student conceptual thinking and stresses for teachers that all math curricula must be supplemented and adjusted to meet the needs of students (Page 27). The Applicant addressed instructional strategies for the target student population through an inquiry approach to motivate adjustments to complexity and duration of tasks, cooperative learning, and student self-assessment (Page 42). To address low and higher-level learners, the Applicant will utilize Raz-Kids (web based reading program); and Khan Academy content and other intervention programs (Page 44-45). The Applicant will implement an RTI process for supporting academically at-risk students, this system will include a data inquiry team that will track and measure the success of various remediation and intervention efforts (Page 46). The Applicant has set promotional criteria for students based on grade level performance on achievement tests, teacher evaluation of cognitive skills, proficiency assessments, parent guardian assistance, and good attendance (Page 48). The Agency must emphasize that the Athlos whole school design is a recent innovation with no real immediate academic antecedent. While a material number of schools have financed facilities through early Athlos or Athlos-affiliated efforts and a handful of schools leveraging the facilities financing and development capabilities of the EMO or related companies have piloted elements of the athletic and character education programs, the Applicant has been clear that the proposed academic program is not a replication of a proven model.

#### ***Staff Recommendation:***

Recognizing that the Applicant is proposing an academic model without a substantial track record, despite its promise, staff recommends that the Applicant commit that it will not request additional campuses or additional charters under the same governing body or any other schools served by the proposed EMO until such time as there is at least a three year track record of performance at least the three star level at all grade level configurations (elementary/middle/high school). Neither the Applicant, the governing body of the school created pursuant to this contact, nor the school's EMO, nor any licensee, subsidiary, or other entity with any other corporate affiliation with the EMO may apply for any contract or amended contract with this Authority that will result in an increase in enrollment beyond 20 percent of the approved enrollment for the charter school in any given year or a total of 1500 students in total unless the Agency takes judicial notice that performance of this initial charter school has either been at the highest two levels of the statewide system of accountability for at least three consecutive years or the school has been at the two highest level according to the sponsor's performance framework for academic accountability for at least three years. Both the Applicant and the EMO must agree to this condition.

#### ***Agency Concern:***

It is unclear whether the Applicant has a plan to replace proprietary Athlos content (e.g. science and social studies curricula) with other resources in the event that the management agreement is cancelled, whether there is a contingency budget for such an eventuality, and how such a transition will be managed to minimize disruption to students and families. **Please address.**

#### ***Applicant Response:***

In the Operations Plan under the budget narrative, Athlos Academy of Reno will have a contingency budget set up for purchasing needed curriculum and making any staffing adjustments necessary in the event the partnership with the EMO is terminated.

### *Agency Review:*

The Applicant response is sufficient.

### *Staff Recommendation:*

No additional information is required.

### Agency Concern:

Few examples are provided as to how curriculum materials will be adapted or modified to support students in need of additional support, e.g. students with disabilities and English language learners, in order to meet or exceed state expectations. For example, while differentiation is listed twice as a core criteria for curriculum (pages 15 and 16), differentiation is only specifically referred to in regards to supplemental materials that may be used (e.g., Reading A-Z and RAZ Kids) and no specific examples are provided as to how they will be used. **Please address.**

### *Applicant Response:*

There is a new, more thorough response on differentiation in the Academic Plan under Curriculum & Instructional Design for prompt 2 on pages 43 and 44. It includes a plan for how staff will collect and analyze data to determine students' performance level. The response also includes materials for differentiation that will be made available to faculty to assist students.

### *Agency Review:*

The Applicant meets the standard for a curriculum framework that meets Nevada Content and CCLS (Page 22-40). The Applicant described a Balanced Literacy model for reading and writing that includes workshop model for reading, supported by explicit phonics and foundational skill development (K-5), for upper elementary and middle school grades CTF will shift to EngageNY, a CCSS-based program developed by the New York State Education Department. The Applicant has defined their math program to be Bridges in Mathematics and College Preparatory Mathematics (Page 26, 27 paragraph 6 and paragraph 1). The Applicant proposes teacher professional development (PD) in Math instruction through Developing Mathematical Thinking PD that focuses on applying students' ideas, developing student conceptual thinking and stresses for teachers that all math curricula must be supplemented and adjusted to meet the needs of students (Page 27 paragraph 3). The Applicant addressed instructional strategies for the target student population through an inquiry approach to motivate adjustments to complexity and duration of tasks, cooperative learning, and student self-assessment (Page 42 paragraph 6). To address low and higher-level learners, the Applicant proposes to utilize Raz-Kids (web based reading program); Khan Academy content and other intervention programs (Page 44-45). The Applicant will implement an RTI process for supporting academically at-risk students. This system is proposed to include a data inquiry team that will track and measure the success of various remediation and intervention efforts (Page 46 prompt 3). The Applicant has set promotional criteria for students based on grade level performance on achievement tests, teacher evaluation of cognitive skills, proficiency assessments, parent guardian assistance, and good attendance (Page 48 prompt 7). However, Parent guardian assistance criteria for student promotion needs to be clarified. A few questions remain including: It is unclear what the parent guardian assistance expectations are and how are they measured. Critically, it is not clear what kind of adjustment and differentiation is provided for parents who are living in poverty, in unstable home situations, and/or work non-traditional hours (Page 48, prompt 7).

### ***Staff Recommendation:***

The educational research literature is rife with a myriad of definitions of and approaches to parent involvement and family engagement. Additionally, there are federal requirements for entities such as SPCSA constituent schools. As a condition of approval, the Applicant must explain, in a manner consistent with the Authority strategic plan, state law, state regulation, federal law, federal regulation and best practice, what parent/guardian assistance expectations are and how are they are measured. Additionally, the Applicant must detail the adjustments and differentiations provided for parents who are unable to meet these expectations, including but not limited to families of students living in poverty, in unstable home situations, and/or work non-traditional hours ([Page 48, prompt 7](#)).

### **Area of Concern:**

It is unclear, based on the narrative, exactly how the proposed curriculum is “innovative,” as stated on page 5, compared to what is offered by the area schools, especially given that at least some of the curriculum resources Athlos will build on is freely available to the public (e.g., the ‘Lucy Calkins’ Units of Study and EngageNY Curriculum Modules referenced on pages 15-17 of the Academic Plan). **Please address.**

### ***Applicant Response:***

The description of the academic curriculum being “innovative” has been replaced on page 16, in the response to prompt 1 in the Transformational Change section of the Academic Plan. The integration of the three Pillars of Performance, with Performance Character and health and wellness impacting academic instruction and performance, is innovative.

### ***Agency Review:***

The Applicant provided a much more defined description of the academic curriculum than what was submitted in the original application. The Applicant made a strong case with regard to the innovativeness of the three Pillars and substantiated their reasoning of why they believe this model will serve their targeted population better than other models. The Applicant clearly believes in the model and demonstrates this throughout various aspects of this resubmission. The Applicant would be well-served to provide more information on the successes of the programs; specifically how progress will be measured (beyond surveys). Overall these concerns could be addressed upon a conditional approval.

### ***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant must identify additional tools beyond the mentioned surveys that school leadership and the governing body will use to evaluate progress in implementing the performance character and health and wellness pillars of the school design.

### **Area of Concern:**

As with most curriculum implementations, schools using resources such as Calkins workshop programs and EngageNY have a mixed track record nationally, with some schools and charter school networks posting extraordinary results while others have performed poorly. Given the lack of academic data for Athlos implementations around the country at the time of the application, it is unclear whether the Athlos-specific implementation of these programs is yielding the desired results. It is not clear from the narrative that the Applicant has identified the specific details of successful implementations and has articulated a model which is aligned with those specific practices and strategies. In addition, the explanation of the Calkin’s units of study supporting differentiation through an “If ... Then ...” is

perplexing and seems to misunderstand the purpose and design of these units, as they are not designed, out of the box, to support differentiation per se, especially at the student-level. **Please address.**

***Applicant Response:***

A new paragraph has been added under Curriculum & Instructional Design in the Academic Plan on page 24 under Curricula and Tools: Prepared Mind to explain how Lucy Calkins and EngageNY will be implemented to yield the desired results. The “If... Then...” reference to differentiation has been removed. The response to prompt 2 in Curriculum and Instructional Design now offers a better explanation of the planned approach to differentiation, starting on page 41.

***Agency Review:***

The Applicant provided a more detailed implementation plan in this resubmission. The Applicant described Instructional Strategies ([page 42, Academic Plan](#)) with more detail regarding the active student-centered learning ([page 42, Academic Plan](#)), High-Quality work processes ([Page 42, Academic plan](#)), student-engaged assessment practices ([page 42, Academic Plan](#)) and project-based learning ([page 43, Academic Plan](#)). These processes were not included in the original submission and provided more clarity that allows the reviewer to better understand the implementation the Applicant plans during its operation.

***Staff Recommendation:***

No additional information is required.

**Area of Concern:**

The application does not sufficiently differentiate between a formal curriculum and the tools which are listed as “resources” (page 15-20). It is unclear what the teachers will be required to use day-to-day and how those resources will be deployed. For example, one criticism of Lucy Calkins’ Readers Workshop approach is that it does not provide sufficient content and support for vocabulary development, a particular challenge for students in poverty. Based on context, it appears that the Words Their Way program cited on page 17 may be a resource that has been identified to address this criticism, but that is not clear from the text. Moreover, given that students in a Readers Workshop setting are typically expected to select their own books from a classroom library instead of using a common reading text, the need to have a clear plan for implementing these programs in parallel is critical. Based on the narrative, it is unclear, for example, if the instructional approach will involve the explicit instruction of vocabulary separate from the Readers Workshop implementation (e.g. as a separate “spelling” module) or if the approach will somehow differentiate that instruction so that students master vocabulary through scaffolded exposure to a self-selected text. **Please address.**

***Applicant Response:***

This section has been more clearly outlined to show the difference between curriculum and resources from pages 23-41 in the Academic Plan under prompt 1 of Curriculum & Instructional Design. In support of the comment in the deficiency regarding Lucy Calkins’ Reader’s Workshop, additional detail is now provided to outline the use of Words Their Way with added Open Court Reading Foundational Skills Kits.

The Applicant demonstrated a deeper understanding of the Calkins’ Reader Workshop than was evidenced in the original application. The Applicant also noted that part of the planned professional development of staff would include on-site training and webinars.

“The Athlos Academy of Reno assessment plan, starting on page 50, outlines what

assessment tools will be used every fall to determine students' reading and math levels. Using this information, the multi-tier system of supports (MTSS) team and teachers will be able to determine the instructional needs of the students and use the MTSS plan accordingly (see the complete Multi-Tier System of Supports Plan). For example, the MTSS team will allocate paraprofessional support, using research-based interventions, to work with students who need targeted instruction. Student growth will continue to be monitored as students receive additional support to determine if adjustments need to be made. Using the fall data as well as pre-assessments for units, teachers will adjust curriculum (content, process, or products) to meet the students' needs and interests. Through the support of the curricular programs and professional development, teachers will develop strategies to support those who need intervention support and those who need enrichment. Examples of such strategies include small, flexible groupings; center work; the use of leveled readers for shared and guided reading; choice activity boards; book clubs; and extended research opportunities outlined in individual learning contracts. Teachers, with the support of PLCs and the data inquiry team, will continue to analyze summative assessments and mid-year data collection to determine if the program and instructional strategies are supporting student growth and achievement ([Page 21 and 22 Academic Plan](#)).”

***Staff Recommendation:***

No additional information is required.

***Area of Concern:***

It is unclear how the Applicant will transition students from K-5 ELA programs such as Lucy Calkins workshop modules to Engage New York as a 6th-8th curriculum (page 17). Consequently, the reader is unclear if this represents an abrupt shift or if there are plans to map the Lucy Calkins approach onto the Engage New York content in future years. **Please address.**

***Applicant Response:***

An explanation on the curriculum has been added on page 24 for prompt 1 in Curriculum & Instructional Design in the Academic Plan.

***Staff Review:***

The Applicant added more detail regarding the matter noted in the question above, specifically:

“Athlos Academy of Reno and the EMO recognizes that Lucy Calkins is a complex reading program, so effective implementation requires the right support and resources. Part of the planned professional development is to provide consistent training including on-site visits and webinars. Teachers will be supported in the development of appropriate literacy schedules, understanding of the workshop approach, and how to navigate the Lucy Calkins lessons. The professional development support for this curriculum will also include sufficient resources to support grade level classroom libraries, a known critical component of the Lucy Calkins implementation. Teachers will be supported beyond professional development with all of the necessary materials for the units of study, including mentor texts, read-alouds, and suggested book clubs. The instructional coaches will be additional supports for effective implementation ([page 24, Academic Plan](#)).”

It should be noted that the Applicant did not discuss whether the chosen academic programs are suited to the specific target student population. Requirements for matriculation are not clearly defined but Applicant states that stakeholders will be informed in a timely manner ([pg. 48 prompt 7](#)) and still does not specifically state how the instructional programs will consider students' Individualized Learning Plans. Another point that should be more clearly defined upon the conditional approval is whether Athlos Academy will make every effort not to displace a student who is being retained, but will act on a space-available basis and if this means that students who are held back may lose their seat at the school. If so, this is not an appropriate policy ([pg. 48, prompt 7](#)).

#### ***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant shall make revisions to address the concerns raised above to the satisfaction of staff.

