



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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ACTION MEMORANDUM

TO: SPCSA Board
FROM: Mark Modrcin, Director of Authorizing
SUBJECT: Freedom Classical Academy – Charter Renewal Recommendation
DATE: December 16, 2022

Background and Summary

Freedom Classical Academy (FCA) has submitted an application to renew its charter contract as the current charter contract expires on June 30, 2023. FCA is a brick-and-mortar public charter school that currently serves 1,054 students in Kindergarten through 8th grade at one campus in Las Vegas.

After a thorough review of the historical data and charter renewal application, staff recommends that the Authority approve the charter renewal of FCA for a three-year term, beginning July 1, 2023.

The Process Related to Renewal Applications and the Standards Under Which an Application for Renewal of a Charter Contract Will be Granted

The first step in the renewal process is the submission of a renewal report by SPCSA staff to the charter school.¹ Specifically, on or before June 30 immediately preceding the final school year prior to expiration of a charter school's charter contract, the SPCSA submits to the governing body a report regarding renewal. The FCA renewal report was sent to the board chair on June 30, 2022 and can be found within the supporting documentation for the item.

The renewal report summarizes the performance of the charter school under the terms of the charter contract, identifies any deficiencies related to performance of the charter school that might lead to non-renewal of the charter contract, sets forth the requirements for the renewal application, and identifies the criteria that the sponsor will apply in making a determination on the application for renewal. The charter school may submit a response to the renewal report. [See NRS 388A.285\(1\) and \(2\)](#).

Next, the governing body of the charter school must submit a written notice of intent to submit an application for renewal to the SPCSA 45 days prior to submitting a renewal application. See [NAC 388A.415\(1\)](#). FCA submitted its notice of

¹ Charter school regulations provide for an expedited and streamlined renewal process for high-performing charter schools. Generally, charter schools qualifying for expedited renewal review are those charter schools that are consistently rated as four- and five-star schools under the NSPF and have received no notices of concern or notices of breach for academic, organizational or financial performance. See [NAC 388A.415\(2\)](#).

Intent to Renew its charter contract on August 15, 2022 and FCA's notice of intent to renew can be found along with the supporting documents.

In regard to the renewal application, the window to submit the actual renewal application is October 1 through October 15. See [NRS 388A.285\(3\)](#) and [NAC 388A.415\(1\)](#). The application for renewal must include, without limitation:

- (a) The requirements for the application identified by the sponsor in the performance report prepared by the sponsor;
- (b) A description of the academic, financial and organizational vision and plans for the charter school for the next charter term;
- (c) Any information or data that the governing body of the charter school determines supports the renewal of the charter contract in addition to the information contained in the performance report prepared by the sponsor and any response submitted by the governing body; and
- (d) A description of any improvements to the charter school already undertaken or planned.

See [NRS 388A.285\(3\)](#). On October 14, 2022, FCA submitted its renewal application, which can be found included with the supporting documents.

FCA's renewal application reiterates the school's goal to provide both a classical education and STEM instruction, explaining that classical education provides FCA students with wisdom of the ages while STEM instruction provides them with the skills for tomorrow. The renewal application goes on to note that within these two pedagogies, FCA also seeks to help students develop leadership skills to prepare them for college and career. FCA is not seeking to make significant changes for the coming charter term, and is confident in the course that has been set by the school and believes that minor tweaks will yield greater results rather than sweeping changes.

The renewal application notes the curricular choices being implemented at FCA. The school has made several curricular adjustments over the first five years of operations, and according to the renewal application, these adjustments were made in response to data obtained from both internal and external assessments as well as stakeholder feedback. For example, one change described in the renewal application was to provide more time in the school's daily schedule for independent reading time. FCA utilized grant funding to purchase classroom libraries and distributed the texts throughout the building. Student reading was incentivized through schoolwide reading challenges that resulted in the reading of thousands of texts by FCA students.

Finally, the FCA renewal application states that the school was founded with the goal to reduce and eliminate learning gaps between sub-populations at the school. The school states that this has been difficult to achieve and that there are large performance gaps between demographics that need to be addressed. The renewal application goes on to outline several steps that FCA has taken – tracking data, staff engagement, discussion and goal-setting with students, increased representation amongst staff of these populations, hiring of a full-time ELL Coordinator – to proactively address these gaps while also acknowledging there is more work to be done.

