



STATE PUBLIC CHARTER SCHOOL AUTHORITY

1749 North Stewart Street Suite 40
Carson City, Nevada 89706-2543
(775)687-9174 · Fax (775)687-9113

2080 East Flamingo Road Suite 230
Las Vegas, Nevada 89119-5164
(702)486-8895 · Fax (702)486-5543

BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Mark Modrcin, Director of Authorizing
SUBJECT: Las Vegas Collegiate – Amendment Request to Defer Opening to the 2021 – 22 school year and Adjust Grades Served
DATE: June 25, 2021

Summary of Request & Recommendation

The Las Vegas Collegiate governing board approved the submission of an amendment seeking approval from the State Public Charter Authority to defer the school's opening a second time to the 2022 – 2023 school year, and to adjust the opening grade levels for the first year of operation.

SPCSA staff finds that Las Vegas Collegiate has identified a number of viable facility options, and has secured a partnership with Highmark School Development to assist the school in this work. While a number of the facility options are outside of the 89106 zip code, the originally intended location, the school remains committed to primarily serving this community and still plans to provide student transportation.

Additionally, Las Vegas Collegiate requests that they be approved to provide 2nd grade in the initial year of operations so as to serve students and families that were hoping to enroll in the school for the 2021 – 22 academic year.

After a complete review of the submitted application, as well as follow-up conversations with the school leader and board chair of the school, SPCSA staff recommends that the Authority conditionally approve both the request to defer opening as well as the adjustment to the grade configurations for year 1 of operation. As described within this memo, Las Vegas Collegiate was negatively impacted by the ongoing COVID-19 pandemic and multiple facility challenges since its conditional approval in December 2019. The school has provided sufficient evidence to conclude that the school can open successfully for the 2022 – 23 school year, and SPCSA staff finds the rationale to provide 2nd grade in the first year of operations compelling.

If approved, the Las Vegas Collegiate's contract will become effective on July 1, 2022 for a six-year term, expiring on June 30, 2028.

Amendment & Background

Las Vegas Collegiate was approved by the SPCSA Board at the December 17, 2019 Board meeting to open in the fall of 2020. At the time of application, the school planned to locate in the 89106 zip code. The school subsequently applied for a deferral to open in the fall of 2021 due to the impacts of the COVID-19 pandemic, and that amendment request was approved at the May 29, 2020 SPCSA Board meeting.

Due to challenges in finding a facility that could house the proposed academic program, Las Vegas Collegiate requested the Authority's permission to expand their search beyond the 89106 zip code, but within 1.5 miles, if the school was unable to find a suitable facility in the proposed zip code. This request was approved at the January 22, 2021 Board meeting.

Las Vegas Collegiate remains committed to serving the 89106 zip code, but has been unable to secure a facility for the 2021 – 22 school year despite the expanded search area. As a result, the Authority directed the school to submit an amendment that included a detailed deferral plan to SPCSA staff for review and possible consideration. SPCSA staff received the amendment from Las Vegas Collegiate on June 11.

The amendment application provides a list of 14 viable facility options and potential sites for the school to locate beginning in the 2022 – 23 school year, if the deferral request is granted. Of these potential sites, two are located within the 89106 zip code, and 11 others are located within 3.5 miles of the 89106 zip code. The amendment application also contains a project schedule which details a timeline for a ground-up construction or adaptive re-use of the selected parcel or facility. According to the project schedule, Las Vegas Collegiate plans to close on a final facility no later than January 2022.

The amendment application also includes an updated incubation year plan and revised budget. It is noteworthy that a number of milestones have already been completed, and with the exception of facilities and food services, each major category denotes progress. Additionally, the submitted information indicates that the school has sufficient funds to operate during the proposed planning year (2021 – 22).

Lastly, the amendment submission makes a request to alter the grades provided by the school during Year 1 of operations. Las Vegas Collegiate is currently approved to open with grades Kindergarten and 1st grade, but would like to offer Kindergarten, 1st and 2nd grades for the 2022 – 2023 school year under the same approved enrollment cap of 162 students. According to the amendment application, the school is making this request so it can provide one second grade classroom to accommodate parents who the school has already engaged with that are looking forward to sending their child to Las Vegas Collegiate. The chart below outlines the current grade levels and enrollment caps approved for the school.

School Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Total Enrollment Cap	162	243	324	405	486	486
Grade Levels	K – 1	K – 2	K – 3	K – 4	K – 5	K – 5

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.¹

Since Las Vegas Collegiate has yet to open, SPCSA staff finds that the school is meeting pre-opening expectations, is compliant and fiscally sound.

Staff Analysis & Recommendation: Approve

As the Authority is aware, Las Vegas Collegiate has experienced a number of challenges in finding a facility that could house the proposed academic program since its initial authorization. This work has been further complicated by the ongoing COVID-19 pandemic.

Las Vegas Collegiate reiterates a commitment to serve the 89106 zip code in the submitted amendment request. It is noteworthy that this zip code is currently identified in the SPCSA Academic and Demographic Needs Assessment, contains 12 schools, eight of which are currently rated as 1- or 2-stars under the Nevada School Performance Framework. SPCSA staff finds that this zip code would benefit from a high-quality public school option, and that the school demonstrates a commitment to serving students in this area despite the challenges that Las Vegas Collegiate has experienced in finding a suitable facility. Moreover, SPCSA staff finds that the school’s request to add a 2nd grade section for the 2022 – 23 school year to not only be persuasive, but to symbolize the ongoing commitment to serving students and families in the 89106 community.

SPCSA staff would be remiss to ignore that many of the proposed facility sites provided in this amendment application fall outside of the 89106 zip code. Only two of the proposed sites are within the 89106 zip code, although half of the remaining 12 identified sites are located within 2 miles of that zip code. The amendment application states that real estate closing can occur by January 2022 for all ground up construction or facility reuse projects. While this timeline may be workable, SPCSA staff recognizes that the distance of these potential facilities present some inherent challenges for public charter schools as it may be more difficult to attract community partners that share a commitment to the 89106 community. In addition, it may not present as an attractive option to students and families wishing to enroll.

Despite these concerns with a potential location falling outside of the 89106 zip code, Las Vegas Collegiate remains steadfast in its commitment to providing student transportation to students, and anticipates that approximately 70% of those enrolled will utilize this service. The submitted budget within the amendment accounts for purchasing a bus in addition to a hired staff member dedicated to providing these services in the 2022 – 23 school year. SPCSA staff finds this element of the proposal compelling, and believes it alleviates potential access issues for students and families residing in the 89106 zip code.

The amendment submission includes an updated incubation year plan for the 2021 – 22 academic year, should the deferral request be granted. SPCSA staff notes that a Las Vegas Collegiate has made demonstrable progress in a few areas, most notably in the board governance, curriculum and instruction, and

¹ 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.

financial management sections. SPCSA staff finds this evidence to support the deferral request as the school continues to complete key tasks that will be critical to a successful school despite facility setbacks.

For all of these reasons, SPCSA staff recommends the Authority conditionally approve the requests by Las Vegas Collegiate to defer opening to the 2022 – 23 school year, and offer 2nd grade in the first year of operations. SPCSA staff is prepared to work with the governing board and leadership team of the school through the upcoming incubation year, if approved.

Proposed Motion:

Grant Las Vegas Collegiate a Good Cause Exemption, permit the school to locate no more than 4-miles away from the 89106 zip code, approve the school’s request to defer its opening to the 2022 – 23 school year, and approve the school’s request to offer 2nd grade in the first year of operations with the following conditions:

- **That the school provide written, monthly updates to SPCSA staff regarding progress towards a final facility as well as milestones included in the most recent incubation year plan;**
- **That the school present quarterly updates to the Authority for the remainder of 2021; and**
- **That the school provide the Authority with evidence that real estate closing has occurred or that the school has entered in to a lease agreement on or before January 1, 2022.**

If approved, SPCSA staff will work with school representatives to determine the format of monthly, written updates.

If approved, the enrollment caps and grade configuration for Las Vegas Collegiate will be as follows for the charter term starting July 1, 2022:

School Year	2022 - 23	2023 – 24	2024 – 25	2025 – 26	2026 – 27	2027 – 28
Total Enrollment Cap	162	243	324	405	486	486
Grade Levels	K – 2	K – 3	K – 4	K – 5	K – 5	K – 5