

BRIEF EXHIBIT D

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1 BEFORE THE STATE PUBLIC CHARTER SCHOOL AUTHORITY

2 STATE OF NEVADA

3
4 VIDEOCONFERENCED PUBLIC HEARING

5 VOLUME IV

6 SATURDAY, MAY 27, 2017

7 (CONTINUATION OF AGENDA ITEM NO. 3,
8 AND AGENDA ITEMS NO. 4 AND NO. 5)

9 RENO AND LAS VEGAS, NEVADA

10
11 THE BOARD:

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 FOR NEVADA CONNECTIONS ACADEMY:

 LAURA GRANIER, ESQ. (In Las Vegas)
 ERICA NANNINI, ESQ. (In Reno)

Reported by: STEPHANI L. LODER, CCR #862

1 A And from 2003 when we first started giving the
2 criteria and reference tests until 2009, schools were
3 rated entirely based on whether or not students met a pass
4 or a proficient score on the tests in English language
5 arts and mathematics.

6 There were overall scores. There were scores for
7 girls and boys separately. There were scores for five
8 ethnic categories and three special groups, students with
9 IEPs, students on free or reduced lunch, and students with
10 low SES.

11 And the criteria were you had to make the passing
12 score for every category for every test in order to be
13 considered proficient. If a school missed the proficient
14 score in any one of those categories for either ELA or
15 math tests, they were put in the category of schools in
16 need of improvements based on the simple single score of
17 that test given one time a year.

18 In 2009, the State Legislature passed the
19 Department of Education tasked with working with our state
20 board to come up with a measure for growth, academic
21 growth, so we would have a separate and additional measure
22 of student performance to include in the calculation of
23 whether or not schools were meeting their needs.

24 The idea being that for some students, if they

1 came in behind on their academics, they could still -- if
2 a school was performing adequately, it could still give
3 them a year's worth of growth or more in a school year,
4 even though they hadn't reached that proficient score in
5 fourth-grade math if they had been behind in third grade.

6 So that's when we worked for about two years to
7 define and refine our model, our growth model, which was
8 then included as a component in the Nevada School
9 Performance Framework and is actually probably a bigger
10 addition to the total growth.

11 Growth measures are a larger part of the total
12 than proficient scores because that was considered to be,
13 by the State Board of Education, a more important measure
14 than whether or not they scored a particular rate on a
15 single test.

16 Q So if I understood you correctly, it was
17 important to the State Legislature that the students'
18 growth during the time they were at that particular school
19 that was being reviewed was important to consider for
20 school performance?

21 A Yes. That was the primary reason that we were
22 asked to develop a growth model for Nevada because it was
23 considered that it was the -- the growth of a student over
24 a year at that school was more important than whether or

1 growth being an important category to offset that
2 consideration of them coming in behind and having -- and
3 the school being responsible for bringing them up to grade
4 level.

5 I do know that it was more probably related to
6 students' moving in from other states or students' moving
7 between school districts and not being at the grade level
8 or where they were for their new school or moving in as --
9 and learning English as well as learning the content that
10 they were trying to learn.

11 So it was probably more a consideration for those
12 factors than moving between -- than moving in below a
13 grade level.

14 Q And is it your understanding that the goal was to
15 be sure that the school was being measured based on the
16 services it provided and how the child grew academically
17 at the school as opposed to how they arrived?

18 A That's exactly the reason that the growth model
19 was put in place. It was a tool to measure how well the
20 teachers and the school programs at that site were doing
21 relative to educating children at that grade level.

22 Q Are you familiar with the State Public Charter
23 School Performance Framework?

24 A Yes. I had read through it before, and I

1 BY MS. GRANIER:

2 Q I've been asked to rephrase my question,
3 Dr. Vineyard. So my question to you is: Do you have any
4 observations relative to the State Legislature's directive
5 and the Nevada School Performance Framework and how the
6 NDE considers school achievement relative to looking at
7 just one data point or trying to look at multiple measures
8 and metrics?

9 A It was clear from the directions that we were
10 given in 2009 to look at and create a growth measure for
11 schools that -- and then subsequently taking that -- those
12 tools to the State Board of Education for approval and
13 then -- they're in regulation as well, I believe -- that
14 the intent is to use multiple data points to measure
15 school performance rather than a single data point.

16 Q Thank you. And based on your experience,
17 extensive experience in education and having worked at the
18 Nevada Department of Education for 17 years, do you have
19 any opinion as to why it's problematic to rate school
20 achievement based on a single data point?

21 A Well, I mean, any single data point isn't going
22 to give you a full picture of performance of a school.
23 And certainly, test score performance was never going to
24 be a tool that could be used in the long run. It could --

1 we started off, and it seemed to be okay; but under No
2 Child Left Behind, by 2014 -- and again, this is one of
3 the reasons that we were asked to make the change -- it
4 would have required that a hundred percent of the
5 students -- in order to be considered not in need of
6 improvement, a hundred percent of the students would have
7 to be proficient at reading and math in a school in every
8 category, including students with disabilities and
9 students who are English language learners, for a school
10 to make the proficient cut score.