Decisions to renew a charter school contract or deny a renewal application are made and based upon the Nevada's charter school statutes and regulations related to charter school renewal (see [NRS 388A.285](#)) and the collective record of a school's academic, financial, organizational, findings from the site evaluation process, and all data and information provided by the Department of Education.

Note that no factor may be given more weight than the academic performance of pupils at the charter school, and the academic performance of the charter school is the touchstone of any renewal decision. See [NAC 388A.415\(10\)\(b\)](#).

In making its recommendation to the Authority regarding a renewal application, SPCSA staff considers the past performance of the charter school, including information contained in the application for renewal, any site evaluations, academic achievement of pupils, and any other information that is determined to be relevant to whether the charter contract should be renewed, including financial and organizational performance. See [NAC 388A.415\(9\)](#).

When determining whether to grant an application for renewal of a charter contract, the Authority Board considers the foregoing factors, any other information that the Authority Board determines is relevant to whether the charter contract should be renewed. The Authority Board will consider the "totality of the evidence" presented to it when making a

renewal decision. See [NAC 388A.415\(9\)](#). Again, as stated above, no factor is to be given more weight than the academic performance of pupils at the charter school.² See [NAC 388A.415\(10\)\(b\)](#).

At its sole discretion, the Authority Board may renew a charter contract for a term of three (3) to ten (10) years, or, alternatively, deny the renewal application. See [NRS 388A.285\(6\)](#) and [NAC 388A.415\(11\)](#). Note that a variable term length upon renewal was discretion afforded to the Authority under Senate Bill 451 during the 2019 Legislative Session and is now codified in [NRS 388A.285\(6\)](#).

The Authority Board may accept or reject, in whole or part, the recommendation of the Executive Director. See [NAC 388A.415\(10\)\(a\)](#). If a charter contract is renewed, that Authority Board may include a provision for a high stakes review during the term of the renewed charter contract which may result in the termination of the renewed charter contract prior to its expiration, or renew the charter contract and include any additional provisions, requirements or restrictions which the State Public Charter School Authority determines are appropriate. See [NAC 388A.415\(11\)\(b\) and \(c\)](#).

Alternatively, the Authority Board may deny the renewal application for the purpose of reconstituting the governing body of the charter school pursuant to [NRS 388A.330](#) and assigning the charter contract to a charter management organization or a new governing body which may include, without limitation, the governing body of another charter school or a governing body assembled by the Executive Director; deny the renewal application for the purpose of restarting the charter school and issuing a new charter contract pursuant to [NRS 388A.300](#) to a charter management organization or a new governing body, including, without limitation, the governing body of another charter school, which will inherit any assets of the charter school which remain following dissolution; or deny the renewal of a charter contract for the purpose of closing the charter school. See [NAC 388A.415\(11\)\(d\),\(e\) and \(f\)](#).

Analysis

Academics

FCA currently operates one campus in Las Vegas. This campus has received NSPF ratings over the course of the charter term with mixed performance when analyzing both the elementary and middle school. The FCA elementary school program earned a 2-star rating according to the 2017 – 2018 NSPF ratings, which was the school’s first year of operations. As noted in the NSPF guidance document, a 2-star rating identifies a school that has partially met the state’s standard for performance. Students and subgroups often meet expectations for academic performance or growth but may have multiple areas that require improvement. Areas requiring significant improvement are uncommon. This resulted in the Authority issuing a Notice of Concern to FCA on September 28, 2018.

The FCA elementary school then earned a second, consecutive 2-star rating according to the 2018 – 2019 NSPF ratings. Due to the 2-star rating for the elementary school for the second, consecutive year, the Authority issued a Notice of Breach to FCA on October 4, 2019 which remains active. As the Authority is aware, NSPF school ratings and accountability for the 2019 – 2020 and 2020 – 2021 school years have been carried over from the 2018 – 2019 reporting year.

The FCA middle school program has historically exhibited stronger performance according to the NSPF ratings when compared to the elementary school program, earning a 2-star rating according to the 2017 – 2018 NSPF ratings, but improving to a 4-star rating according to the 2018 – 2019 NSPF ratings. The 2017 – 2018 NSPF ratings resulted in the Authority issuing a Notice of Concern, but on October 4, 2019, the Authority removed this Notice for the middle school as performance improved according to the 2018 – 2019 ratings. As noted in the NSPF guidance document, a 4-star school rating recognizes a commendable school that has performed well for all students and subgroups. A 4-star school demonstrates satisfactory to strong academic performance for all students. Further, the school is successfully promoting academic progress for all student groups as reflected in closing opportunity gaps.

