



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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**ACTION MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Mark Modrcin, Director of Authorizing  
Mike Dang, Management Analyst IV  
**SUBJECT:** **Explore Academy Las Vegas**  
**Request to Amend Enrollment Cap for 2021-22 school Year and Temporarily**  
**Remain at Current Facility**  
**DATE:** June 25, 2021

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**Summary of Request and Recommendation**

Explore Academy Las Vegas (Explore) is requesting that the State Public Charter School Authority (SPCSA) grant a Good Cause Exemption request and approve the school to reduce the enrollment cap for the 2021 – 22 school year in addition to remaining at the current location for at least the first semester of the upcoming school year. According to the amendment submission, Explore Academy states that these requests stem from the ongoing COVID-19 pandemic that has negatively impacted student recruitment, and SPCSA staff believes that the pandemic has also caused construction delays for the proposed permanent facility.

SPCSA staff has reviewed the application and recommends that the Authority grant the school's request for a Good Cause Exemption and approve the school's amendment proposals, with conditions as outlined within this memo.

**Background**

Explore Academy was conditionally approved by the SPCSA to open its doors to students for the 2020 – 21 school year. This approval occurred on July 26, 2019. On March 6, 2020, the Authority approved the school's request to temporarily locate adjacent to and outside their originally approved zip codes. Additionally, on June 26, 2020, the Authority approved the school's request to serve grades 6 – 9 in an effort to attract more families. Lastly, on July 24, 2020, the Authority approved a reduction to the school's enrollment cap for the 2020 – 2021 school year as a result of the COVID-19 pandemic.

Explore Academy Las Vegas is a charter middle and high school that is approved to serve grades 6-12 at full-scale. Explore intends to continue serving the North Las Vegas community. The permanent site is currently planned to open in the zip code 89032. The current enrollment cap for the 2021 – 22 school year is 525

students. Validation Day numbers for the 2020 – 21 school year show that the school served 136 students in grades 6 – 9.

Explore Academy’s mission is to “provide each student with a personalized educational experience through the power of student choice, allowing each student to create a unique educational pathway in preparation for a college future.”

Explore Academy’s vision is to be a college preparatory school which will serve grades 6 to 12. Its core academic philosophy and overall vision are based on the idea of a differentiated curriculum in utilizing an expansive set of electives to provide students equal opportunity for choice in their learning, all the while empowering them with the freedom to create unique and individualized educational pathways.

According to the amendment application, Explore is seeking an amendment to expand its grade level sizes to adhere to its original enrollment projection five-year plan. This projection had been adjusted due to the COVID-19 pandemic, with the school having to decrease its enrollment goals in accordance with the challenges facing the school during the pandemic last year. The amendment application goes on to state that the school has rebounded in its enrollment process and is currently requesting the following enrollment cap adjustments for the remaining four years of its contract with 350 students projected for this coming fall (2021):

	2021 – 22	2022 – 23	2023 – 24	2024 – 25	2025 – 26
<b><u>Current</u></b> Enrollment Cap	525	615	700	700	700
<b><u>Requested</u></b> Enrollment Cap	350	510	630	670	700

Additionally, Explore is seeking approval to remain at its current facility, located at 4660 N. Rancho, through the fall semester of the upcoming school year. The Explore Board approved this temporary location at a special board meeting on June 15 due to the high likelihood that their permanent facility will not be ready at the start of the 2021 – 22 school year.

**Legal Authority and Requirements Related to Amendment Requests**

Existing charter schools that are sponsored by the SPCSA may submit a charter school contract amendment application to the SPCSA – which is reviewed by SPCSA staff and presented for SPCSA Board action – in order to, among other things, increase enrollment, add grade levels above and beyond what the charter school is approved to serve, or add a new campus. Only those existing charter schools that are meeting expectations in regard to academics (under both the Department of Education’s Nevada School Performance Framework -- the “Star Ratings” -- and the SPCSA’s Academic Performance Framework), are compliant in regard to the SPCSA’s Organizational Framework, and are fiscally sound may be approved for expansion. Furthermore, the academic, organizational, and financial performance of other charter schools that contract with the same Charter Management Organization or Educational Management organization is taken into account when reviewing an expansion application.<sup>1</sup>

At this time, SPCSA staff finds that Explore Academy is meeting expectations in regard to academic expectations, are compliant in regard to the SPCSA’s Organizational Framework, and are fiscally sound. Because the school just finished their first year of operations, results against each of the SPCSA Performance

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<sup>1</sup> There are limited exceptions to these eligibility requirements for those charter schools that have been approved by the State Board of Education and the SPCSA Board to be rated under Nevada’s Alternative Performance Framework.

Frameworks are not yet available. However, SPCSA staff does not find that the school is out of compliance or in financial distress.

**Analysis, Summary and Recommendation**

Overall, SPCSA staff has observed a number of newly approved schools throughout the portfolio struggle to meet their projected enrollment figures given the ongoing COVID-19 pandemic. Explore Academy is no exception to this reality. Additionally, SPCSA staff believes that the temporary location for the 2020 – 21 school year may have exacerbated these issues if only because current Explore families may have been hesitant to enroll without a completed, permanent facility that they can tour.

SPCSA staff is concerned that the permanent facility for Explore Academy will not be ready for the start of the 2021 – 22 school year, but believes that the proposed solution to remain at the current site to be the best path forward. This will be less disruptive to students and families for the upcoming semester, and appears to be a cost-effective solution so that the school remains fiscally viable. Given that Explore Academy would need to sublease the 4660 Rancho facility, SPCSA staff is encouraged that the current tenant, TEACH Las Vegas, has expressed their intent to negotiate an agreement.

For these reasons, SPCSA staff recommends that the Authority approve a reduction to the enrollment cap of Explore Academy and to remain located at the 4660 N. Rancho facility through the fall semester of the 2021 – 22 school year.

**Proposed Motion:**

**Grant Explore Academy a Good Cause Exemption and conditionally approve the requests of the school to reduce the enrollment cap for the 2021 – 22 school year to 350 students across grades 6 – 10, and approve the school to temporarily remain located at the 4660 N. Rancho facility through the fall semester of the 2021 – 22 school year with the following conditions:**

- **That Explore Academy meet with SPCSA staff on a monthly basis to monitor the progress of the permanent facility;**
- **That the school present quarterly updates to the Authority for the remainder of 2021; and**
- **That Explore Academy obtain a permanent Certificate of Occupancy or Temporary Certificate of Occupancy by December 1, 2021.**

If approved, the enrollment cap for Explore Academy will be as follows for the remainder of the charter term:

	2021 – 22	2022 – 23	2023 – 24	2024 – 25	2025 – 26
Enrollment Cap	350	510	630	670	700

**School Total Enrollment and Demographics since 2020**

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
20-21	136	2.2%	19.8%	50.0%	24.2%	0%	0.7%	2.9%	13.9%	17.7%	41.1%