

2022 New Charter School Application Resubmission Report and Recommendation

Rooted School-Clark County

General Information

Proposed School Name	Rooted School-Clark County
Proposed EMO/CMO	Rooted School Foundation (CMO)
Proposed Mission	The mission of Rooted School Foundation is to rapidly reduce America’s wealth gap by connecting underserved and talented teenagers with career and financial pathways.
Proposed Grade Configuration	Opening: 9-10 Full Scale: 9-12
Proposed Opening	August 2023
Proposed Location	Clark County; Address TBD
Proposed Zip Codes to be Served	89115, 89110, 89156, 89101

Planned Enrollment

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29
K						
1						
2						
3						
4						
5						
6						
7						
8						
9	90	90	90	90	90	90
10	90	90	90	90	90	90
11	0	90	90	90	90	90
12	0	0	90	90	90	90
Total	180	270	360	360	360	360

Executive Summary and Recommendation

The SPCSA conducts a rigorous review of new charter school applications. This process includes the submission to the SPCSA of a written notice of intent to submit a new charter school application 90 days prior to the submission of the new charter school application; the submission to the SPCSA of the actual new charter school application between April 15 and April 30 of each year; the review of the new charter school application by the SPCSA – including the review of the new charter school application by outside reviewers and a capacity interview with the applicant team. There is also an opportunity for an unsuccessful new charter school applicant to resubmit its charter school application, as well as an opportunity for an unsuccessful applicant to appeal the denial of its application. For more details regarding the SPCSA’s application process, please see Appendix A.

During the August 29, 2022 Authority meeting, SPCSA staff presented the findings of the initial review team and SPCSA staff for the Rooted School – Clark County charter application. The initial application was found to exhibit shortcomings within all five components of the submitted application. The review team and SPCSA staff found that the proposed *Meeting the Need, Academic, Operations, Financial* and *Addendum* sections did not meet standards as outlined in the charter application rubric. The Authority voted on August 29, 2022 to deny the Rooted School – Clark County charter application.

A second review team comprised of SPCSA staff reviewed the resubmitted Rooted School – Clark County application after it was received on October 3, 2022. The review team approached rating the resubmission with two primary considerations:

- To determine if the applicant had corrected the original deficiencies found in the initial application; and
- To verify that the applicant’s resubmission did not change the rating of any component the in the rubric that was previously determined to ‘Meet Standard’.

Upon resubmission, the second review team determined that several of the previously identified deficiencies had been addressed, and the ratings against the charter application rubric reflect these changes. Mostly notably, the resubmission made improvements in various components within the *Academic* section. The resubmission includes revised goals that are mission-specific or tied to school performance as measured under the SPCSA Performance Frameworks. Significant detail was also provided in the *At-Risk and Special Populations* component. The narrative includes revised projections for special populations, and sufficient capacity in terms of staffing exists to deliver high-quality services to students with disabilities or English Language Learners. The resubmission provides significantly more detail regarding how the proposed school would identify and support students with disabilities and demonstrates a reasonable plan for ensuring the needs of students experiencing homelessness are met. Two other, prominent improvements identified in the *Academic* section of the resubmission centered on revised graduated discipline policies as well as those to monitor and maintain strong student attendance and low truancy numbers.

The review committee also identified several important improvements within the *Operations* section. Sufficient clarity was provided with regards to the proposed board, including their roles and responsibilities, and the resubmission provides for a parent member to be seated shortly after the start of the 2023 – 24 school year. The resubmission also makes clear that no school leader has been selected, but provides sufficient detail regarding what the selection process will look like, noting that a final decision will be made by March 31, 2023 by the local governing board.

Despite this progress, the review team found that the *Financial* section did not meet the rubric standards for a few key reasons. While the resubmission provided some additional information and evidence that philanthropic funding had been secured, some dollars remain uncommitted and raise some viability questions should they not be obtained by the school. The resubmission also notes that the community has indicated that various extracurricular activities would be welcomed at the proposed

school, but these expenditures have not been included in the proposed budget, raising some questions about additional expenditures and how they might be offset with other revenue. For these reasons, and others outlined in the *Financial* section within this memo, this section was rated as ‘Approaches the Standard’.

Finally, with regard to the *Addendum* section, the resubmission provided clarity regarding the roles and responsibilities of school leadership, the proposed board, and the CMO. Additionally, the resubmission affirms the proposed board’s plans to evaluate the CMO using an established tool adopted by the local board and incorporated into the contract. The resubmission also includes additional information regarding plans to expand capacity of the CMO to meet the needs of the growing portfolio of schools. While the review team continues to have concerns about capacity to expand to in Nevada at the same time as a new school is scheduled to open in Washington, this information provided clarity regarding the CMO’s growth plan. For these reasons, as well as those detailed in the remainder of this memo, this section was rated as ‘Meets the Standard’

Nevertheless, the resubmission included a number of improvements that resulted in many subsections of the application being rated as ‘Meets the Standard’. As a result, staff’s recommendation is to approve, with conditions, the Rooted School – Clark County charter school application as resubmitted.

Proposed motion: Approve the Rooted School – Clark County resubmitted application as submitted during the 2022 Application Cycle, with the conditions as permitted by NAC 388A.410 and as outlined below, based on a finding that the applicant has met the requirements contained in NRS 388A.249(3) in that the applicant has demonstrated competence in accordance with the criteria for approval prescribed by the SPCSA that will likely result in a successful opening and operation of the charter school.

1. By January 1, 2023, provide a revised lottery policy that complies with Nevada statutes and regulations.
2. By January 17, 2023, provide fully executed lease for a facility for the 2023-24 school year.
3. By March 31, 2023, provide an updated budget that reflects secured philanthropic funding, along with evidence for each funding source.
4. By March 31, 2023, provide evidence that the principal has been hired.
5. By March 31, 2023, provide an updated list of partners and evidence of these relationships that includes deliverables and responsibilities of each party, such as Memorandums of Understanding.
6. By July 30, 2023, provide evidence that
 - a. All Career and Technical Education courses comply with NDE requirements and that those course for which students will earn academic credit have been approved by the State Board of Education (see NAC 389.672), and
 - b. The school has received approval from the State Board of Education to offer work-based learning, if it will be offered during the 2023-24 school year. (see NRS 389.167)
7. Provide notification to SPCSA staff in the event that the Rooted School Foundation or an organization intending to contract with the Rooted School Foundation submits an application to open a charter school in any state, or if the Rooted School Foundation enters into a new contract to provide services to an existing charter school prior to the start of the 2025-26 school year.
8. Complete the SPCSA pre-opening process for new charter schools

Pursuant to NAC 388A.410, all conditions set forth above must be met for the school to open for the 2023-24 school year.

Summary of Application Section Ratings

Rating options for each section are Meets the Standard; Approaches the Standard; Does not Meet the Standard. A detailed description of each rating option can be found in Appendix A.

Application Section	Initial Rating	Resubmission Rating
Meeting the Need	Approaches the Standard	Meets the Standard
Mission and Vision	Meets the Standard	Meets the Standard
Targeted Plan	Approaches the Standard	Meets the Standard
Parent and Community Involvement	Approaches the Standard	Approaches the Standard
Academic Plan¹	Approaches the Standard	Meets the Standard
Transformational Change	Approaches the Standard	Approaches the Standard
Curriculum & Instructional Design	Approaches the Standard	Approaches the Standard
Promotion & High School Graduation Requirements	Approaches the Standard	Approaches the Standard
Dual Credit Partnerships	Meets the Standard	Meets the Standard
Driving for Results	Does Not Meet the Standard	Meets the Standard
At-Risk Students and Special Populations	Does Not Meet the Standard	Meets the Standard
School Structure: Culture	Approaches the Standard	Meets the Standard
School Structure: Student Discipline	Approaches the Standard	Meets the Standard
School Structure: Calendar and Schedule	Approaches the Standard	Meets the Standard
Operations Plan	Approaches the Standard	Meets the Standard
Board Governance	Approaches the Standard	Meets the Standard
Leadership Team	Approaches the Standard	Meets the Standard
Staffing Plan	Does Not Meet the Standard	Meets the Standard
Human Resources	Approaches the Standard	Meets the Standard
Student Recruitment and Enrollment	Approaches the Standard	Approaches the Standard
Incubation Year Development	Approaches the Standard	Approaches the Standard
Services	Approaches the Standard	Meets the Standard
Facilities	Approaches the Standard	Approaches the Standard
Ongoing Operations	Meets the Standard	Meets the Standard
Financial Plan	Approaches the Standard	Approaches the Standard
Addendum	Approaches the Standard	Meets the Standard
Readiness for Growth	Approaches the Standard	Meets the Standard
Scale Strategy	Approaches the Standard	Approaches the Standard
School Management Contract	Approaches the Standard	Meets the Standard
Charter Management Organizations Applying for Sponsorship Directly	Approaches the Standard	Meets the Standard

¹ The Rooted School – Clark County proposal did not contemplate Distance Education or Pre-Kindergarten. Therefore, the corresponding sections of the rubric were not scored.

Meeting the Need: Meets the Standard

Meeting the Need	Meets the Standard
Mission and Vision	Meets the Standard
Targeted Plan	Meets the Standard
Parent and Community Involvement	Approaches the Standard

Summary of Findings

As presented in the resubmission, which included minimal changes from the original application, the CMO and proposed governing board presented a clear and compelling mission and vision for the school, noting that Nevada has been severely impacted by the ongoing COVID-19 pandemic and that this has exacerbated the racial wealth gap, something that the school aims to close. The narrative goes on to note that success goes beyond students graduating in four-years, stating that the goal of Rooted School – Clark County is for all students to have a job offer in one hand and a college acceptance letter in the other by graduation. Key components of accomplishing this work such as self-directed learning, industry-based credentials, internships and project-based learning are introduced here. Finally, the application makes a clear case of alignment to the statutory purposes of public charter schools in Nevada by proposing effective and innovative methods of teaching, which is manifested by the industry-based credentials and the self-directed instructional model for students.

Building upon the mission and vision, the resubmitted application provides some details for why the proposed school can address the income gap disparity in the 89115, 89110 and 89156 zip codes. The resubmitted application includes an additional zip code (89101), and the applicant clarified that while this was done primarily for facility reasons, this zip code could benefit from another high-quality school option. The narrative continues to present a rationale for alignment to the demographic component of the SPCSA Academic and Demographic Needs Assessment. The model aims to assist students underperforming across a variety of measures, including standardized testing and graduation rates. Plans for serving students with additional education needs have been enhanced and clarified, as detailed in the *Academic Section*, thus providing the foundation for effective programmatic implementation. Additionally, the resubmission presents sufficient evidence that the proposed school will have the necessary capacity to adequately serve students qualifying for free or reduced-price lunch, students with disabilities, and English Language Learners. The resubmission includes modified enrollment projections for each of these subgroups, and presents an adequate staffing plan which has the potential to effectively serve each of these subgroups.

Regarding parent and community engagement, it is clear that the school has a number of identified supporters in their work towards authorization, documented by letters of support, although the applicant team was not able to establish that they had had sustained and meaningful engagement with the parent community. The application states that the Committee to Form and proposed board includes four members that have spent over two decades living, working and/or serving the North and East Las Vegas communities. The narrative also includes some examples of feedback on the model from the community, although they appear to be fairly generic. When asked for more specifics during the capacity interview, and when provided the opportunity to provide additional evidence of community engagement and partnerships through resubmission, substantive examples and details were not provided. During the capacity interview, the applicant team briefly discussed feedback regarding the proposed school mascot and extracurricular athletics. However, the applicant team further clarified that these matters would ultimately be decided at the local board level, and no evidence of this feedback was incorporated into the revised budget.² Stated another way, there is evidence that this work has been done, but it is not manifested in the proposal.

² As noted in the finance section of this memo, despite the interest in the local community for extracurricular activities, no budget line items were allocated to support this effort.

Additionally, it was confirmed through the capacity interview process that only one community partnership has been established; all others appear to be in the early stages. More evidence is needed to confirm partnerships are developed, and additional clarity is needed regarding any expectations for parent volunteering.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as 'Meets the Standard.'