11 So it was -- a single measure is just a -- it's
12 not a broad enough interpretation of the work of the
13 school.

14 Q Thank you. And specifically with respect to a
15 high school, you're familiar with the four-year cohort
16 graduation rate for high schools?

17 A Yes, I am.

18 Q Do you, based on your experience and your work at
19 the Nevada Department of Education, have any concerns with
20 the potential closing of a school, K through 12 school,
21 based solely on the four-year cohort graduation rate for
22 the high school?

23 A Again, for a K through 12 school to be evaluated
24 solely on graduation rate for a small part of their

1 Based on your experience, is that a good
2 graduation rate?

3 A 80 percent would be among the top 10 or
4 20 percent of all the schools in the state.

5 Q In the course of your work in both the private
6 sector now and previously with the Nevada Department of
7 Education, do you have any knowledge of how school
8 performance is considered in other states?

9 A In most other states at this point, there is some
10 measure. There is always a status measure of proficiency
11 included in a school performance measure. Many states
12 also include -- most states include some measure of growth
13 performance. A number of other states, probably about
14 half, actually have annual testing in subjects in high
15 school. So they would actually have a measure of growth
16 that they would include in terms of more data for
17 evaluating how schools are doing in terms of educating
18 students.

19 So the inclusion of multiple measures for
20 evaluating schools is everywhere. I wouldn't say it's a
21 hundred percent across every school in the country, but
22 it's in the majority of states.

23 Q And I'll also represent to you that we are here
24 today because the four-year cohort graduation rate for

1 Nevada Connections Academy is below the 60 percent
2 threshold if you calculate it under just the federal
3 guidelines, without consideration of anything else, so not
4 as set forth under NRS 388.33B, but instead, looking just
5 at that four-year federal cohort rate.

6 The Authority's staff's position is that the
7 Nevada Connections Academy had a four-year cohort rate of
8 around 35 percent for 2015 and around 40 percent in 2016.

9 Is a five percentage point increase like that in
10 a year a significant improvement in your opinion, based on
11 your experience?

12 A I think a five percent increase would be a
13 significant improvement. I think it's probably, you know,
14 like Washoe County School District as a whole, they're
15 hoping to improve five percent over the next several
16 years. So it is improving as you get higher and, you
17 know, there's less room to move, but yeah. So a five
18 percent growth rate, increase in graduation rate over a
19 year is significant.

20 Q And if a school that enrolled -- especially a
21 school that enrolled a number of credit-deficient students
22 had a dramatic increase in a year, much more than five
23 percent, say, ten percent, would that give you question
24 to -- as to how that could be possible from an academic

1 achievement standpoint?

2 A Yes. Actually a ten percent increase in
3 graduation rate over a single year would be -- I would
4 want to look at the data. I would want to see how that
5 was achieved and to -- and look at the numbers. If it's
6 ten percent of a relatively small population, then that's
7 easier than if it's ten percent of a much larger group.

8 Q And back to that five percent improvement for
9 Nevada Connections Academy, does your opinion of how
10 significant an increase that is change any if you know
11 that in the course of that year, the school actually
12 continued to enroll additional credit-deficient students
13 that came to the school and were counted, included in that
14 graduation rate?

15 A Yes. I mean, if they increased their graduation
16 rate by five percent and also added a number of
17 credit-deficient students to the denominator of that
18 equation, then that is more -- that would have more impact
19 on my thinking of how significant the change would be.

20 Again, I would need to look at the data to be
21 able to judge.

22 Q Is it possible, though, of course depending on
23 the data, that there could be an even more significant
24 academic achievement improvement than is reflected in that

1 five percent given that the school continued to accept
2 even more credit-deficient students in its high school?

3 A That would be an interpretation of the scenario,
4 yeah. If they added greater numbers and they still showed
5 achievement, you'd want to look and see what the
6 graduation rate would be if they just used those students
7 that were enrolled at the beginning of that school year
8 and not included the ones enrolled during the year.

9 MS. GRANIER: That's all I have for now. Thank
10 you very much for your time this morning, Dr. Vineyard.

11 ACTING CHAIR GUINASSO: Mr. Ott.

12 MR. OTT: Thank you.

13
14 **CROSS-EXAMINATION**

15 BY MR. OTT:

16 Q Good to see you again, Dr. Vineyard.

17 A Yes. It is good.

18 Q I didn't know you could see me. But yeah.

19 So just a couple initial questions. Did you or
20 your employer have a contract with NCA?

21 A No.

22 Q So you're not being compensated for your
23 testimony here today?

24 A Oh, I -- yes. I didn't have a contract with NCA.

1 information behind that number or that data to make -- to
2 have a meaningful understanding such as the students that
3 were included in the cohort and how long they were in
4 attendance at that school?

5 A I think it would be -- I would hope that the
6 board would want to have an understanding of the data more
7 than just the final results on a page. But it would --
8 you know, whether it should be a requirement, I'm not
9 sure.