#### ***Area of Concern:***

A great deal of detail is provided related to the curriculum to be used, but much of it is “edu- speak” and jargon. The narrative lacks the substantial operational details necessary for the reviewer, the general public, future board members, or prospective staff to understand how all of these resources will be deployed. As this is a model for which there is currently limited academic data and few existing implementations, the laundry list approach to the curriculum and instruction narrative raises concerns regarding the coherence of the actual academic plan and to what degree this is a replication of a well-developed school design versus a school that will use the same tools as other schools served by the same EMO. **Please address.**

#### ***Applicant Response:***

The responses on Curriculum & Instructional Design have been reviewed and rewritten to provide clarity and avoid jargon.

#### ***Agency Review:***

As noted in earlier sections, the Applicant has bolstered its narrative in the resubmission.

#### ***Staff Recommendation:***

No additional information is required.

#### ***Area of Concern:***

The application asserts a correlation between athletics and academics performance correlation (page 21). The data behind this is never made clear although the assumption underpins the entire model. Absent either peer reviewed studies or academic growth data from other states and state performance rankings (A-F/Star system-type school grading, AYP determinations, Meets Expectations determinations, etc.), it is unclear whether this is a valid assumption. **Please address.**

#### ***Applicant Response:***

On pages 20 and 21, the response to prompt 3 in Transformational Change now includes additional references to research showing the correlation between physical activity and academic performance. The data request excel sheet that was resubmitted with the application has academic performance data from 2015 for schools implementing all, or most, of the Three Pillar model. Data from our newly opened, fully implementing schools will be available for review over the summer of 2017.

### *Agency Review:*

The Applicant has addressed the concerns raised by staff.

### *Staff Recommendation:*

No additional information is required.

### Area of Concern:

The metrics for setting grade-level expectations (page 28) in achievement tests and teacher evaluations were not specified. Such metrics and targets are critical to pre-opening planning and are essential to the governing body's ability to determine whether the school is or is not on track to meet State Authority expectations and earn ongoing operation and renewal. **Please address.**

### *Applicant Response:*

The chart on pages 58 and 59 in Driving for Results prompt 2(b) has been revised to reflect an accurate baseline for the anticipated population and goals that are ambitious and feasible. As described throughout the Driving for Results section (starting on page 49, the baseline for these targets was determined by averaging WCSD and South Reno school achievement scores. In compliance with SPCSA's mission for showing double digit gains, each population broken out for achievement shows a 10 to 15 percent increase in proficiency over the first three years of operation. Furthermore, the responses in the Driving for Results section now reflect the strategies for assessment, the process for using assessment data to inform practice, and a clear choice of assessment tools that will be used. These tools were chosen because each student enrolling in Athlos Academy of Reno will have a profile in Infinite Campus. This profile will include proficiency data for their achievement from MAP and SBAC testing. Students who transfer to Athlos Academy of Reno will be most effective if the assessments used remain consistent, knowing that the data inquiry team at the campus level will be able to implement the most effective support services for every student's needs. The governing board will have a clear picture of student data through reporting structures at monthly board meetings to review quantitative and qualitative data and make informed decisions for the direction of resources to meet student achievement goals each year.

### *Agency Review:*

The Applicant stated they will use Smarter Balanced Assessments as required by the Nevada Department of Education (grades 3-8) ([page 50, prompt 1](#)) and described a comprehensive academic achievement system that sets clear measurable goals and comparisons to district and comparable schools ([Page 56, prompt 2](#)). The Applicant provided a plan for assessing individual students, cohorts, and subgroups through the use of MAP (NWEA) assessments, followed by a decision-making or response system that is progressive and responsive to student achievement results ([Page 59-64](#)) which demonstrates the Applicant's understanding that the SPCSA requires that schools adopt an internal assessment system that is predictive of performance on state mandated assessments and informs the programmatic and organizational decisions made by the governing body. In the chart on page 48, it appears that the Applicant sets baseline consistent with the state test ELA and Math results of the local district schools based on comparisons to local MAP (NWEA) results.

### *Staff Recommendation:*

It is unclear how students with mobility issues, and/or obesity will be supported in achieving the measurable objectives set forth under the healthy body performance targets. Prior to the execution of the charter contract, the language must be amended to the satisfaction of staff to clarify how such students

will be accommodated and how their progress will be measured and reported.

### **Area of Concern:**

The application's state assessment goals seem arbitrary and demonstrate a possible limited understanding of goal setting and the purposes and types of assessments and their specific educational purposes. For example, the Applicant's response to prompt 2(b) on page 31 indicates state assessment data for the Washoe County school district is not available at the time of submission, yet the Applicant sets a target for the subsequent 2017-2018 school year of 85%. While the statewide testing data for 2015 was invalidated for the purpose of school accountability, an examination of reliable 2015 SBAC data from multiple states, multiple years of NAEP data in this and other state and the historic performance of Nevada schools on the old CRT examination would clearly indicate that an 85 percent proficient rate based on tests taken in the first year of operation is not supported by the data, given that that not a single grade level in the State of Connecticut, the highest performing SBAC state on NAEP, had more than 58 percent of students proficient in ELA or more than 48 percent proficient in Mathematics in 2015. **Please address.**

### ***Applicant Response:***

When the charter was submitted in July 2016, the most recent school year data was unavailable, and the assessments portion of the charter was lacking. Upon review of the released data from WCSD and surrounding area South Reno schools, the Driving for Results section has been revised completely, starting on page 50. The greatest need shown in the data is the achievement gap for students with IEP or ELL status. Furthermore, the data shows that even students in general education are performing well below average. The ambitious, yet feasible, goals in the response take into consideration the evaluation tools used, the structure of staff and support services in the school, the qualitative components that will support achievement, the school-wide structures, the role of the EMO in planning/professional development/data analysis, and more. Athlos Academy of Reno is driven to meet the goals of SPCSA by exceeding district and state averages.

### ***Agency Review:***

The Applicant has adequately addressed the concerns raised by staff.

### ***Staff Recommendation:***

No additional information is required.

### **Area of Concern:**

Based on the current level of performance for schools in Nevada, it is unclear that "performing at or above Washoe County School District" will result in performance in the top quartile statewide. **Please address.**

### ***Applicant Response:***

Based on the most recent available data, the assumption stated in this deficiency may be true for any school in the area. However, the partnership with Athlos Academies (EMO) for their programming and support is why students at Athlos Academy of Reno will achieve results in the top quartile of the state. The mission of the CTF is to end the first year of operation with students already achieving above district averages because of the support, structures, and strategies given to students every day. The CTF also has set the goal for the second of operation to end nearing and exceeding state averages. These goals, while ambitious, will be measured frequently—as described in prompt 2(b) of the Driving for Results section,



starting on page 57—to ensure excellence for every child.

### ***Agency Review:***

The Applicant has addressed the concerns raised by staff. The Applicant described their plan for measuring and evaluating student academic progress in a more detailed manner with the resubmitted application.

The Applicant states the school:

“...will begin by using formal interim assessments three times in the school year using MAP as a universal screener. MAP will be administered initially to establish benchmark data which will affect instructional decisions and professional development topics. It will be administered again in the winter and spring to measure growth and further allocate resources. The scheduling will be the first week of December and the third week of March; this will allow for two months of quality instruction between assessment periods, coordinating with the summative assessment that takes place in the spring. To meet established academic goals, a variety of interventions will be used depending on where students score. Students belonging to certain subpopulations such as those who are identified as English Language Learners (ELL) and students who are identified with an Individualized Education Plan (IEP) will have separate goals for the MAP testing. These students will receive weekly progress monitoring and will be evaluated to make sure they are improving in proficiency in reading and math. Athlos Academy of Reno will follow a plan to make sure students are meeting the goals in the chart below.

Any student that scores below the 20th percentile on interim assessments will receive additional monitoring via Curriculum-Based Measurement (CBM) through aimswebPLUS in addition to differentiated instruction. The progress-monitoring tool (aimswebPLUS) will be used to track progress for those at-risk students to inform more rigorous intervention and differentiation as well as to initiate a process of identifying a student who may need to have an IEP in place. [\(Page 57, Academic Plan\)](#)

Students who do not meet the target but are not within the lowest 20th percentile will have monthly progress monitoring and differentiated instruction between the three formal assessments happening throughout the school year. Students that fall between the 6th and 20th percentiles will be monitored monthly using aimswebPLUS math and reading probes, depending on student need, and will receive intervention outside of the regular curricula (e.g. in the general education classroom for reading and an additional 30 minutes 4 times a week outside the classroom using a research-based reading program). Students who fall below the 5<sup>th</sup> percentile will be monitored weekly and will receive intensive intervention outside of the regular curricula (e.g. in the general education classroom for reading and 30 minutes four times per week outside the classroom). [\(Page 58, Academic Plan\)](#)”

### ***Staff Recommendation:***

No additional information is required.

### **Area of Concern:**

It is unclear whether the Applicant group has a strong understanding of the state-level implementation of Infinite Campus. The Applicant group does not clearly articulate how they will be using the data in the

Infinite Campus and there's no plan for what they are going to do with the student data to drive achievement (page 34). **Please address.**

#### ***Applicant Response:***

This section of the charter has been revised significantly to include a more specific process of using Infinite Campus. The operational process for collecting and storing data, as well as using the data, is outlined in prompts 4 and 5 of Driving for Results on pages 63 and 64. Discussion about how the data inquiry team will use the data at the campus level is described in the response to prompt 4 of Transformational Change (starting on page 21) to show how data will be informative for guiding best practice to enable high student achievement.

#### ***Agency Review:***

The Applicant clearly articulated how they plan on using Infinite Campus. Their answer was more robust in its details regarding their knowledge of the Infinite Campus SIS, specifically, "During the enrollment period, designated staff at Athlos Academy of Reno and Athlos Academies (EMO) will work to review student profiles that will help to inform planning, instructional practice, and professional development to meet the needs of students coming to the school. Data from any Athlos school is managed and monitored with Athlos Academies (EMO) in compliance with state and federal laws [\(page 64, prompt 5\)](#)." The Applicant understands that it will be the school and not the EMO who will be the primary collector of this important information from Infinite Campus and the EMO, while providing support, would not be the primary source of student information for this school operating in Nevada.

#### ***Staff Recommendation:***

No additional information is required.

#### **Area of Concern:**

The Applicant did not articulate what the metrics will be for progress for performance character (page 32), so it is unclear how the governing body and the public will be able to monitor performance year-over-year and on an ongoing basis. Given this is an essential element of the program, the omission is particularly glaring. **Please address.**

#### ***Applicant Response:***

Assessments for Performance Character are listed on pages 51 under Driving for Results for prompt 1.

#### ***Agency Review:***

The Applicant listed a more defined system of measurements than what was submitted in the original application. The Applicant referenced multiple summative assessments it plans on using to measure students' progress year-over-year. However, the leading indicator goals are not rigorous [\(pg. 58-59, table\)](#). The Applicant's leading indicator goals do not clearly align to the Nevada School Performance Framework and they don't allow for the evaluation of mission attainment (pg. 58-59, table). The Applicant does not describe a clear process for setting, monitoring and/or revising internal leading indicator academic goals. These deficiencies should be addressed in a conditional approval.

#### ***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant shall make revisions to address the concerns raised above to the satisfaction of staff.

### **Area of Concern:**

Similarly, growth increments for subsequent years seem arbitrary and are set at 5% growth rate per year (p32), but do not specify the population being measured. For example, if that is for the whole school year-over-year, for all students enrolled for both the current year and the prior year, or for a consistent cohort year-after-year. The lack of specificity in this area is troubling, as it may result in a lack of alignment between how the school believes it is being measured by the state and how the state will actually measure the school. **Please address.**

### ***Applicant Response:***

As shared in previous deficiencies, this section has been revised completely. The growth increments are now based on ambitious and feasible growth projections based on data. Although the ultimate goal for Athlos Academy of Reno is to meet proficiency levels that are competitive with higher performing states nationally, the CTF and EMO understand that the beginning years will be critical to establish culture, instructional strategies, and pedagogy that will show consistent student growth year-over-year. The Driving for Results section can be referenced for more detail.

### ***Agency Review:***

The Applicant made this section more robust in response to the SPCSA's concerns. The Applicant demonstrates a clear understanding of the obligation to participate in the statewide and Authority systems of assessment and accountability and an explicit commitment to full participation in all federal, state, and Authority mandated assessments and measurements which are currently in effect or may be adopted in the future, including any updates to the NSPF or the SPCSA Performance Framework. The Applicant will use the MAP assessment and aimswebPLUS, which are both objectively verifiable. [\(pg. 60, prompt a\)](#) One aspect that is still not clear is how the physical fitness criteria will be adjusted to ensure all students have access to meet the needs of all learners, specifically for students with mobility challenges and/or obese. It is unclear what differentiation and scaffolding look like for students who struggle in the Healthy Body and Performance Character areas of the model.

### ***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant shall make revisions to address the concerns raised above to the satisfaction of staff. It is likely that previously recommended revisions will be sufficient to address this issue.