Mission and Vision: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Clear and compelling mission statement that is reflected throughout the application.
- The mission statement identifies the role of the school in addressing the problem or demand that the school seeks to address in the community in which it seeks to serve.
- The vision describes what success for students beyond school looks like if the committee to form fulfills the role described in its mission.
- The committee to form proposes a school model that solves a problem related to student outcomes that is either shown to exist with data or is in response to demonstrated demand for a particular school model.
- The committee to form aims to achieve outcomes that they demonstrate will improve students' long-term quality of life.
- The committee to form identifies key supporters, partners or resources that are directly tied to the stated outcomes of the school.
- The school's stated purpose satisfies at least one and ideally all statutory purposes, demonstrates how they are clearly aligned to the mission and vision, and explains how the school fulfills each selected purpose:
 - Improving the academic achievement of pupils;
 - Encouraging the use of effective and innovative methods of teaching;
 - Providing an accurate measurement of the educational achievement of pupils;
 - Establishing accountability and transparency of public schools;
 - Providing a method for public schools to measure achievement based upon the performance of the schools; AND/OR
 - Creating new professional opportunities for teachers

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Targeted Plan: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Clear and compelling rationale for the selected community based on academic or demographic need
- Clear and comprehensive explanation of how the proposed model meets identified community needs
- A demonstrated commitment to meet at least one of the identified demographic and academic needs as defined by the most recent SPCSA Academic and Demographic Needs Assessment:
 - Demographic Needs
 - Student groups that consistently underperform on the 3rd-8th grade Smarter Balanced Assessment (Math and ELA), the 11th grade ACT Assessment (Math and ELA), and in 4-year graduation rates present a demographic need; these student groups may benefit from the creation of high-quality school options focused on meeting their needs. These populations

are: students qualifying for free or reduced-price lunch, English Learners and students with IEPs.

- Academic Needs
 - Geographies with a significant percentage of students enrolled in 1- and 2-star schools: In zip codes with one or more schools rated 1 or 2 stars in the Nevada School Performance Framework (NSPF), students are enrolling in schools that are not meeting or partially meeting state performance standards, and the addition of a 3-, 4- or 5-star school would provide an alternative option for these students.
 - Students at risk of dropping out: Despite a rapidly improving graduation rate, nearly one in five students does not graduate from high school in four years, with certain student groups persistently graduating at lower rates than their peers. Additional data show various student populations also have higher dropout rates than their peers.
- Demonstrated capacity, credible plans, and thorough research and analysis in order to intentionally serve the identified student populations, prevent at-risk students from dropping out, and/or provide more high-quality schools in underserved areas, as defined in the Academic and Demographic Needs Assessment.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Parent and Community Involvement: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- Demonstrates clear evidence of the involvement of parents, neighborhood, and/or community members representative of target population in the development of the plan. The application establishes that the local community has helped shape the final school proposal.
- The committee to form demonstrates their ties to and/or knowledge of the target community and demonstrates how the proposed school will build upon community assets.
- Outlines plan to effectively engage parents, community members, and other neighborhood partners from the time that the operator is approved (e.g., conducting home visits, community meetings, etc.) and once the school is operating (e.g., parent advisory council, student placement, trainings, communications, volunteers, etc.)

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Adheres to state and federal law regarding expectations for parent volunteering (R 131-16, Section 8). Specifically schools may not “design, use or intend to use requirements for enrollment in the charter school, including, without limitation, the payment of fees, expectations for the performance of volunteer work or attendance at informational meetings and interviews, for the purpose of discrimination.”³
- Identifies specific community partnerships which are shown to be relevant to the needs of the target population, including partners located in the community that the applicant intends to serve.
 - Partnerships are evidenced by specific letters of commitment outlining the accountabilities of both parties and clear, measurable, time-specific deliverables from the partner which are clearly relevant to the needs of the target population.

³ <https://www.leg.state.nv.us/Register/2016Register/R131-16AP.pdf>

Academic Plan: Meets the Standard

Academic Plan ⁴	Meets the Standard
Transformational Change	Approaches the Standard
Curriculum & Instructional Design	Approaches the Standard
Promotion & High School Graduation Requirements	Approaches the Standard
Dual Credit Partnerships	Meets the Standard
Driving for Results	Meets the Standard
At-Risk Students and Special Populations	Meets the Standard
School Structure: Culture	Meets the Standard
School Structure: Student Discipline	Meets the Standard
School Structure: Calendar and Schedule	Meets the Standard

Summary of Findings

Within the resubmission, the application outlines the proposed programming—self-directed learning, industry-based credentials (IBCs) and internships, and project-based learning—are described and represent distinguishing features of the model which are similar to existing schools in the Rooted network. Rooted School – Clark County believes that these programs will close the opportunity and income gap, which aligns to the school’s mission and vision. The resubmission also points to past successes of networks and schools across the county which have also implemented some of these elements noted in the Rooted proposal. Additional details are provided regarding the project-based learning aspect of the Rooted model, its foundation, and how projects will be completed by students from start to finish in the form of a public-facing product. Some details about how students proceed through individualized learning through the playlists is missing, and while the industry-based credential program lacks some details for the proposed school in Clark County, the revised incubation year plan accounts for this critical work and provides sufficient detail regarding the both proposed time frame to complete this work along with noting that the Executive Director will see it through to completion.

The proposed curricula for the school are identified, and core content areas are common core aligned as presented in the resubmission. Like the proposed professional development for the school leader, the application takes a thoughtful approach to professional development for teachers, which includes an outline of seven components, a general description as well as an estimate of their frequency throughout the year. Despite these strengths, key instructional strategies of the model are not adequately detailed, and the application fails to present a compelling case regarding why these strategies are appropriate for the target community. The resubmission does include modified enrollment projections for key demographic subgroups such as English Language Learners that appear more reasonable, but during the resubmission process, the applicant team acknowledged that there were no substantive changes made to this section of the application. As a result, other lingering questions about systems and structures for observing and identifying teachers who need additional support remain.

Graduation criteria are established, and Rooted School – Clark County demonstrated alignment to Nevada graduation requirements. The resubmission also provides some examples of elective coursework that may be offered, and includes a sample course progression and an example IBC from another, already operating school within the network. Promotion criteria and standards, however, are underdeveloped and the resubmission presents very limited information regarding credit recovery. A general list of supports, such as outside tutoring, is included in the resubmission, but few details are provided. June school is mentioned briefly at various other points in the application, but no robust explanation for what it is and how students may qualify/leverage this option is provided. During the resubmission process, the applicant team

⁴ The Rooted School – Clark County proposal did not contemplate Distance Education or Pre-Kindergarten. Therefore, the corresponding sections of the rubric were not scored.

acknowledged that there were no substantive changes made to this section of the application.

Dual credit partnerships are required of all high schools in Nevada, and the Rooted School – Clark County resubmission includes a draft agreement between the school and the College of Southern Nevada. The proposed agreement notes that the school would be responsible for paying all fees for students.

The resubmitted Rooted School – Clark County proposal includes three measurable, mission-specific goals that are aligned to the proposed model, plus two goals tied to SPCSA frameworks: 80% of students will obtain at least one Industry-Based Credential; the average ACT practice score for Grade 9 will be 18, for grade 10 will be 19, and for grades 11 and 12 will be 21; Unrestricted Days Cash on Hand benchmarks under the Financial Performance Framework; and that the school will achieve a Meets Standard rating under each component of the SPCSA Organizational Performance Framework. The proposed school also makes a commitment to being data driven, and this was reiterated during the capacity interview. Within the resubmission, the proposed school identifies key assessments to be implemented and includes reasonable, yet rigorous academic goals tied to these assessments in most cases. ELA performance goals are anchored by two years of Lexile growth whereas math performance goals are based upon 1.5 years of Lexile growth. The graduation rate goal of 87% does raise some concerns, although it is slightly above the SPCSA average (86.8%) from the most recent year. The resubmission also provides key details about how the school will use data to guide the school to strong academic performance, and these revisions address how the school plans to monitor for possible disparities between subgroups.

As noted elsewhere in this memo, professional development plans for teachers and staff to effectively support at-risk student populations is a strength of the resubmission. The proposal also outlines basic processes to be used to identify students that may qualify for English language services, and provides sufficient details regarding the identification, planned interventions, and ongoing monitoring to be used for academically at-risk students. As noted in the *Staffing Plan* section, the resubmission provides sufficient capacity in terms of capacity to effectively deliver high-quality services to students with disabilities or English Language Learners. In addition, the resubmission provides significantly more detail regarding how the proposed school would identify and support students with disabilities and demonstrates a reasonable plan for ensuring the needs of students experiencing homelessness are met.

Rooted School – Clark County proposes to center their climate and culture on a pre-career level (PCL) system, which is aligned to the mission and vision of the school. The resubmission includes details on the school's dress code policy as well as plans for how the school will develop and maintain a strong culture through norming expectations, maintain strong communication, and leverage the proposed badge system. Despite some gaps in terms of well-defined culture goals, the resubmission outlines a robust plan to support a strong school climate but specific targets are not provided.

The discipline plan for the proposed school provided sufficient clarity around policies for a graduated student discipline plan, suspensions and expulsions. Additional information regarding parent grievances was also provided. The resubmission also details that while the entire faculty will implement the plan, a member of the leadership team will be the primarily responsible for its oversight, including monitoring data for possible disparities so as to ensure that student populations are not disproportionately impacted. Behavior and discipline goals were also provided through the resubmission process.

The school's proposed calendar within the resubmission appears to meet at least the minimum requirements for the state of Nevada, aligns with the school's academic program, and includes an attendance goal of 90%. Additionally, the resubmission includes policies around attendance and truancy, noting that these will be monitored by the school leader and the Director of Operations.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as 'Meets the Standard.'

Transformational Change: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- Compelling, well-articulated theory of change and clear educational strategy aligned to the mission and critical to the schools' success.
- The committee to form demonstrates with an ambitious, yet achievable plan that they will be able to:
 - Ensure that every SPCSA student succeeds - including those from historically underserved student groups: the SPCSA aims for all sponsored schools to demonstrate strong academic growth, high levels of proficiency, and on-time graduation across all student groups, including historically underserved student groups.
- Distinguishing features of the proposed schools are supported by compelling evidence of success in schools implementing similar programs serving a similar target population.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- The committee to form demonstrates with an ambitious, yet achievable plan that they will be able to:
 - Provide families with high quality schools: the SPCSA aims for a majority of schools to be rated as 4- or 5-stars.
- The committee to form provides a specific description of how the proposal will be implemented to ensure fidelity to the model.
- For all plans the applicant will implement, there are clear, corresponding responsible parties, timelines, delivery methods, and rationales.
- The committee to form demonstrates that the key features of the proposed school can be implemented together in a coherent and cohesive manner that will drive towards meeting the proposed mission and vision.

Curriculum & Instructional Design: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- A clear explanation, supported by evidence, demonstrating how the school's academic program, including the curriculum, aligns to the Nevada Academic Content Standards, including both the Common Core Academic Standards and the Next Generation Science Standards, and that the school teaches all required subjects at each grade level.
 - High school programs must also meet high school graduation requirements:
https://doe.nv.gov/High_School_Graduation/
- Instructional programs offer a continuum of services to students through a tiered system of interventions, ensuring that all students, including those who are in need of remediation, English Learners, and those who are intellectually gifted, are able to build the knowledge base necessary to access rigorous instruction.
- Plans for professional development show a direct connection to the instructional methods and curricula that teachers will be required to use.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Instructional strategies are proven to be well suited to the student population.
- For intellectually gifted students, the application demonstrates that the school will extend their learning offerings such that those students have access to unique, tailored opportunities. The proposed staffing structure demonstrates that teachers will have the support required to do this.
- Systems or structures exist for observing teachers, identifying teachers that may need additional support, and providing additional support to those teachers.

- If the proposed charter school intends to include a vocational or career and technical education program, the application outlines a logical plan that is aligned with the school’s mission, vision, instructional model, and goals for student growth.