10 Q And I think you might have said in your
11 testimony, unless I got my notes wrong, you made a
12 statement along the lines of the fifth-year cohort is not
13 used in this law or it's not -- were you saying that it's
14 not being used by Authority staff under these purposes,
15 and that's why we're here in this proceeding?

16 A What I think I -- what I meant was that the
17 decision and the values that are used to award points
18 towards the proficiency -- toward your start rating or
19 your decision of whether or not you're making adequate
20 yearly progress at a school are based on the four-year
21 cohort rate.

22 And even though we calculate a fifth-year and
23 sometimes even a sixth-year rate, you know, it's possible
24 those numbers are -- add to the story of the school, but

1 past two graduation cohorts.

2 Q Okay. And I'm going to get to asking you to
3 explain very specifically what you did. But before we get
4 to that -- well, was there a time frame around -- were you
5 looking at 2015 and 2016 data for NCA students?

6 A Yeah. I originally began looking at 2015 data
7 because -- I don't remember the exact date I began working
8 on this, but this was the time prior to the 2016 data
9 being published by the State. Even before the 2016 data
10 was published, we began looking at it internally, but
11 obviously we couldn't finalize some of the analysis until
12 the State finally released the 2016 data so that we would
13 be able to know exactly which students were included and
14 excluded from the cohort.

15 Q And again, before we get into the specifics of
16 what you did, in your review of that data for 2015 and
17 2016, was there anything remarkable to you?

18 A Well, there are two things that stood out for me
19 especially. One was the percentage of students that
20 arrived at the school credit-deficient. When I saw that
21 that was roughly half -- it was just under half for the
22 2016 cohort, just over half for the 2015 cohort -- that
23 really stood out to me because that obviously has a huge
24 impact on what the eventual graduation rate as calculated,

1 as a four-year adjusted cohort rate will do.

2 The other thing that really stood out to me was
3 the average length of enrollment of all the students in
4 the cohort. That turned out to be just under one and a
5 half years. And since the four-year, as is indicated in
6 the name, adjusted cohort rate, is a measurement of
7 performance over a four-year period, when I saw that the
8 average student only spent slightly under a year and a
9 half, then I realized that the metric was not going to be
10 very meaningful for NCA because the population served by
11 NCA didn't meet the characteristics of what the four-year
12 adjusted cohort was designed to measure.

13 Q And what was the four-year adjusted cohort
14 designed to measure, if you know.

15 A Well, it was designed to create a standard way
16 across states to measure graduation rate, taking into
17 account that there is going to be some movement of
18 students across the four years, what was designed
19 essentially with in mind that students were relatively
20 stable within a four-year period, and it was designed to
21 show that reflection of the services that a school
22 provided over a four-year period.

23 And so when you get to kind of outliers in all
24 the school districts and schools that exist in the country

1 stored in the data system that Nevada Connections Academy
2 uses to get other data points about the students.

3 So for example, one of the graduation rates talks
4 about students that arrive credit-deficient. So I would
5 use data about their credit accumulation history to
6 determine which students arrived credit-deficient or not.

7 Q And how are you defining credit-deficient?

8 A I am defining credit-deficient based on the
9 number of credits that they earned prior to enrolling at
10 NCA and comparing that to the expected number of credits
11 that a student would earn. And the expected number of
12 credits a student would earn would be based on the year
13 and semester that they enrolled.

14 So for example, a student that enrolled in
15 Connection Academy for the first time, their first
16 semester of their 11th-grade year would be expected to
17 have earned 11 credits prior to arrival. So if you have
18 earned less than 11 credits, then you would be
19 credit-deficient.

20 We then further characterized my analysis,
21 students that were credit-deficient based on how many
22 credits that they were deficient. So a student that was
23 less than two and a half credits deficient we
24 characterized as slightly credit-deficient, as a student

1 that was somewhere between two and a half but -- at least
2 two and a half but less than five, we characterized as
3 being at least one semester credit-deficient. They were
4 missing at least enough credits for an entire semester's
5 worth of work.

6 And a student that arrived five or more credits
7 deficient we characterized as being at least one year
8 credit-deficient. In other words, they were missing
9 enough credits that they had an entire year's worth to
10 make up.

11 Q Thank you.

12 A So on the poster board, you see four different
13 graduation rate calculations based on different rules.
14 The first calculation shows what the four-year adjusted
15 cohort graduation rate was as computed by the Nevada
16 Department of Education and reconfirmed by my own
17 analysis.

18 The second calculation is based on applying
19 aspects of Nevada state law on what students should be
20 considered as dropouts or not. And specifically, what was
21 done is any student that received an adjusted diploma,
22 which is essentially a student that has an Individual
23 Educational Plan and meets those -- quality in the
24 four-year adjusted cohort rate, they are classified as

1 nongraduates.

2 And that second one there, graduate, classified
3 as graduates. And then certain students were removed from
4 the cohort entirely based on the Nevada statutes.

5 Specifically students that, according to their accent code
6 from the NDA data, went to an adult education program or
7 students that, based on data that we had, had earned a
8 GED. So you can see, based on that calculation on the
9 slightly different cohort of students, it goes up to
10 46.5 percent.