### **Area of Concern:**

The narrative references the MAP assessment by NWEA under the response for prompt 3(a), which describes how training will be provided to help “teachers to embed the assessments into their instruction” (p32). MAP, however, is an interim/benchmark assessment administered at specific times throughout the year, usually to large groups such as whole school or whole grade. MAP data can inform instruction but the assessment itself is not the formative tool the question seems to be focused on. While there may be some predictive value for MAP in relation to state assessments—although this is debatable given MAP's confidence intervals—it is not an appropriate tool for determining whether a particular lesson or even a unit was effective as the individual test questions (items) are selected by the computer software based on prior student response instead of being selected by teachers based on what they've already taught students. MAP does not sell a product which allows teachers to select from a bank of assessment items based on what they've taught, so its value as an embedded tool to provide feedback on the effectiveness of a lesson or a unit is questionable when compared to assessment products which do

offer such item banks for school and teacher use in exit tickets, quizzes, unit tests, or summative examinations (e.g. backwards mapped school-developed interims, final exams, etc.). **Please address.**

***Applicant Response:***

MAP is no longer referenced as an instructional tool. It is clear in the charter that MAP is an assessment tool. The formative and summative assessments used in direct relation to content being taught is described in the Academic Plan section throughout the description of identified curricula. Further, the process of how instruction is informed, how data is used appropriately to monitor progress and student needs, and how the data inquiry team will be responsible for analyzing and coaching that process is better described throughout the Driving for Results section.

**Agency Review:**

The Applicant has made a strong effort to address the concerns of the SPCSA and has moved significantly closer to the standard.

***Staff Recommendation:***

The few remaining deficiencies will be adequately addressed through previously recommended revisions.

**Area of Concern:**

It is unclear what specific tools the school will use to assess student progress in between interim assessments and how the school will use data to identify areas of need: at the classroom level, at the grade level, and across the whole school. The narrative does not sufficiently address how the school will facilitate changes in instruction and student-level supports for areas of concern. Given the limited track record of school performance and the lack of available data to determine whether the program is currently successful as implemented elsewhere, a robust feedback loop and intervention plan is essential. **Please address.**

***Applicant Response:***

As mentioned in the previous response, this issue has been further clarified in both the Transformational Change section and Curriculum and Instructional Design section. In these sections, the process for interim and ongoing assessment of student progress is described. For more detail about the process for intervention, the At-Risk Students and Special Populations section has been revised to include more details of the RTI process, approaches to working with Tier 1, 2, and 3 students, and other intervention and differentiation strategies and assessment opportunities.

**Agency Review:**

The Applicant describes clear process for identifying at-risk students, including those with academic and behavioral needs ([pg. 65-67, At-Risk Students](#)) and provides clear and appropriate delineation within the state-mandated Response to Intervention model (pg. 65-67 At-Risk Students). A member of the committee to form and a member of the EMO have demonstrated track records of success serving a wide range of students with disabilities ([pg. 67-68 At-Risk Students](#)). The Applicant delineated clear process for identifying students with disabilities; including using Child Find ([pg. 68-69 prompt 2](#)). The Applicant demonstrates deep understanding of Nevada and federal laws and regulations governing services for students with disabilities ([pg 69-72 prompt a, b and c](#)) and thoroughly describes the specific services that will be provided for students within and outside the classroom ([pg. 69-72 prompt a, b and c](#)).

***Staff Recommendation:***

No additional information is required.

**Area of Concern:**

The RTI plan described seems functional, but an only cursory response was provided to the specific question in prompt 3 on page 37, which speaks to emerging behavioral issues. There is a great body of research that demonstrates the link between behavioral issues at school and potentially serious underlying issues, such as trauma, domestic abuse, sexual abuse, family instability (i.e., transitional housing), learning disorders and/or mental health issues. Additional detail as to how the school's plan would seek to identify the presence of one or more of these issues is important to understanding the proposed RTI process. **Please address.**

***Applicant Response:***

The response to prompt 3 in the At-Risk Students section in the Academic Plan, starting on page 67, has been greatly expanded to outline how behavioral issues will be handled with a Multi-Tiered System of Support.

***Agency Review:***

The Applicant delineated clear process for identifying students with disabilities; including using Child Find ([pg. 68-69, prompt 2](#)). The Applicant demonstrates deep understanding of Nevada and federal laws and regulations governing services for students with disabilities ([pg 69-72 prompt a, b and c](#)) and thoroughly describes the specific services that will be provided for students within and outside the classroom ([pg. 69-72 prompt a, b and c](#)).

***Staff Recommendation:***

No additional information is required.

**Area of Concern:**

At times, e.g. the response to identifying students who may have been over-identified for special education services (p40-41), the narrative regarding at risk students and special populations seem excessively wordy. This hinders a concise understanding of the school's plan. **Please address.**

***Applicant Response:***

This response has been revised, starting on page 67, to better explain how the school will handle both over-identification of students who have a disability and transitioning those students out of special education. The revised response for the school's plan is referenced throughout. It is included in the Parent and Community Involvement section prompts 2 and 3, and in Transformational Change prompt 4. It is also included under Academic Plan in Differentiation prompts 3-7, in ELL section prompt 6, and in the Homeless and Migrant Services section prompt 2.

***Agency Review:***

The Applicant revised their response to better show their understanding and plan regarding over-identified SPED students. The Applicant discussed their special education services team ([page 70, paragraph 1](#)) and how that team will work with parents during the initial and transfer meetings as students' files are reviewed during the summer transition process ([page 70 paragraph 2](#)). The Applicant "will hold a meeting to transfer comparable services for students with an IEP and inform parents that within 30 days an IEP team will meet to either adopt a previous IEP or develop a new IEP. For students who are enrolling from

out-of-state, Athlos will follow the procedures required for out-of-state students. The special education services team will involve parents of students with disabilities in meetings by attempting to schedule them at convenient times for parents and offering means of participating phone or video, if needed.” [\(page 70 paragraph 2\)](#)

***Staff Recommendation:***

No additional information is required.

**Area of Concern:**

Without having a clear plan for parent engagement, there will be compliance and engagement hurdles for at-risk students (page 38). The Applicant did not address what the school’s plans will be to actively seek out children who may have special needs, nor what it would do to engage their parents in an active learning environment. **Please address.**

***Applicant Response:***

This response was revised and updated in the Parent and Community Involvement section for prompts 2 and 3 on pages 7-10 in the Meeting the Need section.

***Agency Review:***

The Applicant bolstered their response to the concern mentioned by the SPCSA. They provided a more detailed plan, but the school will still need to submit their finalized plan during a conditional approval. The Applicant states that “during the transition process, through opening, the CTF will work with school leadership to develop a parental involvement plan [\(page 8 paragraph 3\).](#)”

***Staff Recommendation:***

Following execution of the charter contract, this plan should be submitted as a pre-opening requirement in order for staff to ensure it meets the expectations for a new-start charter.

**Area of Concern:**

The school’s Code of Conduct appears to be a foundational document that will be important in the life of the school, but the responsibility for developing it is left up to the school leader. This position has yet to be filled, deferring development of a critical element of the schools systems until an unknown date. It is unclear how the EMO will support the development of a school Code of Conduct that adheres to both the Athlos Performance Character pillar as well as to established principles of restorative discipline. **Please address.**

***Applicant Response:***

This section has been rewritten, starting on page 81. Athlos Academies (EMO) has a nearly finalized version of the Student Code of Conduct, which will be completed upon hiring the school leader.

***Agency Review:***

The Applicant thoroughly described sound policies for student discipline, suspension, and expulsion including restorative justice practices and procedures for due process [\(pg. 81-86, school structure\)](#). The Applicant stated that the principal will be responsible for implementing the discipline plan [\(pg. 81, prompt 1\)](#). The Applicant plans to ensure that vulnerable student populations are treated equitably with regard to student discipline [\(pg. 89-91 prompt 4\)](#). However, Applicant does not describe clear plan for monitoring and reported student behavior data; there are not clear goals for student behavior [\(pg. 88, prompt 3\)](#).

### **Area of Concern:**

Consequently, important details lack sufficient detail, such as how the school will operationalize its practice of restorative justice, such as for students being readmitted after a suspension or expulsion.

**Please address.**

### ***Applicant Response:***

On page 81 of the Academic Plan, a revised response has been added to include Athlos Academies Positive Behavior Support Plan (PBSP) to further explain how the school will handle discipline.

### ***Agency Review:***

The Applicant provided more detail regarding the PBSP and provided back-up documentation in their supporting documents that gave this reviewer more clarity with regard to how they plan on carrying out the PBSP and restorative justice. The Applicant included more detail about the features of the PBSP including:

- Team-led approach to implementation
- Clearly articulated school-wide expectations of behavior
- The use of data to drive decision making regarding behavior
- A continuum of consequences, consistent with a non-punitive and restorative approach
- Multiple teaching and learning opportunities tied to Performance Character and provided to foster prosocial behaviors in students.” [\(Page 82, Academic Plan\)](#)

The Applicant notes that support PBSP for staff will be provided by the EMO and through professional development and by the Nevada PBIS Technical Assistance Center [\(page 82, Academic Plan\)](#).

### ***Staff Recommendation:***

No additional information is required.

### **Area of Concern:**

Given that reducing severe overcrowding is the primary, data-driven rationale for locating the school in South Reno, it is unclear why the Applicant has not considered implementing the provisions of NRS 388A.456(1)(a), which provides for giving enrollment preference for students who currently attend overcrowded schools. **Please address.**

### ***Applicant Response:***

After talking through this scope of law with SPCSA Executive Director, Patrick Gavin, this legal reference is only part of the potential solution this scope of enrollment provisions in law. NRS 388A.456(1)(e), rather than 388A.456(1)(a), is most applicable to the deficiency’s claim that severe overcrowding should be addressed in enrollment considerations. NRS 388A.465(1)(e) states:

At the time his or her application is submitted, is enrolled in a public school of a school district with an enrollment that is more than 25 percent over the public school’s intended capacity, as reported on the list maintained by the school district...If a charter school enrolls pupils who are enrolled in such a public school before enrolling other pupils who are eligible for enrollment, the charter school must enroll such pupils who reside within 2 miles of the charter school before enrolling other such pupils.

Athlos Academy of Reno will not open until fall of 2018, which means that the data and law that would be used to drive enrollment will be reviewed January of 2018 when the enrollment window would first open for the school. At that time, the board and EMO will establish if this scope of law is accurate as a way to allow for enrollment provisions going forward. With the anticipated residential growth in South Reno and the current pace of over-crowding shown in the school district and county data, it is likely that this provision may be implemented as part of the enrollment plan decided upon with future school leadership, the board, and the EMO.

#### *Agency Review:*

The response provided by the Applicant generally meets the concerns of the SPCSA. It is unclear, however, whether the Applicant understands that a change to the admissions policy is a material amendment to the charter contract. Consequently, the Applicant would be better served to develop a policy that defaults to the overcrowding provision and allows the governing body to make an annual determination regarding which traditional public schools, if any, meet the over-capacity triggers set forth in statute.

#### *Staff Recommendation:*

Staff recommends that the admission policy language be amended to the satisfaction of staff prior to the execution of the charter contract.

#### Area of Concern:

The pagination of some sections is inconsistent, limiting the ability of reviewers to reference specific pages of the document. This, associated with other formatting and spelling issues throughout the document, including the use of AAU as an acronym for 'Athlos Academy of Reno' (which seems to be copied from the application submitted for Athlos Academy of Utah), speaks to the need for careful proofreading of any resubmitted application. This is particularly important as the approved application is a public document and will be reviewed up by parents, families, and the general public. Examples: typographical error on page 41 ('budged' for 'budget'). **Please address.**

#### Applicant Response:

The noted typos have been corrected and cross-references have been reviewed and corrected as needed. The document has been formatted in compliance with instructions put forth by SPCSA.

#### *Agency Review:*

The Agency can confirm that the requested changes have been made. It is important to note that the revised document is not compliant with the formatting requirements of Section 508 of the Rehabilitation Act.

#### *Staff Recommendation:*

This application was initiated prior to the adoption of R089-16A, so staff did not perform a Section 508 compliance review. However, as this will be a public document that is posted on publicly accessible websites, it is important that the document be made compliant prior to contract execution. Prior to execution of the charter contract, the Applicant shall submit a compliant document.

#### Area of Concern:

The Applicant's response to the third prompt under school culture is unresponsive; as it merely notes that the school will display the performance character traits throughout the school and promote them as a common language. This information does not answer the question asked: "Explain how you will create and



implement this culture for students, teachers, administrators, and parents starting from the first day of school. Describe the plan for enculturating students who enter the school mid-year.” For example, no plan is described for onboarding students to the school’s culture when they arrive mid-year due to state-mandated backfilling. Based on past precedent, this can be a significant challenge for schools striving to nurture a very defined school culture. **Please address.**

***Applicant Response:***

This prompt has been revised, starting on page 77 of the Academic Plan, with a more thorough response on how Athlos Academy of Reno will create and implement a school culture.

***Agency Review:***

The Applicant described numerous strategies that the school would use to support a positive school climate that focuses on the development of 12 specific character traits in both staff and students ([pg. 77, prompt 1](#)); these traits appear to be based in significant research regarding character development for kids. The Applicant has a clear plan for on-boarding new students mid-year, which includes orientation, a buddy system, and periodic check-ins ([pg. 79, paragraph 1](#)). The Applicant stated that the school would use the Response-to-Intervention approach to support students’ socioemotional needs ([pg. 80 prompt 7](#)). The Applicant explained how school culture will be normed for students and staff ([pg. 77-78, school structure: culture](#)).

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

There is no student discipline policy outlined yet, other than maintaining a Positive Behavioral Support plan (page 45). **Please address.**

***Applicant Response:***

An updated response outlines the Athlos Academies (EMO) Positive Behavior Support Plan (PBSP) on pages 81 and 82 of the Academic Plan.