As previously noted, NSPF school ratings and accountability for the 2019 – 2020 and 2020 – 2021 school years have been carried over from the 2018 – 2019 reporting year. Star ratings were not calculated for the 2021 – 2022 school year due to

² See [NAC 388A.415\(10\)](#). With regard to a second renewal, the Authority is required to place an even greater weight on academic performance than was assigned to it on the first renewal.

lack of data brought on by the COVID-19 pandemic as approved by the U.S. Department of Education³, but the Nevada Department of Education published index scores⁴. The FCA elementary program earned an index score of 35.0 while the middle school program earned an index score of 70.0. In a typical year when star ratings are issued, these index scores would be equivalent to a two-star rating and four-star rating, respectively.

The NSPF results for this current charter term are summarized and provided in the table below:

School Year	NSPF Rating
2021 - 2022 ⁵	- Elementary: 35.0 - Middle: 70.0
2020 – 2021 ⁶	- Elementary: 2 – stars - Middle: 4 – stars
2019 – 2020 ⁷	- Elementary: 2 – stars - Middle: 4 – stars
2018 – 2019	- Elementary: 2 – stars - Middle: 4 – stars
2017 – 2018	- Elementary: 2 – stars - Middle: 2 – stars

The Authority adopted its own Academic Performance Framework in 2019⁸. Results for FCA during the 2021 – 2022 can be found below.

Campus	2021-22 SPCSA Academic Framework Score	2021-22 SPCSA Academic Framework Rating
Elementary	35.0	Does Not Meet Standard
Middle	80.0	Exceeds Standard

Finally, due to the current notice for the FCA elementary school program, SPCSA staff has implemented heightened oversight for the network over the current charter term. This included:

- Additional performance reporting to the Authority. FCA has appeared multiple times before the Authority since the Notice of Breach was issued in 2019.

³ Page 72 of the NSPF technical guide:

<http://nevadareportcard.nv.gov/DI/MoreDownload?filename=Nevada%20School%20Performance%20Framework%20Manual%202021-22%20School%20Year.pdf>

⁴ According to the NSPF technical guide released by the Nevada Department of Education, star ratings were not calculated for the 2021 – 2022 school year in accordance with flexibility offered in the U.S. Department of Education’s addendum to Nevada’s consolidated state plan due to COVID-19. Star ratings will resume in 2023.

⁵ According to the NSPF technical guide released by the Nevada Department of Education, star ratings were not calculated for the 2021 – 2022 school year in accordance with flexibility offered in the U.S. Department of Education’s addendum to Nevada’s consolidated state plan due to COVID-19. Star ratings will resume in 2023.

⁶ Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2020-21 school year waiver from the U.S. Department of Education for certain requirements established by the Every Student Succeeds Act (ESSA). Nevada statewide assessments were administered in the 2020-21 school year, but the NDE did not calculate new Nevada School Performance Framework (NSPF) school ratings for the 2020-21 school year.

⁷Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2019 – 20 school year waiver from the US Department of Education for certain assessment, accountability, school identification, and reporting requirements established by the Every Student Succeeds Act (ESSA). Accordingly, for the 2019 – 20 school year, Nevada statewide assessments were not administered and the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings.

⁸ Despite being adopted in 2019, results under the SPCSA Academic performance Framework were not adopted for the 2019 – 2020 and 2020 – 2021 school years due to the COVID-19 pandemic and the lack of NSPF scores. 2021 – 2022 was the first academic year with reported scores.

- Additional performance reporting to SPCSA staff. The FCA elementary program provided mid-year performance data for the 2020 – 21 school year last spring for SPCSA monitoring.
- Ongoing site evaluations across the network, including additional evaluations due to the active Notice of Breach. Since January 2019, SPCSA staff has conducted three site evaluations at FCA, with the most recent occurring in the fall of the 2022 – 2023 school year. Site evaluation reports always include several recommendations for schools. Over the current charter term, SPCSA staff has recommended that the school prioritize the development of a plan centered on student engagement, relevancy and student voice in the instructional setting, improve core instructional methods, and work to improve differentiation to better serve all students. Given the most recent index score for the FCA elementary school program, SPCSA staff plans to conduct an additional site evaluation during the 2023 – 2024 school year if the school is renewed.