11 The third calculation is based on that, but then
12 also adds in students that have either graduated during
13 their fifth year of high school or are on target to
14 graduate at the end of this fifth year, which is obviously
15 coming up in a matter of weeks. So that was another
16 exclusion. And from there, you can see again that
17 graduation rate went up slightly to just over 50 percent.

18 The fourth calculation is a separate calculation
19 entirely, and that's based on this credit-deficiency that
20 I was discussing earlier. We said if you excluded all the
21 nongraduates that arrived one semester credit-deficient or
22 more -- so those final two categories -- if those had not
23 been part of the cohort, what would the graduation rate
24 be?

1 Beyond that, using all the same rules as the
2 four-year adjusted cohort graduation rate. And you see in
3 that case, there's a dramatic increase in the graduation
4 rate. It goes to over 60 percent.

5 And then the final graduation calculation is
6 looking at students that spent their entire high school
7 career at Nevada Connections Academy. They enrolled as a
8 freshman, and then they stayed either until they graduated
9 or until the end of their senior year. And I say until
10 they graduated because it does include some students that
11 graduated in three years.

12 And so then if you look at that subset of all the
13 students, then you see that there's an 87.5 percent of
14 those students graduated.

15 And this one, this chart is very similar, except
16 it's not showing that final graduation rate. The four
17 items are the same -- the first four items on that first
18 chart.

19 Q And then did you perform the same analysis for
20 2015?

21 A I did.

22 Q Okay.

23 A The only difference between the analysis for 2015
24 and 2016 is because, at this point, the fifth year of high

1 So you are really seeing in excess of 60 percent
2 of the students that arrive credit-deficient came from
3 some other school district in Nevada.

4 Q And I think you may have said this in a prior
5 poster board, but if you calculate NCA's graduation rate
6 without the students who arrived at NCA at least one
7 semester or more credit-deficient, what is the rate?

8 A Yeah. In the 2016 cohort, that gets to
9 62.2 percent, and in the 2015 cohort, it's 57.2.

10 Q Thank you. Will you share with us your analysis
11 that is reflected on the board I just put up entitled 2016
12 NCA nongraduate.

13 A Two other aspects that we looked at on the
14 analysis is when the student arrived and the level of
15 credit deficiency. It's really this combination of
16 factors.

17 Obviously, the later in the high school career a
18 student arrives, the less time they have to make up
19 whatever credits that they're missing. And the more
20 credit-deficient they are, the more challenging it's going
21 to be to make up the credits for an on-time graduation.

22 When you combine those two factors, you get a
23 student that arrives very late in their high school career
24 and is highly credit-deficient. That's kind of, you know,

1 the killer categories, is what I have termed them in. It
2 may not be 100 percent impossible, but it's highly
3 unlikely.

4 So here you can see how the largest percentage of
5 students that came credit-deficient arrived sometime
6 during their 11th-grade year. That includes the second
7 semester of the 11th-grade year. And the next portion is
8 12 graders.

9 So between those two, 84 percent of the
10 credit-deficient students arrived with two or less years
11 to make up those credits. At the same time, you can see
12 that over half of the students that arrived
13 credit-deficient actually were in the category of one or
14 more years credit-deficient.

15 And again, if you then combine that with the one
16 semester behind, that's the one for the previous chart
17 that we said excluded the highly credit-deficient. Just
18 over 80 percent of the credit-deficient nongraduates were
19 in that highly credit-deficient, missing either at least
20 one semester or even the majority of them missing a full
21 year.

22 Q So just to be sure I understood what you said
23 correctly, 49 percent of the students in the cohort come
24 credit-deficient, and then within that 49 percent or 163

1 students, 84 percent of them are credit-deficient by at
2 least a year or more, or they became in their 11th- or
3 12th-grade year behind?

4 A Yeah. Those, too. And to be clear, this chart
5 is focusing on the nongraduates so the 49 percent is
6 referring to the entire cohort, including those students
7 that came in credit-deficient and made up their credits
8 and graduated on time.

9 But just focusing in on that percentage of
10 students that were classified as nongraduates, 84 percent
11 of those arrived their junior year or later, and just over
12 80 percent arrived at least a semester credit-deficient
13 with half of them arriving at least one year
14 credit-deficient.

15 Q Okay. Before I put the next board up, you do a
16 fair amount of data analysis across various states?

17 A Yes. Connections supports full-time schools in
18 over 20 states, and I don't necessarily get involved in
19 every single set. I do get involved in many of them.

20 Q And as a professional doing that, is it important
21 to you that the data you're relying upon be reliable?

22 A Absolutely.

23 Q Okay. And do you feel that any of the data that
24 you relied upon for this analysis was unreliable in any

1 way?