***Agency Review:***

The Applicant provided a more defined student discipline policy. They detailed their Code of Conduct in relation to the Performance Character. The Code of Conduct is tied to the “Positive Behavioral Support Plan” which was included in supporting documents of the resubmission. The Applicant clearly addressed the concerns the SPCSA had regarding the student discipline policy and showed the EMO having a strong professional development relationship with staff at the school site to allow the school staff to integrate the student discipline plan with the Athlos Academy mission.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

As a disciplinary strategy, “Sending the student to the office or other assigned area” (page 51) does not work as a behavioral management tactic unless there is a plan for the child and a clear plan for how specific staff will address the misbehavior. **Please address.**

***Applicant Response:***

This item has been removed from disciplinary strategies.

***Agency Review:***

The Agency can confirm that this content has been deleted.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The school schedules provided lack important details, such as specific time allocations for essential subjects/content areas, instead merely detailing blocks of time as “instructional 1” or “Instructional 2,” etc. (pp. 60-61). This format makes it difficult to confirm the total amount of instructional time. **Please address.**

***Applicant Response:***

The school schedules have been updated on page 94 of the Academic Plan. Schedules are subject to change throughout the year, which is why general instructional blocks were included in the original application.

***Agency Review:***

The Agency can confirm that this content has been updated to address the concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The schedule for middle school grades stops at 1:55, with no explanation as to the underlying rationale for a shorter day for middle school students and why it is appropriate for the schedule for middle schoolers to have an hour less of instruction each day (page 61). **Please address.**

***Applicant Response:***

The middle school schedule has been updated on page 94 of the Academic Plan to show the entire school day.

***Agency Review:***

The Agency can confirm that this content has been updated to address the concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

School-specific language is referred to in the daily schedules (i.e., Number Corner math instruction on page 60) that will have to be coached into for new staff members, adding additional time and topics to the extensive staff training agenda established elsewhere in the petition document. **Please address.**

***Applicant Response:***

The Professional Development Plan is included in the Supporting Documents section starting on page 387 at the end of the application. Professional development will include strategies for using curricular materials during the school day.

***Agency Review:***

The Applicant addressed this concern with additional content that goes into much more detail in explaining why and how the school plans on carrying out its mission, including through professional development.

**Area of Concern:**

It is unclear why official school trips and/or other school-sponsored schools-sponsored events are listed as “excused absences.” **Please address.**

***Applicant Response:***

This has been removed from the list of excused absences.

***Agency Review:***

The Agency can confirm that this content has been updated to address the concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The scenarios narrative (page 63 versus page 61 and 61) does not match up to the schedule included. The Huddle time does not match up; the Athletics is only listed for 30 minutes for Kindergarten (but the narrative is listed as 50 minutes); and the instructional time is not specified in the calendar as it is in the Day in the Life scenarios. **Please address.**

***Applicant Response:***

The Day in the Life scenarios has been revised. The schedule in prompt 1 has been changed to accurately reflect the revised daily schedule included in the Academic Plan in the School Structure: Calendar and Schedule section starting on page 93.

***Agency Review:***

The reviewer can confirm that the Applicant has accurately reflected the daily schedule based on revisions in the resubmission.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The Applicant does not clearly outline plans to serve the child with Downs Syndrome (Ruby, page 65). The answers are so vague and unresponsive that it is unclear whether the program will meet this student’s academic needs. Stating that not having Ruby’s IEP makes answering the question difficult seems to avoid responding to the prompt, as well as to indicate an inability to describe how the school might respond to several likely scenarios that a student with a severe medical condition and/or impairment might present. **Please address.**

***Applicant Response:***

This response has been revised to outline potential plans to serve a child with Down Syndrome starting on page 98 of the Academic Plan in the A Day in the Life and Scenarios section.

### ***Agency Review:***

The reviewer can confirm that the Applicant has revised the content to provide a more detailed and responsive narrative. The Applicant presents a day in the life of the school that is well-tailored to the key priorities and principles in the Academic Plan and overall mission and vision for the school ([pg. 96-98, a day in the life scenarios](#)) and now presents a well-defined support of Ruby in accordance with her IEP ([pg. 99, paragraph 3](#)).

### ***Staff Recommendation:***

No additional revisions are required.

### ***Area of Concern:***

The data analysis required by scenarios prompt 5(a) is underdeveloped and does not address all of the questions specified in the prompt (pp 66-67). The discussion of additional information needed and a plan for obtaining this information is minimal, as are plans for next steps. The prompt specifies a range of disabilities present in the SWD population for a reason, and this prompt does not address these subgroups or even suggest others that could be studied (such as the performance of students who received Free and Reduced Lunch), whose performance may affect the scores represented here. In addition, while it is good that the application acknowledges the significant drop in SWDs tested, from 23 in 2012 to 14 in 2014, the response does not (a) acknowledge that some students tested may have had their scores invalidated for a variety of reasons or that (b) identify how the school will study the 2012 cohort to determine which students from that cohort were not tested in subsequent years and why. Shifts in tone, e.g. the use of the words “even worse” seems strikingly out of place in a professional analysis of a school’s academic performance (p 66), especially in a public document. **Please address.**

### ***Applicant Response:***

This response has been completely revised. A plan to obtain and analyze additional information and potential next steps are provided. The drop in validated scores is addressed. The revised response can be found in the Academic Plan in the Day in the Life section, prompt 5.

### ***Agency Review:***

The reviewer can confirm that the Applicant has revised the content to provide a more detailed and responsive narrative. The Applicant demonstrated a capacity to utilize data to drive decision making and facilitate improvements in teaching and learning, including targeted professional development to help address student learning needs ([pg. 100-103, prompt 5](#)).

### ***Staff Recommendation:***

No additional revisions are required.

# Organization

## Area of Concern:

There is no leadership team identified. The CTF has identified the component parts, but is not clear on which staff members will be on the Leadership Team once the principal will be hired. Responses are unnecessarily vague and fail to identify how prospective leadership roles will be conducted, even if a specific person has not yet been hired for that position, as was indicated for responses to prompts (4), (5), and (6) on page 2 of Appendix 18-6. A well-developed response would have articulated, at a minimum, provisional steps a person in that role would be expected to follow to clarify that the school's plan have a high likelihood of success with any new hires. (Attachment 18-6). **Please address.**

## Applicant Response:

Athlos Academy of Reno will not open until fall of 2018, due to construction, startup, and authorizer approval timelines. (References to operating in the 2017-2018 school year have been adjusted throughout the charter.) As such, the CTF and Athlos Academies (EMO) are actively gathering applications for leadership with the intent to hire no later than January 2018. Ideally, a school leader will be hired for 12 months prior to opening and no less than nine months prior to opening. While a school leader and other members of the leadership team have yet to be identified, several responses in the Leadership Team section in the Operations Plan have been revised and expanded as appropriate. Specifically, in the Leadership Team section of the Operations Plan, prompts 1-6 have been adjusted to explain in greater depth the process and plan for school leadership.

## Agency Review:

The Applicant provided a staffing structure with clear lines of authority ([org chart attachment 8](#)) and clear supports from EMO to school ([page 106, table](#)). The Applicant also provided a clear process for recruitment that includes support from the EMO ([Page 107-108, prompt 4](#)). The Applicant outlined selection criteria ([attachment 4](#)) and role definitions ([page 105, prompt 3](#)) and demonstrated the required understanding and use of formal and informal performance data. The Applicant detailed a selection process that seeks candidate information related to mission, model alignment and core competencies aligned to the proposed model (Page 108, attachment 8). However, the Applicant does not articulate a clear, ambitious, data-driven set of standards and criteria that the school leader must satisfy in order to keep the school on track to achieve the school vision. This could be addressed with a conditional approval as the Applicant moves closer to the 2018 school year.

## Staff Recommendation:

Prior to the execution of the charter contract, the Applicant must revise the application articulate a clear, ambitious, data-driven set of standards and criteria that the selected school leader must meet.

## Area of Concern:

The Applicant provided what appears to be a boilerplate job description for a school leader or a small district superintendent. It did not identify specific competencies that they are looking for in a principal (attachment 2-3). Due to this cursory information and the omission of Attachment 4, it is unclear that they have determined what behavioral traits, beliefs, and skills are important to the leader. Based on the information provided, it would be difficult to differentiate between a candidate who will lead a school to

excellence and one who will lead a school to mediocrity or persistent underperformance. In contrast to leadership models for the most highly effective schools, far more time appears to be spent on non-instructional tasks than is typically seen in schools which reliably perform at high levels. **Please address.**

***Applicant Response:***

As stated in the previous deficiency, the plan for the leadership team is described in greater detail. Attachment 4 beginning on page 176 is now included to evidence how a school leader is chosen. This attachment outlines the hiring process, the sample leadership interview questions for each interview step in the process, and the professional development plan used to support on-boarding of leadership.

***Agency Review:***

The Applicant has demonstrated a clearer plan for hiring the school leader.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The Applicant's response to Leadership prompts 2, 4, 5, and 6 provides no indication of what will be expected a leadership when a candidate is in fact hired, which will be critical to a school expecting to serve over 1,000 students in Year 1. Responses are unnecessarily vague and fail to identify how prospective leadership roles will be conducted, even if a specific person has not yet been hired for that position, as was indicated for responses to prompts (4), (5), and (6) on page 2 of Appendix 18-6. A well-developed response would have articulated, at a minimum, provisional steps a person in that role would be expected to follow to clarify that the school's plan have a high likelihood of success with any new hires (Attachment 18-6). **Please address.**

***Applicant Response:***

These Leadership Team prompts have been answered and the revised responses are under the Leadership Team section in the Operations Plan. The responses include much more detail about the qualifications, hiring and recruitment process, and professional development for leadership. Supporting documents at the end of the charter explain these topics in further detail. Attachment 4 starting on page 176, also includes the documents used for school leader recruitment, hiring, and professional development mapping.

***Agency Review:***

The Applicant stated that the school leader will be trained by the EMO during the incubation year ([pg. 143-144, incubation year development](#)) and that the school leader will be hired for the incubation year and will be paid through a credit line ([pg. 144, prompt 3](#)). The Startup expenses are reflected in the budget narrative assumptions and the budget calculations.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

In addition, the proposed school leadership plan does not adequately address the significant amount of training a leadership team for a startup school with a projected enrollment in Year 1 of over 1,200 students. Any such leadership will likely need a great deal of direct, on-site support. **Please address.**

### ***Applicant Response:***

Professional development for the school leadership team and staff is described in the Professional Development Plan on page 387 of the supporting documents. The summer of 2016 through this current school year at newly opened campuses in Herriman, UT and St. Cloud, MN are evidence of this professional development model and support in action. Both schools have enrollment of (or near) 1,200 students and have had success with implementing the professional development model outlined in the supporting documents.

### ***Agency Review:***

The Applicant's proposed staffing structure demonstrates effective assignment of management roles and distribution of responsibilities ([Attachment 8](#)) and the Applicant's leadership job descriptions present a realistic allocation of duties based on NDE and general state reporting and compliance requirements ([Attachment 2](#)). The Applicant has now clearly described how both the school and the EMO will coach and support school staff and leaders ([pg. 103-106, leadership team](#)).

### ***Staff Recommendation:***

No additional revisions are required.

### **Area of Concern:**

Given that Athlos Academies is an experienced operator of schools that operates a network of schools across the country and given that the support of the EMO and the network will be invaluable to the success of the proposed school, more detail regarding how the specific position within the EMO that will support the school is critical. The information provided in the staffing section is unresponsive to the question asked. Based on the specific support outlined elsewhere and the fact that the job descriptions for some leadership positions indicate the Applicant intends for some school staff to have a direct or dotted line reporting relationship to EMO staff (instead of a relationship where the EMO is effectively a vendor to school staff), information related to the appropriate positions at Athlos Academies is essential.

**Please address.**

### ***Applicant Response:***

The response to prompt 3 in Leadership Team has been expanded. A complete list of staff at Athlos Academies (EMO) that will assist Athlos Academy of Reno is on pages 106 and 107 in the response.

### ***Agency Review:***

The Applicant's revisions address the concerns raised. The findings made under the previous area of concern address this concern as well.

### ***Staff Recommendation:***

No additional revisions are required.

### **Area of Concern:**

Staffing ratios for students with disabilities are listed as "a 1:25 ratio (teachers to qualified students) and paraprofessionals are hired at a 2:1 ratio (paraprofessionals to teachers)," as on page 41 of the Academic Plan, which is out of compliance with the requirements of NAC 388.150. **Please address.**

### ***Applicant Response:***

The budget incorrectly noted the number of special education teachers Athlos Academy of Reno will hire

year one. The \$126,000 is allocated for three special education teachers, in addition to the special education director's responsibilities. The budget has been revised to increase the number of special education teachers employed at the school from three to four. In addition, the special education director in years one and two will be tasked with managing a case load based on the number of students the school has requiring special education services. The school anticipates that ten percent of its 1,220 enrolled students (122 students), will need special education services. With the current staffing as adjusted, those 122 students and their case load will be split across four special education teachers and the director, as needed, equating to a student to teacher ratio for special education services of 24 to 1. The ratio adjustment is also reflected in prompt 7 of the Staffing section. Additionally, the school will have money associated with contracted services that will provide specific services to students, allowing the school to stay within the legally required 22:1 ratio daily.