Promotion & High School Graduation Requirements: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- School plans explicitly demonstrate clear evidence of alignment with Nevada Graduation Requirements and ensure college and career readiness

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Structures are in place to support students at risk of dropping out, including those who are overage for grade, those needing to access credit recovery options, and those performing significantly below grade level
- Graduation/promotion standards for students are clearly defined and measurable, demonstrating high expectations for all students

Dual Credit Partnerships: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- A draft memorandum of understanding between the charter school and the college or university through which the credits will be earned and a term sheet, which must set forth:
 - The proposed duration of the relationship between the charter school and the college or university and the conditions for renewal and termination of the relationship;
 - The roles and responsibilities of the governing body of the charter school, the employees of the charter school and the college or university;
 - The scope of the services and resources that will be provided by the college or university;
 - The manner and amount that the college or university will be compensated for providing such services and resources, including, without limitation, any tuition and fees that pupils at the charter school will pay to the college or university;
 - The manner in which the college or university will ensure that the charter school effectively monitors pupil enrollment and attendance and the acquisition of college credits; and
 - Any employees of the college or university who will serve on the governing body of the charter school.
- The partnership reflected in the memorandum of understanding is shown to be both appropriate for high school students seeking advanced coursework as well as financially accessible to all students.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Driving for Results: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Mission-specific goals explicitly complement or supplement, but do not replace, the SPCSA’s performance standards with school-specific, mission- driven academic, financial, or organizational goals.
 - All such indicators, measures, and metrics are rigorous, valid, and reliable.
 - All proposed data sources are objectively verifiable and there is an explicit commitment to school-funded external validation and analysis by an Authority-selected vendor for any assessment not supported by the Authority.
- The school’s internal, leading indicator goals clearly align to the Nevada School Performance

- Framework and the Authority Performance Framework.
- Internal and mission-specific framework goals are SMART: goals and objectives are specific, measurable, ambitious and attainable, relevant, and time bound.
 - There is a clear process for setting, monitoring and/or revising internal leading indicator academic goals.
 - There is a clear delineation between assessments utilized for internal monitoring by the governing body, staff, and leadership and those which are sufficiently rigorous, valid, and reliable to be presented to the Authority, the state, parents, and the general public.
 - Internal assessment selections will provide sufficiently rich data for evaluation of the education program AND fully align with State assessments, State Standards, and the curriculum as presented.
 - The assessment plan is sufficiently detailed to demonstrate collection and analysis of individual student, student cohorts, school level, and network- level performance over time (interim, annual, year over year), including a clear process for setting and monitoring ambitious academic goals.
 - Demonstrates the validity and reliability of any internal non-standardized assessments, as well as how these assessments are aligned with the school design and high expectations.
 - Articulates process for utilizing data to support instruction and providing adequate training to teachers and school leaders.
 - Articulates plan for monitoring for academic performance gaps and concrete steps to address identified gaps.
 - Sound plan for measuring and reporting academic performance and progress of students for both individual schools and the network (if applicable).
 - Explains how both individual schools and the network staff will use assessment data to drive key decisions aimed at improving academic outcomes (if applicable).

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

At-Risk Students and Special Populations: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Provides a detailed plan for appropriate professional development to teachers and staff to ensure they can support and accelerate the learning of at-risk and special population students which is aligned to the budget and overall PD plan.
- Outlines plans to promote parent participation among parents of at-risk students, students with disabilities and English Language Learners.
- Devotes adequate resources and staff to meeting the needs of all students.

At Risk Students

- The committee to form provides a clear and research-based process for identifying at-risk students, including those with academic and behavioral needs.
- The committee to form provides a logical method supported by research according to which they will assess the needs of at-risk students. The committee to form also outlines a continuum of programs, strategies, and supports that corresponds with the needs identified for each student and is supported by research.
- The committee to form outlines the methods according to which the school will remediate academically underperforming students, including the system according to which the school will track progress, facilitate teacher collaboration, and the research supporting the school's remediation strategy.
- The school's Response to Intervention system differentiates planning for each student according to the significance of their need, providing a continuum of services and interventions. The provides a logical and research-based rationale for this system.

- The school assigns clear responsibility for communicating with parents regarding remediation needs.

Special Education

- Application includes a demonstrated track record of success serving a wide range of students with disabilities (mild, moderate, and severe).
- Clear demonstration and understanding of Nevada and federal laws and regulations governing services for students with disabilities.
- The committee to form provides a logical plan to screen all students and to ensure that struggling students are evaluated for special education services early and accurately.
- The committee to form presents a plan for developing IEPs that contain rigorous goals and instructional plans that are suitable to meet those students' goals.
- The committee to form presents a monitoring plan that will enable relevant staff to track the progress of all students with IEPs towards the goals articulated in their respective plans.
- The committee to form demonstrates that they will be able to provide all special education and related services needed either by the staff listed on their organization chart or identified external groups with whom they can contract to provide needed services.
- The group's plan for SWDs must identify the staff members who will lead student evaluations, IEP development, and provision of ongoing service. Relevant job description(s) require(s) the expertise and/or credentials relevant to the services.
- The committee to form outlines comprehensive and logical plans to train staff in modifying the curriculum and instruction to address the unique needs of students with disabilities.
- Special education staffing aligns with qualifications and student-teacher ratios required in statute:
 - For example, 22:1 for students with severe disabilities.
 - Full Nevada licensure for all special education teachers/coordinators (no waivers or substitutes).
- Ensures that the rights of students with disabilities are protected with regard to discipline.
- Articulates requirements and processes for monitoring services to students in need and plans to exit students who attain sufficient progress.

English Language Learners

- Processes for identifying English Language Learners are well-defined, including administration of placement assessments and communications to parents and teachers.
- ELL staffing aligns with qualifications required in statute:
 - Full Nevada licensure for all ELL teachers/coordinators (no waivers or substitutes).
- Describes the specific services that will be provided for students within and outside the classroom, including curriculum and instruction and exposure to co-teaching.

Homeless/Migrant Students

- The committee to form presents a logical and systematic method according to which the school will identify homeless and/or migrant students.
- The timeline/plan according to which the school will assess and meet the needs of students identified as homeless and/or migrant demonstrates that students will begin receiving required services within their first semester of arriving at a new school.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

At Risk Students

- The committee to form demonstrates that the school's response to early signs of behavioral and/or social emotional needs will be met with positive interventions and restorative justice practices. The school will utilize differentiated support for each student in collaboration with the students' parents, fellow teachers, and with support, as needed, from other school staff.

Special Education

None

English Language Learners

None

Homeless/Migrant Students

None

School Structure: Culture: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Appropriate and effective strategies to support a school climate that will allow for fulfillment of the school's stated mission and vision, as well as the school's stated academic goals.
- Describes a concrete plan for norming social/cultural expectations at the start of each semester as well as for students who enter mid- semester.
- Plan to establish a culture of high expectations with students/families and teachers/staff and promote positive behavior.
- Research-based and age-appropriate strategies to support students' social and emotional needs.
- Dress code and/or uniform policy is age-appropriate, and the applicant articulates how the proposed school will ensure that uniform requirements do not create a barrier for students in poverty.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Well-defined goals around school culture and plans to monitor progress.

School Structure: Student Discipline: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Presents sound policies for student discipline, suspension, and expulsion including procedures for due process.
- If components are based on other states, districts, and/or schools, they have been adapted to meet the local context and proposed target community.
- Clear designation of staff responsible for implementing the discipline plan, including maintenance of student records and data.
- A plan to ensure that certain student populations are not disproportionately impacted by discipline policies.
- Goals for student behavior are clear and measurable; there is a plan, and designated personnel, for monitoring and reporting related to behavior goals as well as ongoing maintenance of discipline records.
- Student behavior plan integrates clear, logical use of methods of restorative justice per Assembly Bill 168 (2019).
- Proposed grievance policy provides reasonable process for parents to dispute disciplinary actions and/or raise complaints.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

School Structure: Calendar and Schedule: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Proposed Calendar meets or exceeds the minimum of 180 (or equivalent) days of instruction.
 - 43,200 minutes of classroom instruction/year for grades K-2 or 54,000 minutes of classroom instruction /year for grades 3-6 or 59,400 minutes of classroom instruction /year for grades 7-12.
 - Calendar and schedule support implementation of the academic program.

- Alignment between teacher and student schedules.
- Outlines meaningful goals for student attendance and plans to monitor and adjust as needed.
- Presents sound policies for student attendance and truancy including procedures for due process that comply with state law and regulation⁵ and are customized to the charter school.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

⁵ NRS 392.122, NRS 392.130 and NRS 392.144.

Operations Plan: Meets the Standard

Operations Plan	Meets the Standard
Board Governance	Meets the Standard
Leadership Team	Meets the Standard
Staffing Plan	Meets the Standard
Human Resources	Meets the Standard
Student Recruitment and Enrollment	Approaches the Standard
Incubation Year Development	Approaches the Standard
Services	Meets the Standard
Facilities	Approaches the Standard
Ongoing Operations	Meets the Standard

Summary of Findings

As outlined in the resubmission, a local board would govern the school and manage the relationship with the proposed Charter Management Organization, the Rooted School Foundation. The proposed board has leadership positions identified, and while not fully established or ready for implementation of the model, does present a multi-committee structure that could support the work of the full governing body. The resubmission provides a reasonable timeline to fill remaining board vacancies, including a parent representative and an individual with legal expertise, and adequately delineates the roles and responsibilities of the proposed board and CMO. Specifically, the resubmission clarifies that the CMO may recommend school leader candidates to the local board, which has ultimate authority to hire and evaluate this individual. Additionally, the resubmission also accounts for board training to occur regularly and to be provided by a third-party, Board on Track. It also sufficiently outlines grievance policies that may be escalated to the governing body.

The resubmission states that a school leader for the proposed school is not identified, but includes a clear, timebound plan for doing so. Details regarding each step in this process are outlined in the proposal, and roles and responsibilities for these steps align with other roles and responsibilities outlined in the *Board Governance* and *Scale Strategy* sections. The resubmission also notes that a hiring decision for this critical position will be made by the proposed board no later than March 31, 2023, a reasonable timeline that can allow the proposed school to execute on key milestones during the incubation year. Other leadership positions include effective assignment of key responsibilities and align to job descriptions. The resubmission also outlines reasonable and thoughtful plans for professional development, support and coaching of the school leader through multiple avenues.

The staffing plan included in the resubmission aligns to the mission, vision and proposed academic program. Additionally, the staffing plan appears appropriately tailored to the projected student population, including those students with disabilities and English Language Learners. Sufficient capacity appears to be allocated to key staffing positions which will serve certain at-risk students such as a Director of Special Education and multiple ELL teachers. As such, the staffing plan is a manifestation of the proposed school’s commitment to align to the Academic and Demographic Needs Assessment.

The resubmission includes a relatively strong plan to recruit and retain high quality teachers, and provides a reasonable timeline for doing this work prior to the start of each year (30-60 days). Rooted School – Clark County emphasizes the importance of ‘Fit and Match’ along with a ‘Deliberately Developmental Organization’ mindset to help the school to sustain a strong culture. Essential functions in hiring, evaluating and terminating employees is also accounted for in the budget. Additionally, the resubmission includes specific plans, including recruitment goals and metrics, to enable the proposed school to hire a faculty and staff that is reflective of the community. The resubmission also includes strategies, based off of recognized The New Teacher Project (TNTP) work and research, to be leveraged in order to

retain and possibly promote teachers at the school.

With regard to student recruitment and enrollment, Rooted – Clark County proposes to serve 180 students in its first year of operations. The plan to reach this number includes some in-person recruitment events such as open houses and forums, and during the capacity interview, the applicant team made clear that it has built some relationships with an existing school that could be a ‘feeder’ school. During the incubation year, the resubmission notes that significant outreach efforts are planned to ensure that the school is fully enrolled during Year 1 and the resubmission provides a detailed draft recruitment and marketing plan. While approximately 100 students expressed interest in enrolling at the school, no evidence of student demand for the school was provided after October 2021, and only approximately 10% of the student interest comes from the targeted zip codes, raising some questions about the ability of Rooted School – Clark County to deliver on commitments made to serving the intended zip codes outlined in the narrative. Lastly, some concerns remain about the resubmission’s adherence to Nevada admissions and lottery requirements, noting that a random lottery is used to fill vacant seats each time one becomes available.

The incubation year plan as presented in the resubmission appears to include the requisite level of detail in terms of specific actions and steps needed to complete multi-step, key tasks like establishing a food service vendor or employee onboarding. The resubmitted plan also incorporates the SPCSA’s pre-opening requirements, in addition to a few other program-specific items tied to the academic program and CTE requirements. Questions remain about the possible role of the community outreach coordinator, and it is unclear if this role will come to fruition. During the resubmission process, the applicant team noted that the hiring of the proposed school leader will dictate whether this position is needed. As such, the review committee remains concerned about the capacity needed to execute this plan as well as the availability of funds to implement the plan as proposed. The proposed school is heavily reliant on grants and other fundraising during the incubation year, only some of which has been secured. While the resubmission included evidence that the proposed school has conditionally been awarded up to \$975,000 in Charter School Program (CSP) funds and will be eligible to apply for additional funding through both Opportunity 180 and Charter School Growth Fund, the incubation year activities are dependent on substantial grant funding which exceeds the amount of funding that is currently secured. Additionally, there is limited discussion of how the incubation year would be impacted should grant funding come in lower than expected.

