

October 10, 2019

**Via Electronic Mail**

Ryan Herrick  
General Counsel  
State Public Charter School Authority  
1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
rherrick@spcsa.nv.gov

**Re: Nevada Connections Academy/Notice of Breach  
Our File No. 100837.0001**

Ryan:

Thank you for your letter dated October 9, 2019, addressing the comments made at the October 4, 2019 SPCSA board meeting regarding the renewal of the high school for Nevada Connections Academy ("NCA").

As you correctly point out in your letter, NCA's high school graduation rate for school year 2017-18 was 63%, well exceeding the contractually agreed upon benchmark of 49%; and it is expected that the graduation rate for school year 2018-19 will also easily exceed the contractually agreed upon benchmark for that year of 60%.

We do not agree, however, with your conclusion that achieving the graduation rate benchmarks set forth in the Charter School Contract "would merely be one data point among many others that would be considered when deciding whether NCA's charter school contract would be renewed." Rather, we believe that the Charter School Contract legally obligates the SPCSA to give such an achievement material weight and that the failure to do so constitutes a breach of that agreement.

If you have any questions or comments regarding any of the above, please do not hesitate to contact me.

Sincerely,



Jeremy J. Nork  
of Holland & Hart LLP

JJN/mh