***Agency Review:***

The Agency can confirm that this was addressed in the resubmission.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

It is unclear why there is an increase in staff (sports performance teachers, guidance counselors, special education teachers) in out years if the student counts are not increasing (attachment 18-6). **Please address.**

***Applicant Response:***

Athlos Academy of Reno is focused on providing exceptional services to our students and parents. In the early years of operations, schools have high capital expenditures and investment in technology and curriculum. In later years of operations, those fixed or one-time expenditures decrease or expire, allowing the school to focus on adding additional staff. While Athlos Academy of Reno meets state requirements beginning in year one of operations, our goal is to provide exceptional services. To do that the school will continue to add staff as it matures.

***Agency Review:***

The Applicant's response is rooted in the mission and vision of the school and they understand the need for the school to meet state requirements while also providing their own execution of services that they believe will serve pupils well and tie into the Pillars of Character that their charter is rooted in.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

It is unclear whether the Applicant will be able to recruit and retain the fractional hourly staff identified in the application. For example, the application assumes 3.6 teachers' aides and 9.2-10.2 operations staffers (attachment 18-6). It would be helpful to understand how many individual employees these fractional numbers represent. **Please address.**

***Applicant Response:***

It is the goal of Athlos Academy of Reno to attract and retain hourly staff. With the consideration of



budgeted expenditures, the school considers appropriate and responsible hires for part-time and hourly staff. For example, the school may look to maximize the number of staff hired at the school by choosing to hire multiple part-time positions instead of a full-time position. Athlos Academy of Reno will empower the school leader to make personnel choices that maximize the services the school provides within budgeted resources.

***Agency Review:***

The Applicant's answer is unresponsive to the concern.

***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant must revise the narrative to specifically and directly address the concerns raised by the Agency.

**Area of Concern:**

Several of the responses in the staffing section are vague or unresponsive. For example, vendor ADP provides several tools that can serve an HRIS function for schools, but the response does not specify which one. Similarly, staffing prompt 2 specifically requests proposed salary ranges, yet the response does not provide this information. Comments such as "several full days" will be set aside for teacher planning and PD lack the necessary specificity as to when these will occur and how this time will be utilized to efficiently support core school goals (Attachment 18-6). **Please address.**

***Applicant Response:***

There is now a projected salary schedule on pages 112 and 113 of the Operations Plan in response to prompt 2 of the Human Resources section. The salary schedule is comparable with those provided by Washoe County School District, albeit slightly less in beginning salary amounts. Additionally, the salary schedule does cap out at a lower base salary than noted by the district. While not identical to the district, Athlos Academy of Reno feels that this salary schedule will ensure the school is competitive and attractive to potential teachers. Athlos Academy of Reno will contract with ADP for its HRIS system. ADP will assist with the processing of payroll, submission of quarterly and annual taxes, as well as the preparation of W-2 forms. It will also assist with the hiring of staff and the application and completion of benefits.

The Professional Development Plan for staff, including a schedule for full days of professional development, is in the Supporting Documents section beginning on page 387. The school leader and Athlos Academies (EMO) will work together to develop and modify the professional development plans based on the needs as indicated by assessment data, school culture needs, curricular needs, etc.

***Agency Review:***

The Applicant's response addresses the Agency concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The Applicant does not identify if it will or will not offer performance pay or similar incentives (page 18-6). **Please address.**

***Applicant Response:***

Athlos Academy of Reno is committed to providing an attractive compensation package for employees. The

school leader and board will evaluate any and all compensation options. However, we do not anticipate providing performance pay during any of the first three years of operations. As the schools move into a more sustainable operating position, there may be performance pay or other incentives for teachers and staff.

***Agency Review:***

The Applicant's response addresses the Agency concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

Although the charter application details at several points how the proposed Three Pillar model can be beneficial to students who struggle, are at-risk of dropping out or who have special needs, no mention of how the school will specifically reach out to these populations, in spite of the specific reference in enrollment prompt (1). Additionally, it is unclear how parents who speak languages other than English will be able to access information related to the school, as there is no indication that the website, marketing materials, forms, or other school publications will be published in Spanish or other languages other than English spoken in Reno and Washoe County. There is no mention of qualified bilingual support staff to interpret or directly answer questions and provide guidance to PHLOTE families. Similarly, it is unclear how adults with disabilities will be able to access such information in compliance with Section 508 of the Rehabilitation Act. **Please address.**

***Applicant Response:***

The response to prompt 1 in Student Recruitment and Enrollment, starting on page 129, has been revised to better describe differentiation for access with parents and strategies to help at-risk students' families feel welcome to enroll in the school. These processes are also described in the Academic Plan in the At-Risk Students and Special Populations section starting on page 64. This section has been revised and now includes more clear processes about access for students and outreach and/or access for families of at-risk student, homeless and migrant populations, primary home language other than English (PHLOTE) families, and families of students with IEPs.

For all subgroups listed in the prompt, differentiation to accommodate equal access will be a priority. To support PHLOTE families, all materials for marketing, application and enrollment forms, parent newsletters, and other communications will be published in languages needed based on population. At least one front office staff person will be bilingual to support families who need language assistance. The anticipated population will likely require bilingual materials and front office staff in Spanish. Other languages will be accommodated for in the same way, based on need. Bilingual ELL staff will be hired and can work with parents as community liaisons.

Further language support will be given on Athlos Academy of Reno's digital platforms. The website platform for all digital correspondence and updates to families is compatible with Google Translate and can be read in any language that may be the primary language in the home. During parent nights and other opportunities for families to be in the school, training will be provided to PHLOTE families on how to access their child's information and school information in their home language on the digital platform.

Athlos Academy of Reno will work to ensure that assistive technologies will be supported for adults with disabilities, in compliance with Section 508 of the Rehabilitation Act. Specifically, when the school uses

electronic forms, such forms will allow the assistive technology to access all information and any field elements, as well as the capability to complete forms with directions and cues. Similarly, Athlos Academy of Reno will not use color coding as the only means of conveying information, but will utilize a narrative element to distinguish between a visual element in our communication. Most of Athlos Academy of Reno's information will be web-based, and the school will be diligent to design visuals that allow for accessibility. These strategies include a text narrative to any video presentation, web pages designed with color can also be viewed without color, as well as pages can be viewed as text-only if needed. Regarding telecommunications, all phone systems, voicemail, and auto-attendant features will use TTY signal protocols and allow sufficient time for users to indicate if more time is needed to complete a certain function on the system.

***Agency Review:***

The Applicant articulates a plan for recruiting students and describes specific steps for ensuring enrollment (pg. 130-132, prompt a) and stated that mailers will be sent to all households with children within two mile radius of the facility (pg. 129-130, prompt 1). The Applicant outlined an enrollment campaign that leverages grassroots, data-driven outreach and recruitment strategies versus the internet, social media, or other passive tactics which disproportionately benefit more advantaged populations (pg. 130-131, paragraph 2-4). The Applicant's enrollment plan is reasonable (pg. 133-134, table) and the Applicant stated that there will be backfilling throughout the school year and that the EMO will monitor this (pg. 132, prompt 2). The Applicant's enrollment plan is aligned with the staffing plan. The Applicant's enrollment plan reflects an understanding of the Nevada context in that recruitment, application, and school materials will be translated into the appropriate languages for the school community. However, the Applicant does not sufficiently address enrollment preferences and it's not clear what the preferences will be (pg. 130, prompt a). The Applicant does not state that the school would comply with the 45 day minimum notification or 90 day notification requirement. These issues should be addressed in the conditional approval.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The response indicates no variation between Planned Enrollment and Maximum Enrollment; while permissible, this is very ambitious. **Please address.**

***Applicant Response:***

This prompt is addressed in the next response.

***Agency Review:***

The scenarios discussed in the subsequent response reflect multiple enrollment levels.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The attached budget calculation spreadsheet projects for enrollment of 1,220 students, with no indication of how the 976 minimum enrollment numbers will allow the school to meet budget requirement (i.e., payroll, debt management, operations, etc.) and remain solvent. **Please address.**

### *Applicant Response:*

Athlos Academy of Reno has created additional budget scenarios should maximum enrollment not be reached year one of operations. If the school assumes a stair-stepped enrollment plan, with 900 students in year one, 1,060 students in year two, and 1,220 students in year three and forward, the school will need to make the following adjustments:

- Athlos Academy of Reno feels that it is safe to assume that it would receive some portion of Title funding and special education reimbursement beyond what is allowed for and calculated in the budget template. The budget template specifically calculates no reimbursement associated with Title funding and IDEA reimbursement; however Athlos Academies (EMO) feels that, based on past experience with other schools of similar size and demographic, it can safely assume \$200 per student in Title funding as well as a special education reimbursement rate of approximately 80 percent.
- A reduction in staffing due to reduced enrollment as well as a reduction in expenses directly affected by per-pupil or per FTE enrollment, such as costs for curriculum, technology, and instructional materials.
- A reduction in the EMO fee from \$800 per a student to approximately \$400 per a student.
- A reduction in facility lease rate.

Athlos Academy of Reno feels that with these changes it can weather any short-term enrollment issues that may arise.

### *Agency Review:*

The Applicant's assumptions related to federal funding revenues in its contingency scenarios appear inconsistent with the experience of charter schools in Nevada. Specifically, the Applicant asserts that it is likely to receive \$200 per student in Title funding. Consistent with its approved subgrant, the Authority reserves Title I funding, the largest federal revenue stream, exclusively for schools that are eligible for schoolwide programs. Currently, schools must have a free and reduced price lunch population of at least 40 percent in order to qualify for schoolwide status. Faced with annual declines in Title funds on a per-pupil basis due to the fact that the State of Nevada does not allocate Title funding to charter schools in an amount proportionate with population growth, the Authority has chosen to prioritize maintaining, to the extent possible, funding for high poverty schools and has not adopted a targeted assistance funding model. While there are modest amounts of money available to schools from the other Title programs, it is unclear that the school will be eligible for reimbursement.

Similarly, the Applicant assumes that it will be able to seek reimbursement for 80 percent of its special education costs. Given that the per-pupil IDEA Part B funding received by the Authority last year was less than \$1,200 and the Agency anticipates declines in this per pupil figure over this biennium due to increased total enrollment, sustained growth in the percentage of students with IEPs, and a lack of proportionate increase in revenue, an assumption that the school will be able to cover 80 percent of its special education costs appears wildly optimistic.

The Applicant's budget priorities are otherwise consistent with the operator's model ([Attachment 18](#)) and School-level budget presents balanced, evidence-based revenue and expenditure assumptions, and Applicant provides sufficient detail and specificity of assumptions for all budget line items to allow for the assessment of fiscal viability ([Attachment 18](#)) with the exception of the federal funding assumptions

discussed above. All other fiscal projections are based on accurate and usually conservative assumptions, and Applicant plans to establish a line of credit with the EMO for incubation year fiscal support. Based on EMO audits, there is no evidence that the school ever will become insolvent or lack access to the necessary amount of liquidity. There is sufficient contingency planning ([Attachment 18](#)).

#### ***Staff Recommendation:***

The Applicant must revise these scenarios to omit federal funding assumptions prior to execution of the charter contract. There are no other deficiencies.

#### **Area of Concern:**

The projected enrollment of 1,220 is well in excess of the 400 students specified in prompt #4 (Attachment 10-1), which seems to imply a need for greater detail than for a school slated to serve ~400 students, and the response states the school will serve 8 grade levels. (Enrollment is actually projected to be 1,220 students in Year 1.) Given the ambitious timeline, it is perplexing that the Applicant team did not provide evidence to indicate that any level of community engagement or evaluation of interest has started, as this school would be the largest single charter school opening in the history of Nevada and it is in a community where charter schools are far less prevalent than in the Las Vegas valley. **Please address.**

#### ***Applicant Response:***

Evidence of community engagement and evaluation of interest is discussed in the response in Parent and Community Involvement section of Meeting the Need, on pages 8, 9, and 10. Again, the school will not be opening until 2018-2019 school year. The school already has an interest list on its website and Athlos Academies (EMO) has been collecting data trends to prepare for optimized marketing efforts in the South Reno area once the charter is approved.

#### ***Agency Review:***

The Applicant described pre-opening and opening opportunities for parent engagement through input on school academic goals, parent education related to the three pillars of school model; opportunities to engage in student recruitment and other community activities on behalf of the school and school safety committee ([Page 8, paragraph 2 and 3](#)) more thoroughly in the resubmission. The Applicant described social and learning opportunities for parents including cultural events, in school and classroom visit and volunteer opportunities; and direct engagement in the PTO ([Pages 9 & 10, paragraph 3-6](#)). The Applicant has provided 5 letters of support from members of the community ([Attachment 1](#)) However, this section, unlike the academic program, lacked cohesion, and did not connect to other aspects of the program design related to community ([page 18, prompt 2](#)). This should be addressed in the conditional approval.

#### ***Staff Recommendation:***

Prior to execution of the charter contract, the Applicant must revise the narrative to specifically and directly address the concerns raised by the Agency.

#### **Area of Concern:**

The school actually plans to serve nine (9) grade levels, 1st through 8 as well as Kindergarten, each with its own unique needs, staffing requirements, and resources needed, whereas the response indicate it will serve only 8 grades. (Attachment 10-1). It appears that this is an artifact from an application in another state or a typographical error. **Please address.**

***Applicant Response:***

This error has been corrected on page 134 and 135 of the Operations Plan in the response to prompt 4 of Student Recruitment and Enrollment.