Regarding services and other operational aspects of the school, the resubmission includes logical plans for specific auxiliary services such as food services and janitorial services. Information technology plans are drafted and appropriate capacity is dedicated to ensuring that technology is used safely while also complying with student data requirements. Other operational items such as general plans for emergencies as well as evidence of insurance are provided.

With regard to facilities, the resubmission commits to identifying a facility for at least Year 1 on or before December 1, 2022, and includes one possible option to lease space from a current, SPCSA-sponsored school. During the resubmission process, the applicant team indicated that this lease arrangement with the current SPCSA school was the most likely path forward for Rooted School – Clark County for Year 1, and expressed confidence that a fully-executed lease could be provided by early 2023. Given the available information presented in the resubmission, including anticipated funding from external sources, the review team finds that a lease arrangement for Year 1 is a reasonable temporary facility solution. Additionally, it is located in one of the primary zip codes the school intends to serve, which includes a number of 1- or 2- star schools as noted in the *Targeted Plan* section in this memo. Plans for the identification and preparation of a long-term facility that will accommodate the school’s enrollment after year 1 are underdeveloped.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as ‘Meets the Standard.’

Board Governance: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Proposed governance structure is likely to ensure effective governance and meaningful oversight of school performance, operations, and financials. The proposed governing body demonstrates capacity and expertise to successfully oversee a school.
- Clear delineation of authority and working relationship between the governing body and school staff.
- Demonstrates that the membership of the governing body will contribute the wide range of relevant knowledge, skills, and commitment needed to oversee a successful charter school, including but not limited to educational, financial, accounting, legal, and community experience and expertise, as well as special skill set to reflect school-specific programs, if applicable (e.g., STEM, fine arts, blended learning, alternative programs, etc.)
 - Qualifications and experience levels of governing body members with accounting and finance experience significantly exceeds the statutory minimum requirements and demonstrates a proven track record of successful management or oversight of a multi-million-dollar entity.
 - Qualifications and experience levels of governing body members with legal experience significantly exceeds the statutory minimum requirements and demonstrates a proven track record of successful management or oversight of complex, high risk/high profile legal matters.
 - Qualifications and experience levels of governing body members with human resources experience significantly exceeds the statutory minimum requirements and demonstrates proven track record of successful management or oversight of a human resource function or process in a mid- sized to large employer with staffing levels equivalent to those of the school at full capacity.
 - Qualifications and experience levels of governing body members who are licensed Nevada educators significantly exceeds the statutory minimum requirements and demonstrates proven track record of significant academic gains in the classroom (for classroom teacher) or school level (for an administrator) in schools which serve populations similar to the target population.
- Provides plans for meaningful, appropriate training for board members on a reasonable basis. Training is provided by experienced, third parties and contemplates on-boarding for new members, or when the composition of the board changes.
- Board training costs are reflected in the budget narrative assumptions and the budget calculations
- Describes the process for resolving student/parent objections and the mechanism for removal of governing body members if needed
- Board goals are clear and measurable, and contribute to improved academic outcomes for students and overall advancement of the organization
- The board puts into place a structure that enables it to collect the information it needs to evaluate the EMO/CMO, if applicable.
- The board articulates a clear, ambitious, data-driven set of standards and criteria that the school leader must satisfy in order to keep the school on track to achieve its vision.
- The board provides logical evidence that the school will achieve its target student outcomes pursuant to the NSPF and the SPCSA Performance Framework outcomes pursuant to the NSPF and the SPCSA Performance Framework if the school leader satisfies the standards set forth by the board.
- There are no prohibited familial relationships between charter holder board members, charter holder board members and staff, or charter holder board members and EMO/CMO employees within the third degree of consanguinity or affinity nor any supervisory or business relationships.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Leadership Team: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- The leadership accomplishments of the school leader or leadership team are demonstrable with empirical data related to student performance as well as the recruitment, hiring, and development of a highly effective staff.
- The organizational chart clearly indicates all positions delineating board and management roles and lines of authority.
- Structure and leadership job descriptions demonstrate effective assignment of management roles and distribution of responsibilities for instructional leadership, curriculum, personnel, budgeting, financial management, management of state categorical revenue streams, special education and ELL programming, legal compliance, state reporting, external relations, and any unique, school-specific staffing needs.
- Leadership job description identifies qualifications and competencies of the lead person that align with the school’s mission and program and demonstrate capacity to successfully manage the school.
- If the school leader is not yet identified, the committee to form explains the method by which they will recruit and select a candidate who satisfies the criteria listed in the job description.
- Provides a comprehensive plan for coaching, support and evaluation of school leadership.
- Provides thoughtful and proactive approach to succession planning for school leadership position(s).

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Staffing Plan: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Staffing plan aligns to the mission, vision, and proposed academic program.
- Appropriately staffed to meet the needs of the expected student population, including special student populations.
- Staffing plan matches the proposed budget and is explicitly aligned to both budget narrative assumptions and to budget calculations.
- Staffing plan aligns to the applicant’s commitment to meet the needs identified in the Academic and Demographic Needs Assessment.
- Staffing plan aligns with student-teacher ratios specified in application and those required in statute:
 - For example: 22:1 for students with severe disabilities (see NAC 388.150).
- Sound understanding of staffing needs necessary for the new school(s) proposed

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Human Resources: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Articulates process for recruiting and hiring high quality teachers and leaders.
- Articulates a recruitment and hiring plan that will result in a school staff reflective of the student body.

- School staffing structure that ensures high-quality teacher support/development, student/family support, effective school operations, and compliance with all applicable policies and procedures.
- School performance management system is likely to retain and promote talented staff, allows for re-structuring and removal of staff as needed, creates opportunities for leadership development, and sets clear expectations.
- School performance management system identifies low-performing teacher or leader performance, provides plans, support, and training for improvement, and provides the steps the school leadership will take in instances of persistent low-performance
- Essential functions and processes, including background checks, payroll, benefits, and employee relations, are accounted for.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Student Recruitment and Enrollment: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- The enrollment plan, including annual growth, is reasonable and supported by a clear rationale.
- The enrollment plan prioritizes the academic achievement of students above other factors.
- The enrollment plan is aligned with the staffing plan and budget, including projected recruitment expenses.
- Articulates proactive plan for recruiting eligible students to the school and describes specific actionable steps for ensuring the school is fully enrolled.
- Includes outreach and recruitment strategies that demonstrates an understanding of the community likely to be served and is likely to allow the school to enroll sufficient numbers of students who are representative of either the surrounding zoned schools or a mission-specific educationally disadvantaged population.
- Campaign leverages grassroots, data-driven outreach and recruitment strategies such as door-to-door visits, open houses and forums, and community conversations versus the internet, social media, or other passive tactics which disproportionately benefit more advantaged populations.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- The enrollment plan reflects an understanding of the Nevada context.
- The enrollment plan addresses lotteries, weighted lotteries, enrollment preferences, student attrition and mandatory backfilling.
- Complies with Nevada laws and regulations regarding enrollment, including but not limited to
 - Mailers sent to all households with children within a 2-mile radius of each facility.
 - Minimum 45-day notification period followed by 45-day enrollment period OR a combined 90-day notification and enrollment period.
- Demonstrated interest and intent to enroll commitments by a significant number of parents for Year 1. These forms should include the following information at minimum:
 - Parent name and contact information
 - Zip code of residency
 - Student name(s) and grade levels for the proposed opening year

Incubation Year Development: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- Provides key milestones for the planning year, as well as concrete actions and accountability, that will ensure that the school is ready for a successful launch. These plans should identify the individuals responsible for leading Year 0 initiatives. If a third party (EMO/CMO) is going to

implement portions of the Year 0 plan, the committee to form has provided documentation that articulates related terms and services.

- Outlines comprehensive leadership development plans that include training aligned with incubation year goals as well as stated academic goals (these may be either designed by or outsourced by the operator).
- Outlines the function of any employees in Year 0, as well as the funding source for associated compensation

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- The staffing outlined for Year 0 will enable the school to reach its Year 0 milestones and goals
- Startup expenses are reflected in the budget narrative assumptions and the budget calculations

Services: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Operations plan includes logical plans for all essential and program-specific non-academic services, including, but not limited to:
 - Supporting transportation, food service, facilities management, nursing, and purchasing processes, and school safety.
 - Staff structure/plan is adequate for the proposed school and aligns with the educational program; lines of authority are clear.
- IT plans should include consideration of:
 - User access control policies, limitation of access rights and procedures for removing access from departing employees.
 - Policies for data stored on personal and portable devices aimed at minimizing inadvertent disclosing of information, such as theft or misplaced equipment.
 - Strategy for information backups and disaster recovery.
 - Intruder prevention strategies, including physical and electronic intrusion.
 - Malware and malicious software prevention and removal strategy.
 - An effective plan for managing student information, including Infinite Campus, evidence of contact with the vendor to price and arrange for training, and the provision of appropriate on-site on contract staffing and support resources and an information security plan for staff, students, parents, and contractors.
 - Clear plans that confirm compliance with NRS 385A.800
- Costs of services are realistic and align with budget and academic program.
- Committee to form articulate clear metrics and process for evaluating effectiveness of services.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Facilities: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- If a facility has not yet been identified
 - Assurance that the proposed location will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).
 - Plan for finding a location including a proposed schedule for doing so
 - Assurance that the proposed location will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).
 - Plan for finding a location including a proposed schedule for doing so.

- A clear, time bound plan to engage with local jurisdiction(s) and municipalities.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Identifies a viable educational facility or facilities that meets the needs of the students and accommodates the programmatic and operational needs of the school(s) over the charter term as described throughout the application—OR—outlines in detail the plan and timeline to identify and secure facilities as needed
- Provides facilities costs including, as applicable, cost of purchasing, leasing, building, or renovating an educational facility that conforms to applicable health, safety, and occupancy requirements
- If a facility has not yet been identified
 - Description of anticipated facilities needs including evidence that the facility will be appropriate for the educational program of the school and adequate for the projected student enrollment
 - Inclusion of costs associated with the anticipated facilities needs in the budget including renovation, rent, utilities, insurance and maintenance.
 - Evidence to indicate that facilities-related budget assumptions are realistic based on anticipated location, size, etc.

Ongoing Operations: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Safety and security plans likely to ensure a safe environment for people and property that corresponds with the core elements of the state-mandated school safety plan and the requirements in statute and regulation.⁶
- Provides for adequate insurance coverage that meets the mandatory minimums for each charter school and scales depending on the size the school and number of proposed campuses.⁷
 - General liability insurance with a minimum coverage of \$1,000,000.
 - including coverage for molestation and sexual abuse
 - broad form policy, with the named insureds as follows:
 - The sponsor of the charter school;
 - All employees of the charter school, including, without limitation, former, present and future employees;
 - Volunteers at the charter school; and
 - Directors of the charter school, including, without limitation, executive directors.
 - Umbrella liability insurance with a minimum coverage of \$3,000,000.
 - Educators’ legal liability insurance with a minimum coverage of \$1,000,000.
 - Employment practices liability insurance with a minimum coverage of \$1,000,000.
 - Employment benefits liability insurance with a minimum coverage of \$1,000,000.
 - Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.
 - If applicable, motor vehicle liability insurance with a minimum coverage of \$1,000,000.
 - If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

⁶ See: NRS 388.229-266

⁷ See: NRS 388A.190

Financial Plan: Approaches the Standard

Financial Plan	Approaches the Standard
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Summary of Findings

The resubmission presents a budget that would allow for a surplus for each of the first six years of operation. Additionally, the current schools operating in Louisiana and Indiana have a history of audits with no material findings. The narrative includes proposed separations of duties and responsibilities as well as proposed internal controls that are overall well thought out and thorough. The resubmission also addresses previously identified staffing allocation concerns. The applicant team clarified outstanding questions regarding proposed positions, and the review team concluded that budget estimates for staff are reasonable, that sufficient capacity exists to support the proposed academic program, and that the proposal can effectively serve the projected student population.