2 A No. I mean, the core of the data, first of all,
3 came from the Nevada Department of Education, which is the
4 standard I use when I'm working in other states. And then
5 when you look at the data that came from the data systems
6 within the NCA and other Connections-supported schools
7 use, for example, the credit information, that's the same
8 information that gets submitted and certified within the
9 Nevada Department of Education when a student is
10 graduating. That information is reviewed by certified
11 counselors when they're reviewing the transcripts so all
12 of the data is very reliable.

13 Q And it sounds like it is in most respects the
14 same either from the NDE or data relied on by the NDE?

15 A Right. NDE, of course, not just for Nevada
16 Connections Academy, but across all the schools in the
17 state, requires schools to submit various data items, and
18 that's, you know, what they rely on.

19 And so this is all either data that directly gets
20 submitted to the NDE or is data in the system that is
21 derived for everything. Not all of these items are
22 reported directly to NDE, but they're all based on data
23 that is the type of data that gets reported to them.

24 Q And again, did you perform this same level of

1 language arts and math, those use the Smarter Balanced
2 Assessment, which is a consortium that's used in some
3 other states. In science, they're using a criterion
4 reference test and is only tested at two grade levels,
5 which is typical across most states.

6 Q Thank you. And continuing on, did you take a
7 look at historical performance of NCA's high school
8 students on the statewide assessment?

9 A Right, which is on the second page of this at the
10 end. First of all, when you start with English language
11 arts, you notice how NCA performs significantly better
12 than the state average on those two end-of-course;
13 assessments.

14 But when you look at historically, you know,
15 going back all the way to 2008-2009, generally, the school
16 has performed at or above the same level. And, like I
17 said, 2015-2016 shows one of the strongest performances on
18 English language arts.

19 You continue on, and you look at math, which is
20 an area where the school does not perform as strongly as
21 in reading, we generally use a criteria that if you're
22 within a few percentage points of the state average,
23 whether that's exceeding or below, that that's essentially
24 considered equivalent, and that's just a statistical item.

1 So you -- I'm sorry? I thought I heard someone say
2 something.

3 So you can see again in math, this year, the
4 school performed at about the same level as the state,
5 which in the more recent history was fairly typical. If
6 you go back, you know, five, six years ago, you can see
7 the school was performing below the level of the state,
8 but they have come off.

9 And then, finally, you look at science at the
10 high school level, again, this year, they performed quite
11 a bit above the state average. And when you look at
12 historically, they've some years performed below, but
13 generally have performed either above or about at the
14 state average.

15 Q And when you looked at this data, did you also
16 consider demographic composition of the students?

17 A Right. So we looked -- you know, the State, in
18 the data that they released, breaks it down by various
19 subgroups. So two of the largest subgroups with NCA are
20 the Hispanic student population, and those students
21 qualify for the free and reduced lunch.

22 So we -- and that population, if you look --
23 that's both page 4 and 5 -- you can see that it stays
24 relatively stable whether you're looking at elementary

1 whether they were a nongraduate or a graduate, and it
2 apportions that calculation for the four-year adjusted
3 cohort rate based on the percent of time a student was
4 enrolled at that school.

5 So for example, if a student arrived the
6 beginning of the senior year at New Mexico Connections
7 Academy, for example, and they spent those two semesters,
8 that would be one-fourth of that, and the other
9 three-fourths would be assigned to one or more schools
10 that maybe they spent their first three years. Or one
11 school. Maybe they changed schools every year.

12 But whether they graduated or were nongraduated,
13 in this example, the school that received them as the
14 senior year would get either one-fourth of the credit or
15 one-fourth of the blame.

16 So it does a, in my opinion, a very fair job of
17 distributing the accountability for the portion of the
18 time that the school served that student.

19 The other difference that they do -- and there
20 might be other states, but it's the only one I'm aware
21 of -- is they don't compute a graduation rate until a
22 school has been serving high school students for a full
23 four years. So that school has now had a full cohort go
24 through. And as a result, okay, so the school that

1 Q How long have you been board president?

2 A I have been board president for three years.
3 I've been a member of the board wholistically since July
4 of 2011. This July will be the end of my third year.

5 Q Okay. And would you mind telling us a little bit
6 about your educational background and qualifications that
7 pertain to your position as president of the board?

8 A Definitely. I've been at the institution at UNR
9 for five years, three years as a research assistant
10 professor. And my primary goal was to work with the
11 statewide federal GEAR UP grant which was about
12 \$20 million that came to our state.

13 If you're unfamiliar with that federal grant, it
14 works with students from the seventh-grade year up through
15 hopefully the first year of their post-secondary -- some
16 form of post-secondary education, and have three primary
17 goals across the nation which are, one, to improve
18 graduation rates in the high school level, improve access
19 to some form of post-secondary education, and improve
20 parents' and families' knowledge for college and possible
21 options beyond high school.

22 And within the state of Nevada, our primary goal,
23 in addition to those three, has been to develop
24 cause-growing cultures within middle school that can then

1 transfer to students beyond those who are in the GEAR UP
2 cohort.

3 So I specifically work with over 18 schools
4 across the state with various different districts across
5 our state in helping them to develop cause-growing
6 cultures at their schools and, at the same time, serving
7 as part of the internal evaluation to assess the work,
8 5,000 students' data, in regard to their progression
9 through being on track for some form of post-secondary
10 education. So now the class of 2018 and 2019 will have
11 the first cohort coming up next year.