***Agency Review:***

The Applicant's response addresses the Agency concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

While the founding governing body is a diverse and accomplished group of community members with a unified vision and understanding of their mission and a clear commitment to the work ahead, the inconsistent quality and coherence of the initial charter application document does not back up those strengths as well as it should. For example, the drafter misidentified the reference to the attached PDF of governance bylaws under prompt 2 of the governance section. **Please address.**

**Applicant Response:**

This reference has been adjusted by one page, as needed. Many other adjustments and technical corrections have been made throughout the document.

***Agency Review:***

The Agency can confirm this has been adjusted in the resubmitted application.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The operational execution plan does not contemplate any concrete plan for the leadership development of the principal during the incubation year. Given the Applicant group's particularly strong endorsement of the Athlos school culture observed in other jurisdictions during the capacity interview and the level of interest in relocation to Reno from existing Athlos schools that was discussed during that meeting, it is unclear why the Applicant is not actively recruiting from the existing pool of emerging Athlos leaders who have deep familiarity with the program and the culture versus taking the risk of recruiting a local leader or someone identified from a national search whose level of subscription and expertise in the model is unproven. **Please address.**

***Applicant Response:***

Fair hiring practices will be followed for the identification of the school leader and all staff as explained in the Operations Plan. There may be a candidate within the existing Athlos leadership pool who would be a good fit, but the EMO and CTF will still seek talent through a national search. With a planned 2018 opening, there is sufficient time to hire school leadership with at most one full year, and at least nine months, of training and preparation with the Athlos model prior to opening. The school leader professional development plan is now provided in the Professional Development Plan starting on page 387 of the Supporting Documents.

***Agency Review:***

The Applicant's response thoroughly addresses this concern. The information provided defines the plan

more clearly and allows the reviewer and public to gain a better understanding of what the Applicant will use to recruit a strong leader. Expectations for the school leader and staff are listed and provide clarity to address the deficiency the SPCSA noted in the original application.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The proposed management contract is not a final negotiated version which complies with Nevada law. The document appears to be a boilerplate agreement, as there is limited evidence that the EMO has taken into account the issues raised during a previous application denial. For example, the contract fails to comply with multiple provisions of NAC 386.405, which requires that the initial term of a management agreement can be no more than two years. **Please address.**

***Applicant Response:***

The management contract has been edited to reflect compliance with Nevada law including feedback from Nevada lawyer, John Sande, and feedback from legal counsel to the CTF. The counsel used for review on this document has a strong relationship with charter schools in Nevada and has a strong client base requiring continued work and compliance with Nevada charter school law and contract law. This contract is not executed prior to charter approval. There are details, such as the fee structure, that need to be negotiated upon charter approval to make sure the CTF is in a strong financial position and can support an appropriate lease and management cost. Although the document is not yet signed, it is in its final draft form prior to adding in the percentage structure for the fee. The CTF and Athlos Academies (EMO), with the review of their local Nevada legal counsel, will execute all contracts upon charter approval. In lieu of an executed contract, there is now a letter of intent to sign from the CTF.

***Agency Review:***

The Applicant's response addresses most of the concerns raised by the Agency.

***Staff Recommendation:***

A final, negotiated management contract that includes omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

**Area of Concern:**

The contract fails to identify the appropriate sponsor, referencing a nonexistent entity, the Nevada Board of Elementary and Secondary Education. The equivalent entity in Nevada does not have statutory authority to sponsor charter schools. **Please address.**

***Applicant Response:***

This error has been corrected to reference the SPCSA as the authorizing sponsor.

***Agency Review:***

The Applicant's response addresses the Agency concern.

***Staff Recommendation:***

No additional revisions are required.

### Area of Concern:

The confidentiality provision appears inconsistent with the Open Meeting Law and laws related to public records. As there is no authority under statute for the governing body of a charter school to enter into a confidential contract or to discuss or vote on a contract behind closed doors, it appears that this provision is in conflict with Nevada law. While the contract provision states that the school “shall not disclose the terms contained herein except as required law” (sic), the inclusion of a requirement which appears unenforceable on its face in a negotiated agreement is highly questionable, as it would place a public entity in the position of incurring legal costs to defend itself against a civil action based on performing its legal obligations under Nevada law. Similarly, it is unclear, under the proposed terms, if the school would be liable for the individual statements or actions of a member of the governing body, a public officer, during or outside of a public meeting. **Please address.**

### *Applicant Response:*

The confidentiality provision has been modified in the MSA to accurately reflect appropriate references to law. Specifically, NRS 239 and NRS 241 have been included to reiterate compliance of this provision to Nevada law. This change can be referenced in the attached MSA in section 11, Non-Disclosure/Non-Competition on page 272.

### *Agency Review:*

The Applicant addressed the concern and the attached MSA complies with Open Meeting Law.

### *Staff Recommendation:*

No additional revisions are required.

### Area of Concern:

The application states that “[e]ach local Governing Board that partners with Athlos Academies evaluates the EMO at least bi-annually (Operations Plan, page 11). This is inconsistent with NAC 386.405(5), which requires annual evaluation of an EMO by a governing body. It appears that this application language is drawn from applications filed for other Athlos client schools and was not developed to meet the expectations of Nevada law. **Please address.**

### *Applicant Response:*

This component is meant to show that the EMO partnership encourages multiple structured opportunities for the board to provide feedback. The EMO believes that waiting for an end-of-year formal review does not help mitigate issues that may hinder meeting performance goals of the school throughout the year. The law states that the EMO review be done at least once, but does not include a provision excluding bi-annual review opportunity. The board will comply with law for their end-of-year review and follow provisions outlined in statute to hold the EMO accountable for any steps to be taken, if needed. The sentences in the charter document are slightly revised to reflect this in the Operations Plan.

### *Agency Review:*

The Applicant is correct in stating that NAC 386.405(5) does not prohibit bi-annual reviews of an EMO in addition to the annual review proscribed by the regulation. The cited language addresses the staff concern.

### *Staff Recommendation:*

No additional revisions are required.



### **Area of Concern:**

Little clarification is given as to what steps may take place as the result of a negative evaluation of the EMO by the Board, especially given the fact that the school will be in debt to the EMO as the result of startup funds provided in the founding year, which has the potential of complicating honest feedback and assessment by the Board. **Please address.**

### ***Applicant Response:***

The startup process for charter schools is difficult. The EMO is able to support the startup process for the school while still managing a sound budget for the board year over year. This is a loan to the entity, not the individual members of the board. Therefore, the loan is a product of a budget item, not a performance component for the EMO. The EMO does not dictate how or when the board pays off the startup loan, and the EMO is responsible for managing a budget that is governed.

### ***Agency Review:***

The clarification in the response to the concern of the SPCSA regarding the loan and how the Applicant does not consider the governing board of the school to be in debt to the EMO addresses much of the concern expressed by the Agency. The Applicant provided a clear rationale for the selection of the Educational Management Organization (EMO) ([pg. 144-146, school management contracts](#)) and demonstrates capacity and commitment of the governing board to oversee the EMO effectively. The Applicant provides evidence in the form of the management agreement to show that there will be clearly defined contract terms between the school, the board, and the EMO.

### ***Staff Recommendation:***

A final, negotiated management contract that continues to have terms that provide for clear oversight by the governing body and provides for clear accountability for the EMO must be provided prior to execution of the charter contract.

### **Area of Concern:**

The fee structure is not consistent with other information in the contract as those sections are blank. **Please address.**

### ***Applicant Response:***

The fee structure is intentionally left blank at this time. As mentioned earlier, the fee structure is an item that is considered among other financial obligation of the board (such as the lease agreement). The CTF and Athlos Academies (EMO) are working together to make sure that the management and lease fees are appropriately allocated to put the school in a comfortable financial position in year one. Without land confirmed at this time to dictate a lease fee, the management fee cannot be set. Upon approval of the charter, the CTF and EMO will communicate final fees and terms of the contracts with the SPCSA, as requested.

### ***Agency Review:***

This concern remains unresolved; it should be addressed fully prior to execution of the charter contract.

### ***Staff Recommendation:***

A final, negotiated management contract that includes omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

### Area of Concern:

The proposed contract specifies several instances in which the contract may be terminated by the EMO, such as from the school's inability to pay contracted fees on time, which could happen if enrollment falls below projections, at which point the school would have 90 days to remove all proprietary items (i.e., branding, curriculum resources, etc.). This would appear to be a violation of NRS 388A.393(1)(f), which prohibits a vendor from requiring the charter school or proposed charter school to enroll a minimum number of pupils for the continuation of the contract between the charter school or proposed charter school and the contractor or educational management organization. **Please address.**

### *Applicant Response:*

Section 8 of the MSA, starting on page 269, discusses termination, either by the organization or the EMO. The contract uses the example of failure to pay, but does not specify the scenario stated in this deficiency that that payment failure would be due to enrollment. The payment structure for the school will be determined based on enrollment, lease cost, and overall expenditures prior to opening. Although the proposed enrollment is to have a full school of 1,220 students, if that enrollment is not met the cost for the school will be adjusted appropriately. This adjustment consideration is described in the Financial Plan section on page 156 of the charter as well as on page 21 of this deficiency document. After consulting Nevada lawyer, John Sande, and confirming with SPCSA staff, the misunderstanding in the contract language has been mitigated. Section 8 of the MSA is in compliance with Nevada state law.

### *Agency Review:*

The response satisfies most staff concerns.

### *Staff Recommendation:*

A final, negotiated management contract that includes omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

### Area of Concern:

Materials submitted do not specify the proposed Service Fee paid by school to the EMO, as a percentage of the school's local, state and federal gross revenue. **Please address.**

### *Applicant Response:*

The CTF and Athlos Academies (EMO) have adjusted the service fee to allow for financial stability in combination with the lease rate. The lease rate, based on preliminary cost analysis, is at a cost point that requires the service fee paid to the EMO to start be 9 percent. As indicated in the next response, the calculations for the use of funds for the school budget are not inclusive of "federal gross revenue." The fee was calculated using the DSA Funding calculator from Nevada. The adjusted lease and service fee can be seen in the adjusted Financial Workbook.

### *Agency Review:*

The assumed 9% EMO fee provided elsewhere in the application but omitted from the application is in line with other EMO fees in Nevada.

### *Staff Recommendation:*

A final, negotiated management contract that includes omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

### **Area of Concern:**

The language related to the undisclosed Service Fee states that it will be based on a percentage “of local, state and federal gross revenues.” Nevada charter schools are not their own local education agencies and they are not eligible to receive funding for administrative costs or to receive an indirect rate. Indeed, the Authority itself does not have an approved indirect rate and its legislatively approved budget—including its federal funds budget—contains no provision for any administrative costs. Charter schools are sub-grantees of their respective sponsors and receive their funding on a reimbursement basis based on the submission of original source documentation of approved direct service expenses. Neither the Authority nor the Department of Education will approve any federal grant application which budgets for payment of a management fee to an educational management organization. **Please address.**

### ***Applicant Response:***

The budget has been built with the SPCSA template which includes only the use of DSA allocations.

Any reference to, or inclusion of, federal funding for this school has been eliminated. Further, the MSA has been modified to reflect language that does not include federal funding. In the MSA, this has been corrected in Section 8(c) and Section 9 on pages 270 and 271. The calculation using DSA with service fee is in the previous bullet point which shows a service fee of 9 percent. These numbers are projections, not final. Final rate will be determined with the CTF upon determination of the final lease rate.

### ***Agency Review:***

The Agency confirms that the fee calculation (for an as yet undetermined percentage) excluded federal revenues.

### ***Staff Recommendation:***

A final, negotiated management contract that includes the promised language as well as omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

### **Area of Concern:**

State categorical grant programs (e.g. Read by Three, SB 405 ELL funding, etc.) prohibit schools and districts from covering any administrative costs with grant funding. Consequently, federal funding and state categorical grant funds should be excluded from the fee calculation as any fees assessed for those revenues would effectively supplant base per-pupil funding for funds intended to supplement the core program. **Please address.**

### ***Applicant Response:***

As explained in the previous two responses, the MSA language has been adjusted to meet this need. Specific to this deficiency, the Service Fee provisions in Section 9 of the MSA have been adjusted, starting on page 270.

### ***Agency Review:***

The Agency confirms that the fee calculation (for an as yet undetermined percentage) excludes state categorical grant revenues.

### ***Staff Recommendation:***

A final, negotiated management contract that includes the promised language as well as omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

### ***Area of Concern:***

The school's ability to repay the EMO and cover Year 1 expenses is heavily dependent upon school meeting enrollment targets, with debt to EMO seeming to hold a senior position over debt to other services providers. NRS 388A.393(1)(d) prohibits any provision of a management agreement which requires the charter school or proposed charter school to pay the contractor or educational management organization before the payment of other obligations of the charter school or proposed charter school during a period of financial distress. **Please address.**

### ***Applicant Response:***

Athlos Academies (EMO) views its relationship with the school as a partnership. While it does not anticipate a situation where financial distress would occur during the school operations, should that event occur under no circumstances would operating expenses payable to the EMO hold a senior position over operating expenses to other service providers.