Some evidence of additional funding support from philanthropic sources was presented, signaling that the school's budget may be viable. However, as presented, the six-year budget includes over \$1.8M in philanthropic support, most of which is projected during the incubation year and years 1-3. Evidence provided indicates that only about half of that funding has been secured, raising questions about whether the budget, as presented is realistic and viable. Should the additional philanthropic support not materialize, the expenditures would exceed revenues during both the incubation year and first year of operation. In addition, there are lingering concerns about the proposed extracurricular programming at the school. During the capacity interview, the applicant team stated that this was an important element of community feedback, and as a result, would be added to the Rooted School – Clark County proposal. However, no such programming had been accounted for in the budget, and when asked about this discrepancy, the applicant team stated that this would be a local board decision. In this case, it does not appear that programming priorities are consistent with the budget and with input from the community.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as 'Approaches the Standard' within the resubmission.

Financial Plan: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- The financial manager has the appropriate expertise to provide accurate and timely financial information to decision-makers.
- The charter committee to form protects mission-critical expenses when faced with budget cuts.
- There is appropriate segregation of financial duties which align to organizational chart and job descriptions.
- Control systems ensure that only allowable expenses will be made and that all expenses will be coded appropriately.
- Projections are based on accurate, conservative, and legally compliant. This includes appropriate allocations for required expenditures such as sponsorship fee, PERS contributions, etc.
- Budget priorities are aligned with school and expansion plan (if applicable)
- School level budget priorities are consistent with the operator's model, including but not limited to: educational program, staffing, and facility.
- Commitment to maintaining the financial viability of each school individually and the network as a whole (if applicable)
- Clear understanding of monthly cash flow for both individual school sites and the network/region as a whole (if applicable)
- Demonstrates sufficient financial health of the network through audited financial documents (if applicable)

- Current ratio of at least 1.1 on a monthly basis for network (if applicable) and schools are either 1.1 or better or is between 1.0 and 1.1 and trending positive from the immediately prior year.
- The debt-to-asset ratio is less than 0.9.
- Sufficient cash reserves to cover operations for EACH school and for network or regional operations (if applicable), required minimum of 15-days in Year 1 and increasing each year.
- There are no material findings in the two most recent audited financial statements of CMO/EMO or any CMO and EMO schools (If applicable)

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Both school and network level budgets present balanced, realistic, evidence-based revenue and expenditure assumptions (including, if applicable, any plan to incur and repay allowable debt)
- Sufficient detail and specificity of assumptions for ALL budget line items to allow for the assessment of fiscal viability.
- Projections are based on accurate, conservative, and legally compliant assumptions.
- All funds from external sources are guaranteed with money in hand or letter of award and grant terms.
- No essential services are funded at amounts that would preclude the committee to form from implementing their plan.
- There is no evidence that the school ever will become insolvent or lack access to the necessary amount of liquidity.
- Assumptions about facilities in all financial statements correspond to a conservative facility plan and account for possible contingencies.

Addendum: Meets the Standard

Addendum	Meets the Standard
Readiness for Growth	Meets the Standard
Scale Strategy	Approaches the Standard
School Management Contract	Meets the Standard
Charter Management Organizations Applying for Sponsorship Directly	Meets the Standard

Summary of Findings

In accordance with Assembly Bill 419 from the 2021 Session of the Nevada Legislature, the SPCSA is required to consider the academic, financial and organizational performance of any charter schools that currently hold a contract with the proposed CMO or EMO. Information gathered through the *Addendum* Section examines the past performance of affiliated charter schools, as well as readiness of the CMO or EMO to expand and the specific services that are to be provided to the proposed school.

The resubmission includes a Greenlighting tool for the proposed CMO, Rooted School Foundation, and includes feedback and evidence from the three regions with current or approved schools. Criteria included in the tool cover a multitude of facets of applying for and operating a school, including enrollment, academic performance, organizational health and financial viability. Importantly, the tool relies on some subjective measures and does not reference or include measures related to available capacity to support an additional school. During the capacity interview, CMO representatives noted that this was something that was currently being evaluated with the help of third-parties. Within the resubmission process, the applicant team clarified that the foundation has decided to address capacity across the network in a variety of ways, including additional staffing within the Rooted School Foundation to adequately address proposed growth. While the most recent ratings for the Rooted School in Louisiana from the 2018-19 school year is a 'C', more recent data, particularly increases in graduation rate point to improvements in recent years, though new ratings have not been issued.

As previously noted in the *School Leadership* section, the proposal includes a robust training and development program which could help the local school effectively scale. Through the resubmission, additional clarity was provided regarding the roles and responsibilities of school leadership, the proposed board and the CMO, addressing some previous questions about capacity and unclear reporting structures. Organizational charts are now clear, and accountability structures match the narrative. During the capacity interview, CMO representatives explained that less of their time is needed at the two campuses already operating due to them both being established, and that this time would be dedicated to both the proposed school in Clark County along with the already approved school in Washington state. This was reiterated during the resubmission process where the applicant shared that two Rooted School Foundation employees plan to devote 40% of their time to the proposed Clark County school. Additionally, the resubmission shows anticipated increases in staff at the CMO to 3.5 full time employees (FTEs) during the incubation year and 5.5 FTEs by the 2024-25 school year, though it is not clear how these additional FTEs may or may not support the Clark County school directly. Therefore, concerns remain about whether the CMO has sufficient infrastructure to support the expansion, particularly given the planned expansion in Washington State during the same year.

The proposed contract between the local board and CMO appears to meet basic Nevada requirements and fees appear to be reasonable. Additionally, the Rooted School Foundation has operated two schools in different contexts for multiple years, and likely has experience starting and supporting new schools. The resubmission includes details about services to be provided, including during the Incubation Year, and these services are included in the proposed services agreement contract. This section of the resubmission also includes a commitment to evaluate the CMO using an established tool adopted by the local board and incorporated into the contract.

Lastly, the resubmission includes minimal changes from the initial application, but does confirm that no waivers are needed in terms of governance as a local board would hold the charter contract, not the Rooted School Foundation. Sufficient details are provided regarding specific services to be provided to Rooted School – Clark County.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as ‘Meets the Standard.’

Readiness for Growth: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- CMO/EMO criteria for evaluating readiness for expansion are comprehensive and demonstrate high expectations for academic, financial, and organizational performance.
- Academic Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to 4- or 5-star performance on the NSPF.
- Finance Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to a rating of ‘meets standard’ on the SPCSA’s Financial Performance Framework.
- Organizational Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to a rating of ‘meets standard’ on the SPCSA’s Organizational Performance Framework.
- The three most recent audits of the EMO/CMO and existing schools show no material findings.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- Evidence is provided that that CMO/EMO is ready to expand according to the articulated criteria for evaluating readiness.

Scale Strategy: Approaches the Standard

Rubric Criteria Rated as Meets the Standard:

- Plans for sourcing and training potential school leaders, including qualifications and competencies, is aligned with the mission and programs.
- Previous scale-up endeavors are shown to have been successful with student performance data and organizational financial data (if applicable).
- Includes plan to infuse Nevada school(s) with the essential elements of EMO/CMO model.
- Organization charts clearly indicate lines of authority between the board, EMO/CMO, and schools.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- The plan to scale the model to new sites is adequately resourced and staffed appropriately at both the CMO/EMO and school levels.
- EMO/CMO has sufficient infrastructure (or plan to develop same) to support the proposed network of schools, including shared services and the costs associated with them.

School Management Contract: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- Clear rationale for selection of Educational Management Organization (EMO/CMO)/Charter Management Organization (CMO)
- Clear, appropriate delineation of roles and responsibilities between the management organization and the school site(s)
- Demonstrates capacity and commitment of the governing board to oversee the EMO/CMO effectively:
 - Plan for board to monitor/evaluate the EMO/CMO’s performance

- Appropriate internal controls guide the relationship
- Describes how the governing board will ensure fulfillment of performance expectations
- Discloses and addresses any potential conflicts of interest (real or perceived)
- Clearly outlines the roles/responsibilities of the EMO/CMO in the year prior to the school's opening. The committee to form provides a Memorandum of Understanding (MOU) or agreement that lists specific services and fees for this period of time.
- There are no prohibited familial relationships between charter holder board members and EMO/CMO employees within the third degree of consanguinity or affinity nor any supervisory or business relationships between charter holder board members or relatives of such and relatives of EMO/CMO employees within the third degree of consanguinity or affinity.
- Clearly defined contract terms including: contract duration; roles and responsibilities of the school governing board, school staff, and EMO/CMO-specific services and resources to be provided by the EMO/CMO; performance evaluation measures and mechanisms; compensation to be paid to the provider; financial controls and oversight; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract, and alignment of the key performance indicators for the EMO/CMO and the hierarchy of sanctions for poor performance with the SPCSA academic, financial, and organizational frameworks and intervention ladder. SB509 requires that a management relationship and a management contract may not jeopardize a school's eligibility to qualify for 501c3 status. The IRS has several criteria which are used by the Authority:
 - A charter school must show that contracts, especially comprehensive management contracts, have been negotiated at arm's length and are for the benefit of the school rather than the service provider. The IRS has determined that boilerplate contracts may be an indicator that the terms of the contract were not the subject of negotiations between independent parties; the applicant must provide clear and compelling evidence that the contract submitted is not a boilerplate contract.
 - Representation of both the school and the management by the same attorney or payment of the school's attorney by the EMO/CMO is also an indication of the absence of arm's length negotiations.
 - When reviewing a charter school contract for management services, determine whether the terms are consistent with fulfillment of the school's exempt purposes. Some contract terms may result in a finding that the school is operated for the benefit of the management and preclude exemption. Areas of concern include:
 - A management contract is subordinate to the charter contract. In the event of any conflict between the management contract and the charter contract or current law or regulation, the charter contract, law, or regulation governs.
 - Length of Contract -A contract's length can greatly influence the board's ability to monitor and evaluate the management's performance. There is a need to balance management company's interest in a long-term contract with the school's need for flexibility in changing companies and meeting its fiduciary responsibility and its responsibilities under the charter contract, law, and regulation. Nevada requires that all management contracts must initially be for two years and no management contract can have a term that extends beyond the charter term. A management contract must cease in the event that a school is reconstituted or restarted. Cancellation of a management contract may be a requirement for renewal.
 - Board Policies -The general policies concerning the operation and management of a charter school may not be contracted away. These broad policies help define the school's identity.
 - Services - Comprehensive school contract packages place much of the control of the day-to-

day operations in the hands of the management. Responsibilities of both the company and the school must be clearly stated in the contract.

- Personnel – Up to 30 percent of principals, teachers and staff may be employed directly by the school or may be employees of the management. However, the existence of an anti-compete clause that prevents a school from hiring the personnel that it has utilized in operating its school (principals, teachers, etc.) for a specific length of time after termination of the management contract is impermissible, as this practice serves the private interests of the management and limits the school's ability to terminate the contract.
- Compensation - management fees must be reasonable and commensurate with the services provided. A management fee structure should not be based on total income (i.e., all fees, grants, contributions, and unusual receipts). Compensation should not be above the market rate generally charged for the service provided. This can be established through evidence of comparative shopping for services. An applicant must provide clear and compelling evidence of due diligence related to the market rates for such services.
- Termination - A service contract should specify the provisions for termination and the procedure for evaluating when the terms of the contract are in default. Termination provisions that unreasonably restrict and limit the options of the school are evidence of private benefit to the service provider. No contract can have an automatic renewal provision. All contract evaluations must be aligned to the elements of the charter contract and performance framework (as amended) and current law and regulation for which the management organization provides supporting services.
- Consider name identification - In many cases, contractual provisions require a charter school to attach the management company's name to the school (i.e., Company X Charter School or Charter School, a Company X affiliate or Y Brand Charter School, where the brand is the property of Company X.) The IRS has determined that "Name branding" has no clear exempt purpose. It links management companies to exempt schools and allows the company to draw goodwill from the relationship. It allows the management companies to build name recognition without additional expense. It also places a contractual burden on the charter schools, making it more difficult for the school to terminate the relationship with the management company. A "name branding" requirement may be an indicator of private benefit depending upon the facts and circumstances. While "name branding" is not specifically forbidden by state law, it will be scrutinized heavily pursuant to SB509 due to the IRS concerns—both to ensure that 501c3 status is not delayed or jeopardized and to ensure that the school that is permitted to use a "name brand" can provide the IRS with evidence that this was scrutinized and determined to be appropriate by a public agency. "Name branding" is more likely to be allowed by the Authority in cases where the established brand name is associated with a proven school model with a lengthy track record of consistent achievement at the highest levels on the statewide accountability systems in each state where it is implemented. It is unlikely to be permitted in cases where the brand and associated model has a limited or mixed track record. A management contract must contain provisions regarding the change of school names which aligns with the charter contract, state law and regulation, and Authority expectations that the school name include the words "Public Charter School" or that the phrase "a public charter school" accompany the school's name on the school's website, signage, letterhead, and marketing materials in a prominent and consistent manner.
- Analyze ancillary services provided - Comprehensive school management companies may provide other services directly or through affiliates. These services may include cash advances for startup funds, capital loans, facility leasing, technology contracting, furnishings, fixtures, textbooks, and just about anything else a charter school may need. The

IRS recognizes that such services can be essential for startup schools, but schools should maximize their use of other available funding mechanisms (including the Nevada revolving loan fund) with more competitive interest rates. However, the reviewer should scrutinize agreements and the narrative carefully for clear and compelling evidence to determine whether the terms were the result of arm's length negotiation with an independent charter school board or are, in effect, adhesion contracts with a captive school board.