12 And prior to that, I was a high school math
13 teacher. In 2012, I was the northern Nevada math teacher
14 of the year for the Northern Nevada Math Council. And two
15 years ago, this will be the conclusion of my second year
16 I've been serving as an assistant professor within the
17 College of Education in the Educational Leadership
18 Program.

19 So in that transition, I still work with the GEAR
20 UP grant. I write subgrants for the Nevada state GEAR UP
21 grant. One in particular is approximately \$75,000 that
22 funds the teacher college program in our college works in
23 Washoe County School District.

24 And it's again to improve access to

1 post-secondary education by beginning with students. For
2 that one, it's in the sixth-grade level up until their
3 first year of entrance. And it's a lot of collaboration
4 and partnerships at the national level, at the regional
5 level, state level, and of course locally within Washoe
6 County School District.

7 And within my current role as an assistant
8 professor, I have redesigned our entire master's program.
9 It's now called Nevada Leads. It's a direct partnership
10 with the district in which just this spring semester,
11 2017, we launched the new redesign in which I co-teach
12 with practicing principals in the school district.

13 And we recruited 25 current teachers from the
14 district who are aspiring principals because my primary
15 aspect -- a major component of my research is to focus on
16 developing high-quality school leaders within our state
17 and beyond.

18 And another aspect to my research includes gender
19 and ethnic equity for education, access and outreach to
20 post-secondary education, student resiliency, and then at
21 the broadest level, educational leadership practices
22 encompassing organizational change with a particular focus
23 in districts.

24 And in addition to that, I also have service

1 components. And my service components include ones such
2 as this one, which is serving as a board member and board
3 president for Nevada Connections Academy. I'm also a
4 member of the Washoe K-12 Education Foundation, in which
5 we've fund-raised approximately \$4 million over the last
6 few years, all to support initiatives for the
7 superintendent in Washoe County School District such as
8 Parent University and other initiatives like AVID, data
9 monitoring screens for principals to create family nights
10 that are focused on data and improvement and understanding
11 how data can impact progress for students.

12 And in addition to that, I also am a member of
13 the consortium, the College and Career Readiness
14 Consortium across the nation, which is approximately 13 --
15 I think it's now 12 states across the country who have
16 partnered to collectively collect data that is under the
17 same definition to be able to demonstrate progress of GEAR
18 UP.

19 And with that, I'm a partner with the National
20 Council of Community and Education Partnerships Program,
21 which is also, again, kind of the broadest level of
22 service.

23 Q Dr. Sanchez, I'm sorry. I don't want to
24 interrupt you. The court reporter is looking at me,

1 asking you to slow down a bit.

2 A Okay.

3 Q But continue.

4 A So just wholistically, those are the three
5 components that are my primary role currently, which are
6 research, teaching, and service.

7 Q Thank you so much. I'm sorry if I cut you off.

8 A No, it's fine.

9 Q And then do you think you can describe a little
10 bit about your role and responsibilities as president of
11 the board?

12 A Sure. Some of the primary roles are related to
13 being able to conduct meetings, ensuring that the board is
14 an effective board, a qualified board, and then at the
15 same time, ensuring that, together, we're able to hold our
16 principal and others accountable for efforts towards
17 improvement -- I'm a major advocate of continuous
18 improvement -- and ensuring that we're familiar with the
19 happenings of the school, at broader levels, at more
20 individual levels, and understanding data and continuing
21 to work toward progress.

22 Q Okay. And on that note, can you describe for us
23 specific efforts, if any, that the board has focused on in
24 terms of new school activities to help NCA improve and

1 maintain its ability to serve its students?

2 A Definitely. There are, of course, there are
3 multiple ones. So my examples wouldn't be exhaustive.
4 But one that has been ongoing and increasingly has
5 continued and been expanded has been summer support for
6 summer school funding in order to help students, not only
7 those who might be credit-deficient or behind in general,
8 but also, on the other side of it, for students who could
9 really benefit from summer courses for expansion or
10 acceleration.

11 Of course, the focus is always given to seniors
12 who are credit-deficient and would need it for graduation
13 based to our funding capacity, but in general, that's been
14 one major initiative.

15 Others have been using programs such as Study
16 Island or Math Skills Tutor, which was a more recent one,
17 increasing the way that professional learning communities
18 function at the school and collecting data on how teachers
19 are attending those, whether they're finding them
20 beneficial and, then, of course, have a monitoring and
21 implementation process continuous with that.

22 A major one which would be tied to the current
23 aspects related to why we're here are tied to the
24 graduation rate improvement plan. So some of those would

1 include the freshman academy or senior success.

2 So those are seemingly opposing processes of
3 where the students are in their time, really capturing and
4 focusing on the attention of those students and success
5 for credit courses that can sometimes be the gatekeepers
6 for them. And then the senior success side of it, now
7 that they're further down the pipeline in high school, to
8 again enhance their ability to be on track for graduation.