### ***Agency Review:***

The response provided by the Applicant generally seems reasonable and appropriate. The Applicant seems to understand the relationship with the EMO and what can, and cannot, be done. However, the term "partnership" is utterly inappropriate within a legal or quasi-legal document. As a governmental entity, the charter school must retain full control and oversight of the performance of its vendors. It is presumptuous to frame the relationship as a partnership; an outsourced vendor, no matter how talented or essential, cannot be an equal party to a governmental entity like a charter school. A partnership requires a degree of equality that is inconsistent with the relative supremacy of the governing body and raises alarming questions regarding the public nature of Nevada's public charter schools under state and federal law. To be clear, the relationship between the charter school and the EMO is and will always be a client-vendor relationship under Nevada law. While the Authority supports collegial and collaborative relationships between charter schools and vendors and recognizes that such entities are key allies in school reform, it is important that the governing body understand that the EMO is accountable to the governing body in much the same way that the governing body is accountable to the Authority.

### ***Staff Recommendation:***

The Applicant must adjust any relevant language in the application to the satisfaction of staff prior to the execution of the charter contract. Any reference to partnerships between the Applicant/School and the EMO must be excised from the application and related documents, including, but not limited to, the management agreement or any similar document, e.g. the cited proposed MSA.

### ***Area of Concern:***

In addition, terms of the proposed contract, especially as for maintenance of records in Section 8, seems to lack clarity as to who is responsible for which actions. With the school liable for any material breach of the contract, this seems to put the school at a disadvantage. **Please address.**

### ***Applicant Response:***

Section 7 (Maintenance of Financial, Employment, and Student Records) of the MSA, on pages 268 and 269, has been revised to provide clarity. In compliance with federal and state law, the roles of the organization and the provider are clarified in each subsection.

### ***Agency Review:***

The Applicant's modified EMO MSA aligns properly with Nevada law. The MSA was completely revised and resubmitted including the termination section which now states, "Termination by Organization during the pendency of a school semester, the parties shall make good faith efforts to come to an agreement to mitigate any disruption to the students attending the School."

### ***Staff Recommendation:***

No additional revisions are required.

### **Area of Concern:**

Contract seems to be boilerplate as has been used with other Athlos Academies contracted schools with minor to no modifications, which seems to match the IRS definition of not having been negotiated between independent parties. **Please address.**

### ***Applicant Response:***

As mentioned previously in this document, the MSA was not negotiated at the time the charter was first submitted. This was intentional. Knowing that this is not ideal, the MSA has been changed significantly to meet the needs requested in these deficiencies. Furthermore, the CTF has reviewed the contract and negotiated the terms with the EMO. The version in this resubmission is ready to sign. When a commitment to land is complete, Athlos Academy of Reno will execute the contract with the service fee that is appropriate to keep the entity financially viable.

### ***Agency Review:***

NRS 388A.246(36)(b)(3) requires that Applicant disclose the fees to be paid to the educational management organization as part of the application package. It is not acceptable for an Applicant to intentionally ignore a requirement. This matter must be addressed prior to execution of the charter contract.

### ***Staff Recommendation:***

No additional revisions are required. A final, negotiated management contract that includes the promised language as well as omitted details such as the fee structure that is deemed satisfactory by staff must be provided prior to execution of the charter contract.

### **Area of Concern:**

School and founding board needs a strong plan for what would be the response should the EMO relationship be terminated by either party, especially during a school year, given that so much of the materials to be used or owned and would be returned to the EMO at such a point. **Please address.**

### ***Applicant Response:***

The MSA has been adjusted to address this issue. In Section 8(b)(i) on page 269, language has been added to discuss the initial steps that would be taken by the provider in the event of possible termination. Based on the provisions outlined in Section 8(a) or (b), the provisions outlined in Section 8(f) may be used to

remove the program. This provision in the MSA is the agreed upon, legal steps that would occur. Beyond the scope of the MSA, the Athlos Academy of Reno board will have a detailed plan in place as a board document that would be consulted as action is taken to terminate the relationship.

***Agency Review:***

The MSA has been substantially modified consistent with the Applicant response.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The business relationship with the EMO seems somewhat skewed in the vendor's favor. For example, the termination clause does not provide much time listed for the governing body to refinance any EMO debt if the relationship turns sour. Similarly, there is limited time allotted for the charter school to seek any necessary amendments to the charter contract prompted by the termination of the management agreement. **Please address.**

***Applicant Response:***

The MSA has been revised to include a more detailed provision about what happens in the event of termination. Further, as described in the next bullet point, the startup funds provided by the EMO are provided with the ability to pay back either all at once, or over five years at 4 percent interest. Any contract agreement, in compliance with state and federal law, allows for the school to refinance if that is the most fiscally responsible decision. The intention of partnership between the EMO and the school is that both parties have duties that drive the overall success of the school and that neither partner has provisions skewed in their favor.

***Agency Review:***

The MSA has been substantially modified consistent with the Applicant response.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

Start-up expenses incurred by the proposed school and to be paid for through funds lent by the EMO are not clearly represented in the narrative and budget calculations (see lines 19 & 20 of the budget spreadsheet, tab 4 for 'Budget Summary'). It is unclear how the presence of founding year funding through a Promissory Note with the EMO will affect the school's finances going forward. The application does not make clear how much additional interest will be paid by the school to the EMO for this startup funding and at what rate. **Please address.**

***Applicant Response:***

Athlos Academies (EMO) will provide \$150,000 in startup funding. That \$150,000 allotment will include \$50,000 allocated for startup staff (as outlined in the budget document in the school inputs tab under office staff) in addition to costs associated with office space and other general operating expenses. While the planning year lists a \$22,500 expense for general liability insurance, the school anticipates planning year liability insurance to be considerably less than that, which would allow the school to carry a positive fund balance into year one operations.

***Agency Review:***

The MSA has been substantially modified consistent with the Applicant response.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The contract contains a post-termination provision which prohibits the school from offering a program which incorporates or attempts to incorporate any program “which is similar or deceptively similar to Athlos Academies, and its educational programs centered around performance character, fitness and wellness, including programs provided by Outside Vendors, ” any termination of the contract could result in the need for the school to seek a material amendment to its charter contract to completely eliminate critical elements of its academic program with no opportunity to make a non-material change to its academic program through the substitution an equivalent program for the intellectual property of the vendor. While it is understandable and appropriate that the vendor has the rights to enforce its authority over its own intellectual property, this provision appears overly broad. Given the provisions of NRS 388A.393(1)(q), this provision of the contract would appear to provide that these provisions of the management contract supersede those of the governing charter contract. As currently constructed, this is impermissible under Nevada law. **Please address.**

***Applicant Response:***

This has been addressed in the revised service agreement document. The post-termination clause has an additional provision in the Termination section under provision (b) that outlines the process in the event of termination for the program. In working with John Sande and SPCSA staff, this section is compliant with NRS 388A.393(1)(q) and other required Nevada law for the contract.

***Agency Review:***

The MSA has been substantially modified consistent with the Applicant response.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The school leader is scheduled to be hired following award of the charter on a “nearly full-time” basis, with conditions given, but no indication is given of whether funding is available to hire this person full-time immediately provided they are available. **Please address.**

***Applicant Response:***

Funding would come from the line of credit, which is mentioned in a later response. The original application mentioned a promissory note as a source of funding, but this has been clarified to state that it is a line of credit.

***Agency Review:***

The Applicant’s response satisfies the concerns of staff. The Agency can confirm that the promissory note has been clarified to state that is a line of credit.

***Staff Recommendation:***

No additional revisions are required.

### Area of Concern:

A blanket statement is given that no conflicts of interest exist between the school, Board and EMO, and goes further to state “or any other entity,” which precludes the possibility that the school may seek to contract with service providers other than Athlos Academies. **Please address.**

### *Applicant Response:*

For the life of the school, contracts will exist beyond the scope of the partnership with Athlos Academies (EMO) for vendor services. At present, any entity partnering contractually with Athlos Academy of Reno will not create a conflict of interest with the board. In the event that there was a conflict of interest, the board member with a vested interest in the contracted partner would abstain from voting on any matter related to that entity.

### *Agency Review:*

The Applicant’s response satisfies the concerns of staff. The Applicant’s response shows their understanding of conflict of interest laws and it would seem the Applicant would disclose any conflicts of interest that may arise with additional contractors beyond Athlos Academies.

### *Staff Recommendation:*

No additional revisions are required.

### Area of Concern:

The contract contains a provision which requires the school to pay for a duplicative student information system (PowerSchool). Given the requirement that all Nevada public schools utilize Infinite Campus as the student information system of record, it is unclear what benefit there is to the school to reimburse the EMO for an additional system, especially given the potential complications associated with maintaining multiple pupil accounting systems and ensuring that the accountability reporting data is matched up between two systems for which there is limited ability to synchronize information due to database configuration, security, and privacy considerations. To the degree that this system is maintained for the convenience of the vendor to facilitate its services the school, it would arguably be classified as an indirect cost of the vendor which cannot be paid for with Nevada funds. **Please address.**

### *Applicant Response:*

As required, Infinite Campus will be used as the student information system. References to PowerSchool have been removed from the charter document and the budget.

### *Agency Review:*

The Applicant’s response satisfies the concerns of staff.

### *Staff Recommendation:*

No additional revisions are required.

### Area of Concern:

Minimal description is provided as to how fair costs were determined for each of the many services detailed, such as through a transparent analysis of multiple bids. It is not clear that equivalent rates are available in Nevada. Several items were described as having been identified when a vendor submitted information to the EMO, such as for a firewall device (p. 14). **Please address.**

Athlos Academies (EMO) has significant experience with startup costs associated with schools of similar



size and enrollment. Many of the vendors, suppliers, and resource providers that Athlos Academy of Reno can use to purchase curriculum and other materials and services are nationwide providers, which limits exposure to local cost differences or variability in costs. For example, internet, phone service, and network infrastructure management could be provided by a national company that Athlos Academies (EMO) has utilized for past schools. Other costs that may be provided from local vendors, such as liability insurance, local utility and facility and repair and maintenance costs, as well as school operational and supply needs have been compared with cost data and information from other Athos schools.

***Agency Review:***

The Applicant provided a response that clarifies the concerns of the SPCSA staff. The application clearly shows the EMO has experience in other states and will have the capacity to provide the necessary services expected of them. The costs are in line with other schools operated by the EMO and seem reasonable for a school operating in Nevada.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

Full responsibility for building management and maintenance devolves to the school leader upon completion of the facility, which adds a great deal of non-instructional responsibility to someone who may be a new school leader. **Please address.**

***Applicant Response:***

At the campus level, the school leader is the main point of contact for any building or facility issue that may occur. However, Athlos Academies (EMO) has full-time project managers who are responsible for each facility. These project managers are the direct contact for the school leader to help mitigate any issue or assist with management of repairs, updates, or maintenance-related issues. The project managers, when not on-site at a campus, work alongside EMO staff and communicates daily with the chief operations officer (and any other appropriate EMO staff) for facility updates and weekly (or as needed) for school leader updates.

***Agency Review:***

The Applicant provided more clarity regarding the school leader and the resources that individual will have from the EMO. The EMO seems to have the necessary capacity to assist the school leader at the school site and will also provide assistance via the COO and other staff even when they are unable to be on-site.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

Significant technology-related expenses will not result in any “end user student devices” for classroom use (i.e. tablets, Chromebooks, etc), other than two fully function computer labs and two mobile computing carts of Chromebooks to be used for testing. (Operations Plan page 15). Based on the experience of other Nevada charter schools, this ratio of devices may not be sufficient to meet testing and other state-mandated tech-based requirements without significant disruption to instruction and school operations. **Please address.**

### ***Applicant Response:***

Athlos Academy of Reno should have an appropriate amount of technology within the classroom. To that end, the school has evaluated its technology and allocated additional funding to ensure end user device availability for testing and instructional needs.

Athlos Academy of Reno has an anticipated enrollment of 1,220 students and approximately 70 staff that will require technology equipment. Athlos Academies' (EMO) past experience, from formal bidding processes utilized by other Athlos schools, has shown an average price of approximately \$700 for each employee's machine. Assuming that approximately 70 machines will be needed, the anticipated price is approximately \$51,000 for faculty and staff technology. Additionally, there are plans for two computers labs available for student use and testing, with an average cost of those labs being approximately \$25,000 based on past experience and bids received. The school has allocated \$164,800 (computer hardware of \$115,200 plus new laptops of \$49,600) which will allow for approximately \$88,000 available for the purchase of laptop carts throughout the facility. Bids similar to past experience and past bids received by Athlos would allow the school to purchase four laptop carts, or approximately 120 computers for use in the facility as end user technology and to assist with testing processes. The school feels that this number of devices will be sufficient to allow for efficient and effective assessment practices.

### ***Agency Review:***

The Applicant's IT plans address user access control policies; intruder prevention strategies, including physical and electronic intrusion and an effective plan for managing student information; evidence of contact with the vendor to price and arrange for training; and the provision of appropriate on-site on contract staffing and support resources and an information security plan for staff, students, parents, and contractors. However, the Applicant's IT plan does not address policies for data stored on personal and portable devices aimed at minimizing inadvertent disclosing of information, such as theft or misplaced equipment; does not include information backups or disaster recovery; and does not address malware and malicious software prevention and removal strategy. The Applicant refers to Attachment 15 for operations plan but this information is not included in Attachment 15. There are no metrics for evaluating effectiveness of services. These concerns could be remedied in a conditional approval.

### ***Staff Recommendation:***

Prior to the execution of the charter contract, the Applicant must make appropriate revisions that address the concerns raised above to the satisfaction of staff.