- There is no provision permitting the EMO/CMO to appoint members to the governing body or approve members.
- The contract does not allow for any form of leverage – including but not limited to severance fees and facilities ownership – by which the EMO/CMO can ensure renewal of their contract.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Charter Management Organizations Applying for Sponsorship Directly: Meets the Standard

Rubric Criteria Rated as Meets the Standard:

- The application clearly and logically explains the extent to which the governance model of the charter management organization requires a waiver from the governance provisions of the charter school law pursuant to NRS 388A.243.
- If the charter management organization is from another state, the application provides a comprehensive, actionable plan to ensure that the board will balance fidelity to its mission with appropriate input and oversight from Nevada residents.
- [If applicable] If a new board has been formed, the application clearly delineates the new board's relationship to the existing non-profit board and the governance responsibilities of both entities as it relates to the proposed school.

Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

None

Application & Resubmission Process Details

Timeline

- January 28 – Rooted School – Clark County Notice of Intent is received
- March 1 – New Charter Application Training
- May 3 – Rooted School – Clark County Application is received⁸
- May 17 – Memo sent to CCSD soliciting input.⁹
- June 28 – Clarifying Questions sent to applicant; responses received within 3 business days
- July 11 – Rooted School – Clark County Capacity Interview is conducted
- August 23, 2022 – Input received from CCSD
- August 29, 2022 – Initial application denied by the Authority
- September 2, 2022 – Written notification to CCSD that initial application was denied. The SPCSA provided a tentative timeline for possible action on the Rooted School – Clark County resubmitted application.
- October 3, 2022¹⁰ – Resubmitted application is received by the Authority
- October 25, 2022 – Clarifying Questions regarding the resubmission sent to the applicant; responses received within 5 business days
- November 3, 2022 – Written notification to CCSD confirming that the Rooted School – Clark County resubmission had been received. CCSD provided with an opportunity to provide additional input.
- November 18, 2022 – Resubmission recommendation is presented to the Authority

⁸ As initially submitted, the Rooted School – Clark County was not complete and compliant. The applicant was provided a short window to resubmit to meet basic requirements, and this occurred on May 3.

⁹ Pursuant to NRS 388A.249, the SPCSA solicited input from the Clark County School District regarding this application. NRS 388A.249(2)(a) requires that “[t]he proposed sponsor of a charter school shall, in reviewing an application to form a charter school...If the proposed sponsor is not the board of trustees of a school district, solicit input from the board of trustees of the school district in which the proposed charter school will be located.”

¹⁰ While some elements of the resubmission were received by the deadline, a complete resubmission was not received by the SPCSA until October 4.

Capacity Interview

Based on the independent and collective review of the application, the review committee conducted a virtual capacity interview of the applicant to assess the capacity to execute the application's overall plan. The capacity interview for Rooted School – Clark County was conducted on July 11 and lasted approximately 120-minutes. Four of the five identified members of the proposed Governing board attended the interview. Additionally, three representatives from the Rooted School Foundation, the proposed CMO and applicant, and a representative of EdOps¹¹ attended the capacity interview. Questions during the capacity interview focused primarily on these areas:

Mission and Vision	School Leadership
Targeted Plan	Staffing Plan
Parent and Community Involvement	Incubation Year Plan
Curriculum and Instructional Design	Facilities
Promotion & High School Graduation	Finance
Driving for Results	Readiness for Growth
At-Risk Students and Special Populations	Scale Strategy
Board Governance	

Prior to the capacity interview, the review committee sent the applicant team a list of clarifying to provide an additional opportunity for details and information to be presented. These responses were considered by the review team and were used to better inform the capacity interview.

Lastly, the capacity interview included a scenario-based question that probed the Committee to Form's capacity to collectively analyze data and identify potential next steps to resolve performance issues.

Meet and Confer

The Rooted School – Clark County applicant team met with SPCSA staff on multiple occasions to discuss the deficiencies identified prior to their resubmission. During these meetings, the applicant team asked a number of questions and sought clarity about identified deficiencies.

¹¹ SPCSA staff was not provided advance notice that this individual would be attending the interview.

Appendix A: New Charter School Application Review Process

The Charter School Application “Notice of Intent”

The charter school application process begins with the submission of a written “notice of intent” to submit a new charter school application. See NAC 388A.260(2). This notice of intent is a brief document, submitted to the SPCSA 90 days prior to the submission of the applicant’s new charter school application, stating, among other things, the name of the proposed charter school, contact information for the applicant, the proposed location of the charter school, and the grade levels and number of students the proposed charter school seeks to serve.

The SPCSA’s Proposed Charter School Application Window

In December 2021, Nevada’s Legislative Commission approved proposed regulation R043-21, which amended Nevada Administrative Code 388A.260(1). With this change, the SPCSA moved from two new charter school application windows each year (previously in January and July of each year), to a single annual application window. As a result, new charter school applications now must be submitted to the SPCSA between April 15 and April 30 of each year.

Part of the intent behind the change to NAC 388A.260(1), and the move from two annual application windows to a single application window in April of each year, was to allow sufficient time to ensure that a newly approved charter school opens successfully. That is, upon receipt of a new charter school application in April, the SPCSA’s review process (as described in greater detail below), typically takes four to eight months – meaning that a new charter school application that is received in April will be approved or denied by the SPCSA in August or November. This timeline allows a newly approved charter school nine to 12 months to successfully execute the charter school’s incubation year plan and ensures a successfully opening of the charter school.

Note that NAC 388A.260(1) still contains a “good cause” provision whereby a new charter school applicant may, for “good cause,” request that the SPCSA accept a new charter school application outside the annual April 15 – April 30 window. However, if the SPCSA approves a “good cause” exemption to submit a new charter school application outside of the annual April application window, a notice of intent to submit a new charter school application must still be submitted to the SPCSA 90 days prior to receipt of the actual application. In practice, this means that upon approval of a good cause exemption by the SPCSA, allowing a n applicant to submit a new charter school application outside of the typical April application window, a applicant will submit its new charter school application 90 days after approval of the good cause exemption and receipt of the applicant’s notice of intent.

The Required Contents of a New Charter School Application

NRS 388A.246 and NAC 388A.135-160 detail the requirements related to a new charter school application. Note that these statutes and regulations related to the required contents of a new charter school applications are extensive.¹²

¹² Although the following list is not all-inclusive, among the required contents of a new charter school application are the following:

- The name of the proposed charter school;
- The date on which the proposed charter school seeks to open;
- Grade levels and the proposed enrollment that the charter school seeks to serve;
- A summary of the plan for the proposed charter school, including the mission, vision and goals of the proposed charter school;

Completeness Check

After receiving a new charter school application, the SPCSA, pursuant to NRS 388A.249(3)(a)(2) and NAC 388A.260(2) conducts a “completeness check” of the application to ensure that the new charter school application contains all the information required by NRS 388A.246 and NAC 388A.135-160. If a new charter school application does not contain all the information required by Nevada’s charter school statutes and regulations, if practicable, the SPCSA follows up with the applicant to obtain the required information. If not, the applicant is asked to submit anew, complete charter school application during the next application cycle.

Withdrawal of a New Charter School Application

NAC 388A.260(3) allows an applicant to withdraw a new charter school application upon written notice to the SPCSA. An applicant may decide to withdraw its application due to significant concerns regarding the completeness of the application, or it is evident after a cursory review of the new charter school application that the proposed charter school application is not fully developed.

The SPCSA’s Review of a New Charter School Application

Once a new charter school application is deemed complete in accordance with 388A.249(3)(a)(2) and NAC 388A.260(2), the SPCSA begins its substantive review of the new charter school application.

NRS 388A.249(2)(a) requires the SPCSA to conduct a “thorough review” of the new charter school application. This “thorough review” requires that the SPCSA establish a review team to review and evaluate the new charter school application and include in the review team persons with knowledge and expertise regarding the academic, financial, and organizational facets of charter school that are not

-
- Information regarding the indicators, metrics and measures that the proposed charter school will use to evaluate the academic, organizational, and financial performance of the proposed charter school;
 - The organization structure of the proposed charter school;
 - Information regarding the committee to form and the proposed governance of the charter school;
 - Information regarding the proposed administrative head of the proposed charter school;
 - Information regarding how teachers and staff will be recruited and hired;
 - Course and curriculum information, including any dual-credit programs for high school students (if applicable);
 - Information regarding serving students with disabilities, students who are English language learners, an at-risk student;
 - The organization structure of the proposed charter school;
 - Information regarding the committee to form and the proposed governance of the charter school;
 - Information regarding the proposed administrative head of the proposed charter school;
 - Information regarding how teachers and staff will be recruited and hired;
 - The proposed charter school’s calendar;
 - Information regarding any proposed facility for the proposed charter school;
 - Equipment, furniture, and fixtures that the proposed charter school will utilize;
 - Transportation, if applicable;
 - Health and safety requirements;
 - Student records;
 - Extracurricular activities and dress code;
 - Discipline policies;
 - Budget;
 - Enrollment and any lottery process and procedures;
 - Information regarding required insurance

employed by the SPCSA – these persons are often referred to as “outside reviewers.” NRS 388A.249(2)(a) and NAC 388A.260(4).

As part of this “thorough evaluation” the SPCSA is required to conduct an “in-person interview” with the applicant to elicit clarifying or additional information about the proposed charter school and determine the ability of the applicant to establish a high-quality charter school – this is the “capacity interview” conducted by the SPCSA. NRS 388A.249(2)(b) and NAC 388A.260(4)(b)(2)

In its review of the charter school application, the SPCSA is required to evaluate the new charter school application based on documented evidence collected through the process of reviewing the application and the information gleaned during the capacity interview. See NRS 388A.249(2)(b) and (e).

The determination regarding whether to grant a new charter school application is to be based on the ability of the applicants to establish a high-quality charter school. NRS 388A.249(2)(b). The SPCSA may approve a new charter school application if:

- The application complies with all charter school laws and regulations;
- The application is complete;
- The applicant has demonstrated competence in accordance with the SPCSA’s new charter school application rubric demonstrating that approval of the new charter school application will likely result in a successful opening and operation of the charter school;
- The application meets the criteria contained in the SPCSA’s academic and demographic needs assessment; and
- Sufficient input has been received the public.

NRS 388A.249(3).

The North Star of the review team’s evaluation of the new charter school application is the SPCSA’s new charter school application rubric. NRS 388A.249(2)(b). The rubric is broken into four major sections, plus an addendum. Rating options for each section are Meets the Standard; Approaches the Standard; Does not Meet the Standard. These are defined as follows:

- **Meets the Standard:** The response reflects a thorough understanding of key issues. It addresses the topic with specific and accurate information that shows thorough preparation; presents a clear, realistic picture of how the school expects to operate; and inspires confidence in the applicant’s capacity to carry out the plan effectively in a way which will result in a 4- or 5-star school.
- **Approaches the Standard:** The response meets the criteria in many respects but lacks detail and/or requires additional information in one or more areas.
- **Does Not Meet the Standard:** The response is undeveloped or incomplete; demonstrates lack of preparation; or otherwise raises substantial concerns about the viability of the plan or the applicant’s ability to carry it out.

Detailed descriptions of each rubric item can be found in the full rubric located on the SPCSA Application website: http://charterschools.nv.gov/OpenASchool/Application_Packet/

Once the review team reviews and scores the new charter school application, the SPCSA’s Executive Director, or his or her designee, forwards his or her recommendation to the SPCSA Board for its consideration. NAC 388A.260(6)

The SPCSA’s Approval or Denial of a New Charter School Application

The SPCSA Board is required to consider a new charter school application at a public meeting held no more than 120 days (or later if agreed to by the applicant) after receipt of the new charter school application. NRS 388A.255(1).