9 Other ones have been opportunities for tutors.
10 For example, we've noted in how do you book -- I don't
11 know if any of you are familiar with John Hattie, but his
12 meta analysis includes different ways in which practices
13 have demonstrated effectiveness.

14 And so with that in mind, we've added mentoring
15 and understanding the teacher-to-student ratio and how
16 that can support aspects. And then we explore data on how
17 students are on track, including multiple variables that
18 then demonstrates that students are alarming, approaching
19 alarm, and what those were defined as status in terms of
20 whether we've had contact with them or can include
21 attendance or can include that they haven't submitted an
22 assignment.

23 So again, it encompasses more variables in one,
24 and then also contacts in general in terms of having

1 teachers maintain regular contact with students in the
2 learning coach. So those would be some examples. But
3 again, it's not exhaustive.

4 Q Okay. I understand. And what avenues, if any,
5 are you exploring to ensure that NCA students are staying
6 on par with students nationally and in the rest of Nevada?

7 A A lot of the avenues for that are, of course, not
8 only implementation of programs like those that I've
9 mentioned, but also ensuring that we are making data-based
10 decisions, whether it be using the alarm system, whether
11 it's seeing their MAP scores, and where students are
12 identified as having deficiencies.

13 I don't feel very comfortable using that word,
14 but again, targeting areas of need or maybe through other
15 exams that are, again, either state-required, national, or
16 aspects related to what the school does in general, such
17 as the grades, their students are actually learning in
18 their courses and whether they're getting in there
19 regularly and accessing LiveLesson opportunities for
20 tutoring.

21 Q And in your experience as president of the NCA
22 board, have you seen a problem in possibly reviewing any
23 data with NCA's performance?

24 A In terms of problem, I always find that word

1 unique. I definitely, in my normal role, in my normal day
2 job, I argue that our education system can often have a
3 deficit perspective. I am very much an advocate for
4 having an asset-based perspective and model to focus on
5 strengths.

6 If I identify aspects in which students have
7 struggled within our school, it has tended to be in areas
8 of math, in reading, and it depends on the grade.

9 So for example, in the lower levels, males have
10 often scored or have been underperforming at lower rates
11 than have females. But in understanding this and knowing
12 the national context, our school isn't unique to those
13 problems. And that actually tends to mirror some of the
14 ways in which schools at the national level,
15 brick-and-mortar settings have also performed, but when
16 comparing either grade-level success or comparing outcomes
17 by gender, ethnicity, IEP or LAP students.

18 So our school wouldn't necessarily be unique when
19 we explore some of those outcomes because we're able to
20 see if they're performing at level with the State, above
21 level with the State, and then having comparison to
22 national.

23 And then because of our EMO with Connections
24 Education broadly, we can join curriculum LiveLessons and

1 be able to have a comparative perspective as to how Nevada
2 Connections students are performing with others. And we
3 typically meet or exceed the State's.

4 Q And regarding the events leading up to these
5 proceedings, can you please walk me through a quick
6 timeline. First, specifically, maybe you can tell me when
7 did the board first receive any indication that the
8 Authority staff was recommending closure of the school.

9 A When we first received indication, it would have
10 been last March of 2016, and that was because we saw it on
11 their agenda. Someone actually attended a meeting in
12 person, and I spoke to the board there in person. I noted
13 that a simple common notification prior to that, whether
14 it had been an e-mail or a call to me, would have
15 graciously been appreciated. But prior to that, there had
16 been no other indication.

17 In 2013, when Steve Canavera was director of the
18 Authority, we had met with him because, if I remember
19 correctly, I think we were up for our charter renewal, or
20 we were simply meeting to connect because he was in that
21 role. And so that part I can't remember.

22 But we did meet with him because we wanted to be
23 able to address and discuss a lower graduation rate. And
24 in being able to provide context in regard to who our

1 students are, who we're serving, it was clear that we were
2 providing support for those who had felt that they had no
3 other option at that point, and we were still able to keep
4 them in some form of education and help their progression.

5 So ultimately we were in good standing at the
6 time.

7 And if I forward a little further, actually Steve
8 Canavero asked me to serve on then what he was creating
9 was called a governance advisory team because he felt that
10 we were a very strong model for effective board
11 governance.

12 And we were creating this team that would then
13 help other charter school boards be able to either -- we
14 were just at that time exploring what could be some
15 options such as whether we would have other board members
16 come and observe us or if we would create the sort of
17 technical manual of what would make our State more
18 effective in terms of the governance.

19 And I was on that because of serving as an
20 exemplary model of how to ensure that we had that
21 effectiveness.

22 ACTING CHAIR GUINASSO: Ms. Granier?

23 MS. GRANIER: Yeah.

24 ACTING CHAIR GUINASSO: I'm actually talking to

1 the attorney there. There are questions being asked like:
2 When did you first become aware of the Authority's action?
3 And then those questions are followed by long, narrative
4 answers, which are fine, but maybe we could tighten it up
5 a little bit just in the interest of time.