### **Area of Concern:**

Minimal details regarding a facilities plan were provided. While the Applicant has indicated it intends to postpone opening from 2017-18 to the 2018-19 school year, past and even recent precedent regarding the pace of municipal review and the possibility that variances and other approvals may be denied may argue for the Applicant to request that any approved contract include a provision allowing for an extension to 2019-20 in the event there are unforeseen delays. **Please address.**

### ***Applicant Response:***

The floor plan for the proposed facility is included in Attachment 16 starting on page 283 of the application. The projected costs, due diligence of project viability, and scope of facility plan are further described in the next response. The CTF and Athlos Academies (EMO) will work the SPCSA, within the scope of state law, to amend the charter contract in the event of any unforeseen delays in construction that may prevent the

school from opening on time. If unforeseen circumstances occur, the CTF and the EMO will also work to amend their timelines and contracts for services (lease agreement and MSA) as is appropriate.

***Agency Review:***

The Applicant's response to the concern by the SPCSA shows an understanding of what will need to occur in the event of unforeseen delays or setbacks.

***Staff Recommendation:***

No additional revisions are required.

***Area of Concern:***

Minimal information is provided as to relative costs that can be anticipated, such as purchase of land or construction, such as comparables for land of a similar square footage in the target area or comparable costs for similar charter and school district construction projects. **Please address.**

***Applicant Response:***

Due diligence has been done on the anticipated cost to build an Athlos school in the South Reno area. Athlos Academies (EMO) as had extensive conversations with the CTF regarding potential sites, research of those sites for viability for a school, cost projections, lease terms, etc. The projected cost estimate does not include soft costs such as site costs, impact fees, design work, civil engineering, architectural work, environmental studies, traffic impact studies, sewer, water, electrical, etc. Cost for these aspects will be finalized when construction begins.

Athlos Academies (EMO) co-founder Jason Kotter and president David Jeppson have continued conversations with the CTF as more information has been gathered. Three members of the CTF (Chris O'Neil, Shane Dyer, and James Pickett) all work in development in the greater Reno area. These three individuals have been the main points of contact with the EMO and have been proactive in finding viable site options. Moreover, the determination of fair costs within the local market will be easily discerned by the real estate expertise on the CTF.

After working with Okland, ESI, and Ryan Companies, the projected cost for a build in this location has been determined. It is estimated that the ground cost per square foot will be between \$5-7. Further, it is estimated that the cost per square foot for the build will be approximately \$180. The CTF is researching ways to save money over the length of the project. This floor plan will be a two-story build on a six-acre lot that accounts for outdoor field space and transportation infrastructure. The budget and service fee estimate have been adjusted to reflect the projected costs based on this research and best practice for the more than 30 facilities completed by Athlos Academies (EMO) nationally. These cost projections have not been put out to bid. All facility costs estimated here are preliminary.

***Agency Review:***

The Applicant discussed in detail the plan to identify and secure a facility with significant support from the EMO ([pg. 151, Facilities](#)). The EMO has significant experiences identifying and securing school facilities, including knowledge of facilities costs including, as applicable, cost of purchasing, leasing, building, or renovating an educational facility that conforms to applicable health, safety, and occupancy requirements ([pg. 152-154, Facilities](#)). The Applicant included anticipated costs associated with the anticipated facilities needs in the budget and evidence to indicate that facilities-related budget assumptions are realistic based on anticipated location, size, etc. ([pg. 152-154, Facilities](#)).

The Applicant presents a reasonable response to the SPCSA's concern, but any additional soft costs should be addressed prior to execution of the charter contract to ensure the school has realistic budget projections.

***Staff Recommendation:***

Prior to the execution of the charter contract, the Applicant must make appropriate revisions that address the concerns raised above to the satisfaction of staff.

**Area of Concern:**

It is unclear that the CTF has done any due diligence with schools identified by the EMO as successful development partnerships, whether any feedback received has been consistently positive, or if any concerns been raised that may impact the proposed school. Given the boilerplate nature of the proposed management contract, it is likely confidentiality provisions similar to those in that agreement may exist in the contracts or other possible legal documents (e.g. settlement agreements) of current or former clients of the EMO or its affiliates. To ensure that the Applicant is receiving complete and accurate information from current and former clients, it would be advisable for the Applicant to confirm the existence of any such provisions with the EMO and request a limited waiver of them to ensure that the Applicant can receive candid and accurate information from current and past clients regarding any previous issues.

**Please address.**

***Applicant Response:***

The CTF has had complete access to any information regarding Athlos Academies (EMO) facility work with other schools. The CTF is informed about the history of the EMO, beginning as a facility solution and evolving into education management organization, over the last 10 years. Board president Chris O'Neil visited the Athlos Academies (EMO) office several times since last summer to do due diligence with the CTF. He has driven for results with his board to make sure that there is always a transparent and open relationship between the board and the EMO. The CTF has complete access to any legal documentation and partnership documentation regarding past and present school and facility partnerships for Athlos Academies (EMO). SPCSA has also been offered the opportunity to walk through any pro forma contracts, financials, or plans regarding past projects for Athlos Academies (EMO).

***Agency Review:***

The Applicant provided a response that addresses the concerns of the SPCSA staff.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

No facility has been identified or obtained, so necessary planning is minimal. A well developed response to the Ongoing Operations response would have described essential elements and procedures that have proven successful in other Athlos schools. **Please address.**

***Applicant Response:***

The Ongoing Operations sections have been expanded to include more detail about anticipation for opening a school in Nevada. There is expanded information regarding school safety, facilities, pillar implementation, and more throughout the charter document. The information in the Supporting Documents provides greater context for what has worked well at other Athlos schools, what is being

currently implemented, and how it will be implemented in Reno.

***Agency Review:***

The Applicant added more information in the ongoing operations section of their resubmission. Safety and security plans likely to ensure a safe environment for people and property are evident. The Applicant demonstrates an understanding of the core elements of the state-mandated school safety plan and the requirements in statute and regulation and states that it will provide for adequate insurance coverage that meets the mandatory minimums for each charter school and scales depending on the size the school and number of proposed campuses ([Attachment 17](#)). Remaining SPCSA concerns should be addressed in the conditional approval.

***Staff Recommendation:***

No additional revisions are required.

# Fiscal

## Area of Concern:

While the Applicant identifies a perceived flaw in the budget template, earlier development of the application budget and budget narrative would have allowed the Applicant to contact the Authority for clarification or insight into how to address the perceived flaw. More proactive budget development might also have allowed the Applicant to find a creative way to address the challenge identified in the narrative.

**Please address.**

## *Applicant Response:*

The budget workbook has been updated. Early in the application process, Jonathan Gillen, director of school finance for Athlos Academies (EMO) contacted SPCSA staff to discuss the workbook requirements and functionality. SPCSA staff did note that some of the functions in the document did not work properly, but gave Gillen guidance as to how that could be mitigated in producing the budget for the application.

## *Agency Review:*

The Applicant's clarification is adequate. However, the Applicant has failed to remove extraneous information from the budget narrative.

## *Staff Recommendation:*

The Applicant must remove extraneous information from the budget narrative prior to the execution of the charter contract.

## Area of Concern:

Recruiting and retaining qualified staff is a significant challenge for most schools, and especially for startups, even before considerations of projected school size of 1,220 in initial startup year. It is unclear from the narrative how the salary assumptions compare with those of the local school district and whether those assumptions are realistic. For example, even a 5% increase in averages salaries would be significant, leading to an average teacher's salary of \$44,100, leading to an increase in salary/benefits costs of approximately \$152,000, which would leave the school with a projected negative fund balance at end of Year 1 of approximately \$95,000. **Please address.**

## *Applicant Response:*

Athlos Academy of Reno will offer salaries that are competitive within the local area and will ensure that the school can attract and retain staff and faculty. The updated response is on pages 112 and 113 of the Operations Plan under the Human Resources section. Athlos Academy of Reno has compared its salaries with the Washoe County School District as part of its budget preparation process. The salaries that will be provided by the school are comparable with those of the local school district.

## *Agency Review:*

The Applicant described a school model with significant supports for teachers and opportunities for teacher development and accounted for essential functions and processes, including background checks, payroll, benefits, and employee relations (pg. 116, prompt 7 and 8). The Applicant's proposed evaluation system is very thorough and is likely to identify unsatisfactory teacher or leader performance, provides

opportunities for improvement, and clearly explains consequences for poor performance (Attachment 6). Salary structures should be addressed in a conditional approval.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

An analysis of 'School Inputs' indicates an average starting salary of \$42,000 for all teaching categories with the exception of the 6 teachers specified for Grades 1 & 2, which indicate an average salary of \$49,000 for these two grades. ([lines 151 and 152](#)). The rationale for this inconsistency is unclear. **Please address.**

**Applicant Response:**

Upon review of the school inputs, the first and second grade level teachers were incorrectly listed as being six in each level. Because Athlos Academy of Reno wants to ensure lower class sizes for grades K-2, the school anticipates hiring seven teachers for first and second grade. That is the cause of the apparent increase in the base salary. The same budget average is used for teachers, \$42,000 per teacher. The budget document has been updated to show this modification.

***Agency Review:***

This response is reasonable and addresses the SPCSA concern.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

A review of FTE calculations in the budget spreadsheet suggests an FTE tally in Year 1 of 78, whereas the budget narrative in Attachment 18 lists an FTE in Year 1 of 73.8. **Please address.**

***Applicant Response:***

The revised budget spreadsheet and narrative show an FTE of 77.8.

***Agency Review:***

The Applicant's response satisfies the concerns of staff.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

The proposed budget calculations do not indicate when and at what rate the school will be obligated to repay salaries for staff in founding year that were lent to school by the EMO, as in the Operations Plan (pp 9-10). This is noted in the proposal in Attachment 18, but could impact school's overall financial stability in ways difficult to identify based on the presented budget calculations. **Please address.**

***Applicant Response:***

The proposed budget includes the repayment on the planning year line of credit Athlos Academy of Reno received. A planning year line of credit, in the amount of \$150,000 is provided to the school. Payback is estimated to occur in equal monthly installments across the first five years of operations. The line of credit

comes with a 4.0 percent interest rate.

***Agency Review:***

The Applicant's response satisfies the concerns of staff.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

It is unclear why staffing levels indicated in Attachment 18 and on the budget spreadsheet increase in later years while enrollment levels are projected at a constant 1,220. For example, the school indicates a need for four Sports Performance Coaches (SPCs) in Year 1, with an additional 2 hired in the following year and a 7th SPC to be hired in Year 3 (2019-2020): An additional SPC position is scheduled to be filled in Year 5 (2020-2021), for a total of 8 by Year 5. **Please address.**

***Applicant Response:***

Athlos Academy of Reno is focused on providing exceptional services to our students and parents. In the early years of operations, schools are saddled with high capital expenditures and investment in technology and curriculum. As the school moves into the later years of operations, those fixed or first-time expenditures begin to lessen, allowing the school to focus on adding additional staff. While Athlos Academy of Reno meets state requirements beginning in year one of operations, our goal is to provide exceptional services. To do that the school will continue to add staff as it matures.

***Agency Review:***

The Applicant's response satisfies the concerns of staff.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

It is unclear if the school has a plan to modify projected staffing levels, such as for a total of 8 SPCs by Year 5, in response to needs in other areas, such as for reading specialists to support struggling readers in primary years. **Please address.**

***Applicant Response:***

Athlos Academy of Reno has provided a staffing model associated with the first five years of operation. However, the school administration annually will review the staffing model and compare the school's needs and available resources. Athlos Academy of Reno will continue to operate in such a way that will allow it to maintain flexibility to adjust based on the needs of the student population and its community.

***Agency Review:***

The Applicant's response satisfies the concerns of staff.

***Staff Recommendation:***

No additional revisions are required.

**Area of Concern:**

It is unclear what the plan is for repayment of the founding year Line of Credit from the EMO, and what



the projected total cost, including interest, will be for access to these funds. **Please address.**

***Applicant Response:***

Athlos Academy of Reno will receive a \$150,000 line of credit with 4 percent interest, to be utilized during the planning year. The anticipated payback will be equal monthly installments across the first five years of operation.

In response to the review performed as part of our Nevada charter submission, the Athlos Academy of Reno budget has been revised and updated with the following changes:

- Other startup grant funds of \$150,000 was added to the budget template. Private fundraising was reduced to zero from \$100,000. This adjustment was to allocate funds associated with year zero startup and ensure appropriate staff were brought on in advance of the school's opening
- Startup staff – Startup staff were listed under office staff. These staff will be individuals brought on in February or March prior to opening to assist with school operations and year zero planning and process.
- An additional special education teacher was added beginning in year one to ensure appropriate teacher to student ratios.
- Adjusted grade level teachers for first and second grade. The actual teachers budgeted in the initial submission were seven, though it only listed six teachers on the actual document.
- The EMO fee was reduced due to the additional staff being brought into the budget. The EMO fee also now includes a five-year repayment of the line of credit provided by the EMO to Athlos Academy of Reno. The five-year repayment of the \$ 150,000 line of credit added approximately \$34,000 to the LOC, or approximately \$28 to the EMO fee noted in the revised budget.
- Planning year expenses were reduced in certain areas (staff and student recruitment for example) to maximize the \$150,000 line of credit associated with the planning year.
- The years in the budget were adjusted to reflect a 2018 opening.

***Agency Review:***

The Applicant's response satisfies the concerns of staff.

***Staff Recommendation:***

No additional revisions are required.