Resubmission and Appeal of a Denial of a New Charter School Application

If a new charter application is denied, an unsuccessful applicant will be provided with a written notice setting out the deficiencies contained in the new charter school application. If the applicant chooses to do so, the applicant may resubmit the applicant's new charter school application within 30 days after receiving the written notice of deficiencies. NRS 388A.255(2). Given the lengthy and rigorous application process utilized by the SPCSA in regard to charter applications, as well as the limited timeframe specified in NRS 388A.255(2) for an unsuccessful applicant to resubmit their charter application, the SPCSA encourages only those unsuccessful applicants that the SPCSA has found limited or specific areas where the application does not meet standards to resubmit their charter application. Unsuccessful applicants that the SPCSA has found numerous or significant issues within the application that do not meet standard are encouraged to submit a new charter application during the SPCSA's next application window.

If a new charter school application is denied after resubmission, the unsuccessful applicant may then appeal the denial to the district court in which the proposed charter school was to be located. NRS 388A.255(3).

Appendix B: 2022 New Charter School Application Rubric Criteria

Meeting the Need

Mission and Vision

- Clear and compelling mission statement that is reflected throughout the application.
- The mission statement identifies the role of the school in addressing the problem or demand that the school seeks to address in the community in which it seeks to serve.
- The vision describes what success for students beyond school looks like if the committee to form fulfills the role described in its mission.
- The committee to form proposes a school model that solves a problem related to student outcomes that is either shown to exist with data or is in response to demonstrated demand for a particular school model.
- The committee to form aims to achieve outcomes that they demonstrate will improve students' long term quality of life.
- The committee to form identifies key supporters, partners or resources that are directly tied to the stated outcomes of the school.
- The school's stated purpose satisfies at least one and ideally all statutory purposes, demonstrates how they are clearly aligned to the mission and vision, and explains how the school fulfills each selected purpose:
 - Improving the academic achievement of pupils;
 - Encouraging the use of effective and innovative methods of teaching;
 - Providing an accurate measurement of the educational achievement of pupils;
 - Establishing accountability and transparency of public schools;
 - Providing a method for public schools to measure achievement based upon the performance of the schools; AND/OR
 - Creating new professional opportunities for teachers.

Targeted Plan

- Clear and compelling rationale for the selected community based on academic or demographic need
- Clear and comprehensive explanation of how the proposed model meets identified community needs
- A demonstrated commitment to meet at least one of the identified demographic and academic needs as defined by the most recent SPCSA Academic and Demographic Needs Assessment:
 - Demographic Needs
 - Student groups that consistently underperform on the 3rd-8th grade Smarter Balanced Assessment (Math and ELA), the 11th grade ACT Assessment (Math and ELA), and in 4-year graduation rates present a demographic need; these student groups may benefit from the creation of high-quality school options focused on meeting their needs. These populations are: students qualifying for free or reduced-price lunch, English Learners and students with IEPs.
 - Academic Needs
 - Geographies with a significant percentage of students enrolled in 1- and 2-star schools: In zip codes with one or more schools rated 1 or 2 stars in the Nevada School Performance Framework (NSPF), students are enrolling in schools that are not meeting or partially meeting state performance standards, and the addition of a 3-, 4- or 5-star school would provide an alternative option for these students.
 - Students at risk of dropping out: Despite a rapidly improving graduation rate, nearly one in five students does not graduate from high school in four years, with certain student groups persistently graduating at lower rates than their peers. Additional data show various student populations also have higher dropout rates than their peers.
- Demonstrated capacity, credible plans, and thorough research and analysis in order to intentionally serve the identified student populations, prevent at-risk students from dropping out, and/or provide more high-quality schools in underserved areas, as defined in the Academic and Demographic Needs Assessment.

Parent and Community Involvement

- Demonstrates clear evidence of the involvement of parents, neighborhood, and/or community members representative of target population in the development of the plan. The application establishes that the local community has helped shape the final school proposal.
- The committee to form demonstrates their ties to and/or knowledge of the target community and demonstrates how the proposed school will build upon community assets.
- Outlines plan to effectively engage parents, community members, and other neighborhood partners from the time that the operator is approved (e.g., conducting home visits, community meetings, etc.) and once the school is operating (e.g., parent advisory council, student placement, trainings, communications, volunteers, etc.)

- Adheres to state and federal law regarding expectations for parent volunteering (R 131-16, Section 8). Specifically schools may not “design, use or intend to use requirements for enrollment in the charter school, including, without limitation, the payment of fees, expectations for the performance of volunteer work or attendance at informational meetings and interviews, for the purpose of discrimination.”¹³
- Identifies specific community partnerships which are shown to be relevant to the needs of the target population, including partners located in the community that the applicant intends to serve.
 - Partnerships are evidenced by specific letters of commitment outlining the accountabilities of both parties and clear, measurable, time-specific deliverables from the partner which are clearly relevant to the needs of the target population.

Academic Plan

Transformational Change

- Compelling, well-articulated theory of change and clear educational strategy aligned to the mission and critical to the schools’ success
- The committee to form demonstrates with an ambitious, yet achievable plan that they will be able to:
 - Provide families with high quality schools: the SPCSA aims for a majority of schools to be rated as 4- or 5-stars.
 - Ensure that every SPCSA student succeeds - including those from historically underserved student groups: the SPCSA aims for all sponsored schools to demonstrate strong academic growth, high levels of proficiency, and on-time graduation across all student groups, including historically underserved student groups.
- Distinguishing features of the proposed schools are supported by compelling evidence of success in schools implementing similar programs serving a similar target population.
- The committee to form provides a specific description of how the proposal will be implemented to ensure fidelity to the model.
- For all plans the applicant will implement, there are clear, corresponding responsible parties, timelines, delivery methods, and rationales.
- The committee to form demonstrates that the key features of the proposed school can be implemented together in a coherent and cohesive manner that will drive towards meeting the proposed mission and vision.

Curriculum & Instructional Design

- A clear explanation, supported by evidence, demonstrating how the school’s academic program, including the curriculum, aligns to the Nevada Academic Content Standards, including both the Common Core Academic Standards and the Next Generation Science Standards, and that the school teaches all required subjects at each grade level.
 - High school programs must also meet high school graduation requirements:
https://doe.nv.gov/High_School_Graduation/
- Instructional strategies are proven to be well suited to the student population.
- Instructional programs offer a continuum of services to students through a tiered system of interventions, ensuring that all students, including those who are in need of remediation, English Learners, and those who are intellectually gifted, are able to build the knowledge base necessary to access rigorous instruction.
- For intellectually gifted students, the application demonstrates that the school will extend their learning offerings such that those students have access to unique, tailored opportunities. The proposed staffing structure demonstrates that teachers will have the support required to do this.
- Plans for professional development show a direct connection to the instructional methods and curricula that teachers will be required to use.
- Systems or structures exist for observing teachers, identifying teachers that may need additional support, and providing additional support to those teachers.
- If the proposed charter school intends to include a vocational or career and technical education program, the application outlines a logical plan that is aligned with the school’s mission, vision, instructional model, and goals for student growth.

Distance Education Requirements (Proposals Including Distance Education Only)

- An acknowledgement that a charter school that wishes to provide distance education (online, virtual, cyber, etc.) courses and/or programs (NRS 388.820- 388.874 and NAC 388.800-388.860) must submit a distance education application to the Nevada Department of Education prior to or simultaneous with submission of the charter application.
- An acknowledgement that the distance education application must also be approved by the SPCSA through the pre-opening requirements.
- A detailed plan on how student coursework will be monitored.

¹³ <https://www.leg.state.nv.us/Register/2016Register/R131-16AP.pdf>

- A detailed, justifiable plan regarding student attendance which meets minimum state requirements.
- A detailed plan on how the school will ensure student participation in assessments.
- A detailed plan that shows how the school will communicate with students and parents about assessments and submission of coursework.
- A detailed plan for ongoing communication with parents, including parent -teacher conferences, daily/weekly emails with regards to coursework, etc.
- A specific plan for where the school will administer state and authority-mandated assessments in a proctored environment outside of the home and how it will ensure student access and participation.
- A detailed, justifiable approach for interactions between the pupil and teachers that aligns with the proposed instructional minutes and provides adequate support to pupils in line with individual needs.
- A comprehensive set of criteria for enrolling students that corresponds with a clear, logical and accessible enrollment plan.

Pre-K Requirements (Proposals Including Pre-K Only)

- Addresses whether the school plans to offer Pre-K in it's opening year or any other year
- How the program will be marketed and funded, including:
 - An acknowledgement that a charter school that wishes to offer a federal pre-K expansion grant-funded Pre-K program must research the program, request and eligibility determination, and receive approval prior to marketing the program to families. Applicants must acknowledge that funding is limited and competitive and there is no guarantee of availability or award for the school or the target community.
 - Identification of the federal Pre-K expansion grant criteria and how the school plans to meet them
 - An acknowledgement that a charter school that wishes to offer a state-funded Pre-K program must independently research the program and apply to and receive approval from the Nevada Department of Education prior to marketing the program to families.
 - Identification of state Pre-K funding criteria and how the school plans to meet them
 - An acknowledgement that a charter school that wishes to offer a tuition-funded Pre-K program cannot give admissions preference to students who have paid tuition to the school or an affiliated Pre-K program prior to applying for admission.
- An explanation of how the school plans to communicate with parents about enrollment preference restrictions
- A clear discussion of how the school plans to incorporate its mission and vision within the Pre-K program and how it will reconcile any conflicts of tensions between its Kindergarten and elementary school programs and any licensure or program requirements associated with a particular revenue stream.

Promotion & High School Graduation Requirements

- School plans explicitly demonstrate clear evidence of alignment with Nevada Graduation Requirements and ensure college and career readiness
- Structures are in place to support students at risk of dropping out, including those who are overage for grade, those needing to access credit recovery options, and those performing significantly below grade level
- Graduation/promotion standards for students are clearly defined and measurable, demonstrating high expectations for all students

Dual Credit Partnerships

Pursuant to NRS 389.310, Charter high schools are required to enter into cooperative agreements with one or more community colleges, state colleges and universities to offer dual credit courses.

- A draft memorandum of understanding between the charter school and the college or university through which the credits will be earned and a term sheet, which must set forth:
 - The proposed duration of the relationship between the charter school and the college or university and the conditions for renewal and termination of the relationship;
 - The roles and responsibilities of the governing body of the charter school, the employees of the charter school and the college or university;
 - The scope of the services and resources that will be provided by the college or university;
 - The manner and amount that the college or university will be compensated for providing such services and resources, including, without limitation, any tuition and fees that pupils at the charter school will pay to the college or university;
 - The manner in which the college or university will ensure that the charter school effectively monitors pupil enrollment and attendance and the acquisition of college credits; and
 - Any employees of the college or university who will serve on the governing body of the charter school.
- The partnership reflected in the memorandum of understanding is shown to be both appropriate for high school students seeking advanced coursework as well as financially accessible to all students.

Driving for Results

- Mission-specific goals explicitly complement or supplement, but do not replace, the SPCSA's performance standards with school-specific, mission-driven academic, financial, or organizational goals.
- All such indicators, measures, and metrics are rigorous, valid, and reliable.
- All proposed data sources are objectively verifiable and there is an explicit commitment to school-funded external validation and analysis by an Authority-selected vendor for any assessment not supported by the Authority.
- The school's internal, leading indicator goals clearly align to the Nevada School Performance Framework and the Authority Performance Framework.
- Internal and mission-specific framework goals are SMART: goals and objectives are specific, measurable, ambitious and attainable, relevant, and time bound.
- There is a clear process for setting, monitoring and/or revising internal leading indicator academic goals.
- There is a clear delineation between assessments utilized for internal monitoring by the governing body, staff, and leadership and those which are sufficiently rigorous, valid, and reliable to be presented to the Authority, the state, parents, and the general public.
- Internal assessment selections will provide sufficiently rich data for evaluation of the education program AND fully align with State assessments, State Standards, and the curriculum as presented.
- The assessment plan is sufficiently detailed to demonstrate collection and analysis of individual student, student cohorts, school level, and network-level performance over time (interim, annual, year over year), including a clear process for setting and monitoring ambitious academic goals.
- Demonstrates the validity and reliability of any internal non-standardized assessments, as well as how these assessments are aligned with the school design and high expectations.
- Articulates process for utilizing data to support instruction and providing adequate training to teachers and school leaders.
- Articulates plan for monitoring for academic performance gaps and concrete steps to address identified gaps.
- Sound plan for measuring and reporting academic performance and progress of students for both individual schools and the network (if applicable).
- Explains how both individual schools and the network staff will use assessment data to drive key decisions aimed at improving academic outcomes (if applicable).