Organizational

The current iteration of the SPCSA’s Organizational Performance Framework was adopted by the Authority in the summer of 2019. The school earned 100 points under the 2020 Organizational Performance Framework as approved by the Authority on November 6, 2020, and earned 100 points under the 2021 Organizational Performance Framework as approved by the Authority on January 28, 2022. SPCSA staff have not noted any substantial organizational performance concerns during the 2022 – 2023 school year.

SPCSA Organizational Framework Findings

2021 – 2022	<i>To be reported in December 2022</i>
2020 – 2021	Meets the Standard (100/100 points)
2019 – 2020	Meets the Standard (100/100 points)
2018 – 2019	No organizational performance concerns identified
2017 – 2018	No organizational performance concerns identified

Financial

In 2018, the Authority requested that the SPCSA Financial Framework be modified so as to be better assess the financial health of sponsored schools. The revised SPCSA Financial Framework was approved on January 18, 2019, with results for FY20 approved by the Authority in January 2021. FCA met performance standards for FY20 as the school earned a ‘Meets Standard’ rating under six of the seven indicators within the framework. For FY21, FCA demonstrated improvement and earned a ‘Meets Standard’ rating under all seven of the seven reported indicators.

SPCSA Financial Framework Findings

2021 – 2022	<i>To be reported in January 2023</i>
2020 – 2021	Meets the Standard
2019 – 2020	Meets the Standard
2018 – 2019	No financial performance concerns identified
2017 – 2018	No financial performance concerns identified

Recommendation: Renew Freedom Classical Academy for a 3-year term

As described above, FCA has exhibited a of academic performance over the charter term. The elementary school program historically has not met performance expectations according to the NSPF and is currently operating under a Notice of Breach. Conversely, the middle school program has historically met performance expectations under the NSPF, and despite receiving a Notice of Concern after its first year of operation, this was removed by the Authority. Since that time, data suggests the middle school program is meeting performance expectations as measured by the NSPF. This is reaffirmed by the 2021 – 2022 SPCSA Academic Performance Framework ratings.

FCA has not exhibited any major organizational of financial performance concerns over the course of the current charter term.

Ultimately, because the academic performance of FCA has been inconsistent, SPCSA staff recommends that the Authority renew FCA for a three-year term, beginning July 1, 2023. Improved performance, particularly with regard to the school’s elementary school program, is needed to warrant a longer charter term. The new term would be subject to the enrollment caps outlined below.

	2023-2024	2024-2025	2025-2026
Enrollment Caps			
FCA	1,100	1,100	1,100
Grades Served <i>(all campuses)</i>	K-8	K-8	K-8

Proposed Motion

Approve the Freedom Classical Academy Renewal Application for a three-year term beginning July 1, 2023 and the enrollment caps as outlined above in the recommendation memo. Additionally, direct SPCSA staff to continue heightened oversight, such as those activities referenced within this memo, over FCA, specifically those grade levels with active notices. Finally, in the event of continued academic underperformance the Authority may impose additional oversight.

Appendix: School Demographics since 2017⁹

Freedom Classical Academy

Year	Total Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
17-18	1,007	5.6%	17.2%	38.1%	35.6%	0.3%	0.6%	2.1%	7.9%	0.0%	0.0%
18-19	987	6.1%	15.2%	28.2%	44.2%	0.3%	4.0%	1.6%	9.4%	10.6%	28.2%
19-20	1,094	6.4%	14.1%	25.6%	45.7%	0.5%	5.5%	1.8%	9.7%	9.3%	27.8%
20-21	1,055	6.6%	13.0%	22.8%	48.6%	0.2%	6.5%	1.9%	9.6%	11.8%	34.5%
21-22	1,013	6.6%	13.2%	22.3%	49.6%	0.3%	6.0%	1.7%	10.6%	11.1%	39.8%
22-23	1,054	6.9%	14.1%	19.5%	49.5%	0.3%	7.4%	2.0%	9.8%	9.2%	50.9%

A – Asian

B – Black/African American

C – Caucasian/White

H – Hispanic/Latino

I – American Indian/Alaskan Native

M – Two or More Races

P – Pacific Islander

IEP – Individualized Education Program – A student with a disability/special education student

ELL – English Language Learner

FRL – A student who qualifies for Free or Reduced-Price Lunch

To protect student privacy, rates associated with IEP, ELL, and FRL populations less than 10 students are displayed with an asterisk (*), and extreme values less than 5 or greater than 95 percent are shown as <5 and >95, respectively. N/A indicates the population did not exist.

⁹ Enrollment as of Validation Day each year (October 1).