6 I think you said she was only available until
7 3:00.

8 MS. GRANIER: Yes. She had --

9 THE WITNESS: Sure. I can do that.

10 MS. GRANIER: Thank you, Dr. Sanchez.

11 And she did say 3:15 at the absolute latest. So
12 thank you. We appreciate that.

13 THE WITNESS: No problem. If I fast-forward,
14 that would take us to September 1st. I believe I have it
15 on my -- I can't check the date right now, but I thought
16 it was September 1st that we initiated from Connections
17 Academy a meeting with Patrick Gavin. That was the first
18 time I had met him. And -- at his office.

19 We met with him because the Legislature had
20 passed the 60 percent graduation rate aspect, and we
21 wanted to be proactive and have a very collaborative and
22 forward-going discussion in regard to what we could do,
23 what strategies he had in mind to ensure that we were
24 moving forward, and just essentially develop an

1 understanding of what our school represents and how we
2 could continue to make progress.

3 And what was stated at the end of that meeting
4 was that -- I don't know if I'm allowed to make quotes,
5 but he said, "I have bigger fish to fry."

6 And that's very vivid in my mind because I
7 remember stepping out of his office and thinking, okay, so
8 this kind of means that we shouldn't worry, but let's just
9 keep moving forward and still put some plans in place to
10 ensure that we are making progress.

11 And then from there, we didn't hear anything
12 until the notice in March.

13 BY MS. NANNINI:

14 Q Okay. Thank you. So I just want to back up a
15 bit and be clear about the timeline.

16 So closure first appeared as an agenda item in
17 March; is that what you said?

18 A Yes.

19 Q And then do you remember what happened at that
20 March hearing?

21 A They -- at the end, the board, the Authority,
22 voted to remove it from the agenda and to collaborate to
23 work on some things that would demonstrate continued
24 effort and improvement, which from that resulted the

1 graduate improvement plan. And by May, we submitted a
2 graduate improvement plan.

3 And somehow through the summer, we were charged
4 with then switching to a contract rather than our charter.
5 And in trying to continue to be proactive and
6 collaborative, we worked on the charter. But then we were
7 asked to waive our rights to judicial review.

8 Q Okay. And so backing up a little bit again, you
9 said you met with Patrick Gavin; is that correct?

10 A Yes.

11 Q And during that meeting, what was the goal of
12 that meeting? Can you elaborate on that?

13 A The goal was to indicate that we were concerned
14 about and wanting to strategize for how to improve our
15 graduation rates and understanding the legislative passing
16 of the 60 percent graduation rate.

17 Q Okay. And did you get any feedback on the grad
18 rate issue or -- I'm sorry. Have you already covered
19 that? Can you just clarify there?

20 A We didn't get any feedback in terms of
21 strategizing.

22 Q Okay.

23 A We were essentially told that we were okay with
24 the statement of, "I have bigger fish to fry."

1 But we were told that it would help to hire a
2 private investigator in order to better track our students
3 in case they were being counted as dropouts and they were
4 actually somewhere else.

5 And we did actually hire a private investigator.
6 So it would be after that.

7 Q Okay. And then you mentioned that, in May 2016,
8 NCA submitted a grad rate improvement plan to the
9 Authority.

10 A Yes.

11 Q What was your involvement individually, and what
12 was the board's involvement in creating that plan?

13 A The involvement was very synergistic in that
14 there were experts from different aspects related to
15 Connections Academy. So some were Connections Education
16 experts from our EMO, and as well as the principal, as
17 well as my input, and then Laura Granier to ensure that we
18 had some legal advice related to how we were drafting it
19 or our writing.

20 And then Steve's perspective as a principal in
21 being able to identify what's feasible for teachers, where
22 can we have buy-in, and how does this fit within what we
23 can financially be able to carry out. And, of course,
24 identifying what would be the strongest ways to ensure

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF WASHOE)

4 I, STEPHANI L. LODER, Certified Court Reporter in
5 and for the County of Washoe, State of Nevada, do hereby
6 certify that on Saturday, May 27, 2017, at the Grand
7 Sierra Hotel, in the Nevada Room, located at 2500 East
8 Second Street, Reno, Nevada, I reported the
9 videoconferenced public hearing in the matter entitled
10 herein;

11 That the foregoing transcript, consisting of
12 pages 1 through 306, inclusive, is a true and correct
13 transcript of the stenographic notes taken by me in the
14 above-captioned matter to the best of my knowledge, skill,
15 and ability.

16 As I was not present in the room with all of the
17 participants, the appearances on the cover page are from
18 my understanding of who was present via videoconference
19 and telephone during the proceeding, and that speaker
20 identification was made to the best of my ability through
21 voice recognition;

22 I further certify that I am not an attorney or
23 counsel for any of the parties, nor a relative or employee
24 of any attorney or counsel connected with the action, nor

1 financially interested in the action.

2 Dated at Reno, Nevada this 19th day of June,
3 2017.

4
5 /s/ Stephani L. Loder
6 Stephani L. Loder, CCR #862