At-Risk Students and Special Populations

- Provides a detailed plan for appropriate professional development to teachers and staff to ensure they can support and accelerate the learning of at-risk and special population students which is aligned to the budget and overall PD plan.
- Outlines plans to promote parent participation among parents of at-risk students, students with disabilities and English Language Learners.
- Devotes adequate resources and staff to meeting the needs of all students.

At Risk Students

- The committee to form provides a clear and research-based process for identifying at-risk students, including those with academic and behavioral needs.
- The committee to form provides a logical method supported by research according to which they will assess the needs of at-risk students. The committee to form also outlines a continuum of programs, strategies, and supports that corresponds with the needs identified for each student and is supported by research.
- The committee to form outlines the methods according to which the school will remediate academically underperforming students, including the system according to which the school will track progress, facilitate teacher collaboration, and the research supporting the school's remediation strategy.
- The school's Response to Intervention system differentiates planning for each student according to the significance of their need, providing a continuum of services and interventions. The provides a logical and research-based rationale for this system.
- The school assigns clear responsibility for communicating with parents regarding remediation needs.
- The committee to form demonstrates that the school's response to early signs of behavioral and/or social emotional needs will be met with positive interventions and restorative justice practices. The school will utilize differentiated support for each student in collaboration with the students' parents, fellow teachers, and with support, as needed, from other school staff.

Special Education

- Application includes a demonstrated track record of success serving a wide range of students with disabilities (mild, moderate, and severe).
- Clear demonstration and understanding of Nevada and federal laws and regulations governing services for students with disabilities.
- The committee to form provides a logical plan to screen all students and to ensure that struggling students are evaluated for

special education services early and accurately.

- The committee to form presents a plan for developing IEPs that contain rigorous goals and instructional plans that are suitable to meet those students' goals.
- The committee to form presents a monitoring plan that will enable relevant staff to track the progress of all students with IEPs towards the goals articulated in their respective plans.
- The committee to form demonstrates that they will be able to provide all special education and related services needed either by the staff listed on their organization chart or identified external groups with whom they can contract to provide needed services.
- The group's plan for SWDs must identify the staff members who will lead student evaluations, IEP development, and provision of ongoing service. Relevant job description(s) require(s) the expertise and/or credentials relevant to the services.
- The committee to form outlines comprehensive and logical plans to train staff in modifying the curriculum and instruction to address the unique needs of students with disabilities.
- Special education staffing aligns with qualifications and student-teacher ratios required in statute:
 - For example, 22:1 for students with severe disabilities.
 - Full Nevada licensure for all special education teachers/coordinators (no waivers or substitutes).
- Ensures that the rights of students with disabilities are protected with regard to discipline.
- Articulates requirements and processes for monitoring services to students in need and plans to exit students who attain sufficient progress.

English Language Learners

- Processes for identifying English Language Learners are well-defined, including administration of placement assessments and communications to parents and teachers.
- ELL staffing aligns with qualifications required in statute:
 - Full Nevada licensure for all ELL teachers/coordinators (no waivers or substitutes).
- Describes the specific services that will be provided for students within and outside the classroom, including curriculum and instruction and exposure to co-teaching.

Homeless/Migrant Students

- The committee to form presents a logical and systematic method according to which the school will identify homeless and/or migrant students.
- The timeline/plan according to which the school will assess and meet the needs of students identified as homeless and/or migrant demonstrates that students will begin receiving required services within their first semester of arriving at a new school.
- [If applicable] The committee to form presents a logical and research-based plan to serve homeless and/or migrant students in a distance education setting.

School Structure: Culture

- Appropriate and effective strategies to support a school climate that will allow for fulfillment of the school's stated mission and vision, as well as the school's stated academic goals.
- Describes a concrete plan for norming social/cultural expectations at the start of each semester as well as for students who enter mid- semester.
- Plan to establish a culture of high expectations with students/families and teachers/staff and promote positive behavior.
- Well-defined goals around school culture and plans to monitor progress.
- Research-based and age-appropriate strategies to support students' social and emotional needs.
- Dress code and/or uniform policy is age-appropriate, and the applicant articulates how the proposed school will ensure that uniform requirements do not create a barrier for students in poverty.

School Structure: Student Discipline

- Presents sound policies for student discipline, suspension, and expulsion including procedures for due process.
- If components are based on other states, districts, and/or schools, they have been adapted to meet the local context and proposed target community.
- Clear designation of staff responsible for implementing the discipline plan, including maintenance of student records and data.
- A plan to ensure that certain student populations are not disproportionately impacted by discipline policies.
- Goals for student behavior are clear and measurable; there is a plan, and designated personnel, for monitoring and reporting related to behavior goals as well as ongoing maintenance of discipline records.
- Student behavior plan integrates clear, logical use of methods of restorative justice per Assembly Bill 168 (2019).
- Proposed grievance policy provides reasonable process for parents to dispute disciplinary actions and/or raise complaints.

School Structure: Calendar and Schedule

- Proposed Calendar meets or exceeds the minimum of 180 (or equivalent) days of instruction.
 - 43,200 minutes of classroom instruction/year for grades K-2 or 54,000 minutes of classroom instruction /year for grades 3-6 or 59,400 minutes of classroom instruction /year for grades 7-12.
 - Calendar and schedule support implementation of the academic program.
 - Alignment between teacher and student schedules.
- Outlines meaningful goals for student attendance and plans to monitor and adjust as needed.
- Presents sound policies for student attendance and truancy including procedures for due process that comply with state law and regulation¹⁴ and are customized to the charter school.

Operations Plan

Board Governance

- Proposed governance structure is likely to ensure effective governance and meaningful oversight of school performance, operations, and financials. The proposed governing body demonstrates capacity and expertise to successfully oversee a school.
- Clear delineation of authority and working relationship between the governing body and school staff.
- Demonstrates that the membership of the governing body will contribute the wide range of relevant knowledge, skills, and commitment needed to oversee a successful charter school, including but not limited to educational, financial, accounting, legal, and community experience and expertise, as well as special skill set to reflect school-specific programs, if applicable (e.g., STEM, fine arts, blended learning, alternative programs, etc.)
 - Qualifications and experience levels of governing body members with accounting and finance experience significantly exceeds the statutory minimum requirements and demonstrates a proven track record of successful management or oversight of a multi-million-dollar entity.
 - Qualifications and experience levels of governing body members with legal experience significantly exceeds the statutory minimum requirements and demonstrates a proven track record of successful management or oversight of complex, high risk/high profile legal matters.
 - Qualifications and experience levels of governing body members with human resources experience significantly exceeds the statutory minimum requirements and demonstrates proven track record of successful management or oversight of a human resource function or process in a mid- sized to large employer with staffing levels equivalent to those of the school at full capacity.
 - Qualifications and experience levels of governing body members who are licensed Nevada educators significantly exceeds the statutory minimum requirements and demonstrates proven track record of significant academic gains in the classroom (for classroom teacher) or school level (for an administrator) in schools which serve populations similar to the target population.
- Provides plans for meaningful, appropriate training for board members on a reasonable basis. Training is provided by experienced, third parties and contemplates on-boarding for new members, or when the composition of the board changes.
- Board training costs are reflected in the budget narrative assumptions and the budget calculations
- Describes the process for resolving student/parent objections and the mechanism for removal of governing body members if needed
- Board goals are clear and measurable, and contribute to improved academic outcomes for students and overall advancement of the organization
- The board puts into place a structure that enables it to collect the information it needs to evaluate the EMO/CMO, if applicable.
- The board articulates a clear, ambitious, data-driven set of standards and criteria that the school leader must satisfy in order to keep the school on track to achieve its vision.
- The board provides logical evidence that the school will achieve its target student outcomes pursuant to the NSPF and the SPCSA Performance Framework outcomes pursuant to the NSPF and the SPCSA Performance Framework if the school leader satisfies the standards set forth by the board.
- There are no prohibited familial relationships between charter holder board members, charter holder board members and staff, or charter holder board members and EMO/CMO employees within the third degree of consanguinity or affinity nor any supervisory or business relationships.

Leadership Team

- The leadership accomplishments of the school leader or leadership team are demonstrable with empirical data related to

¹⁴ NRS 392.122, NRS 392.130 and NRS 392.144.

student performance as well as the recruitment, hiring, and development of a highly effective staff.

- The organizational chart clearly indicates all positions delineating board and management roles and lines of authority.
- Structure and leadership job descriptions demonstrate effective assignment of management roles and distribution of responsibilities for instructional leadership, curriculum, personnel, budgeting, financial management, management of state categorical revenue streams, special education and ELL programming, legal compliance, state reporting, external relations, and any unique, school-specific staffing needs.
- Leadership job description identifies qualifications and competencies of the lead person that align with the school's mission and program and demonstrate capacity to successfully manage the school.
- If identified, school leadership team resumes demonstrate a range of experience including leadership at a high-performing and/or high growth school with management responsibilities, experience establishing a high-performing culture with students and staff, and responsibility for significant student achievement gains with target demographics.
- If the school leader is not yet identified, the committee to form explains the method by which they will recruit and select a candidate who satisfies the criteria listed in the job description.
- Provides a comprehensive plan for coaching, support and evaluation of school leadership.
- Provides thoughtful and proactive approach to succession planning for school leadership position(s).

Staffing Plan

- Staffing plan aligns to the mission, vision, and proposed academic program.
- Appropriately staffed to meet the needs of the expected student population, including special student populations.
- Staffing plan matches the proposed budget and is explicitly aligned to both budget narrative assumptions and to budget calculations.
- Staffing plan aligns to the applicant's commitment to meet the needs identified in the Academic and Demographic Needs Assessment.
- Staffing plan aligns with student-teacher ratios specified in application and those required in statute:
- For example: 22:1 for students with severe disabilities (see NAC 388.150).
- Sound understanding of staffing needs necessary for the new school(s) proposed.

Human Resources

- Articulates process for recruiting and hiring high quality teachers and leaders.
- Articulates a recruitment and hiring plan that will result in a school staff reflective of the student body.
- School staffing structure that ensures high-quality teacher support/development, student/family support, effective school operations, and compliance with all applicable policies and procedures.
- School performance management system is likely to retain and promote talented staff, allows for re-structuring and removal of staff as needed, creates opportunities for leadership development, and sets clear expectations.
- School performance management system identifies low-performing teacher or leader performance, provides plans, support, and training for improvement, and provides the steps the school leadership will take in instances of persistent low-performance
- Essential functions and processes, including background checks, payroll, benefits, and employee relations, are accounted for.

Student Recruitment and Enrollment

- The enrollment plan reflects an understanding of the Nevada context.
- The enrollment plan, including annual growth, is reasonable and supported by a clear rationale.
- The enrollment plan prioritizes the academic achievement of students above other factors
- The enrollment plan addresses lotteries, weighted lotteries, enrollment preferences, student attrition and mandatory backfilling .
- The enrollment plan is aligned with the staffing plan and budget, including projected recruitment expenses.
- Articulates proactive plan for recruiting eligible students to the school and describes specific actionable steps for ensuring the school is fully enrolled.
- Includes outreach and recruitment strategies that demonstrates an understanding of the community likely to be served and is likely to allow the school to enroll sufficient numbers of students who are representative of either the surrounding zoned schools or a mission-specific educationally disadvantaged population.
- Complies with Nevada laws and regulations regarding enrollment, including but not limited to
 - Mailers sent to all households with children within a 2-mile radius of each facility.
 - Minimum 45-day notification period followed by 45-day enrollment period OR a combined 90-day notification and enrollment period.
- Campaign leverages grassroots, data-driven outreach and recruitment strategies such as door-to-door visits, open houses and forums, and community conversations versus the internet, social media, or other passive tactics which

disproportionately benefit more advantaged populations.

- Demonstrated interest and intent to enroll commitments by a significant number of parents for Year 1. These forms should include the following information at minimum:
 - Parent name and contact information
 - Zip code of residency
 - Student name(s) and grade levels for the proposed opening year

Incubation Year Development

- Provides key milestones for the planning year, as well as concrete actions and accountability, that will ensure that the school is ready for a successful launch. These plans should identify the individuals responsible for leading Year 0 initiatives. If a third party (EMO/CMO) is going to implement portions of the Year 0 plan, the committee to form has provided documentation that articulates related terms and services.
- Outlines comprehensive leadership development plans that include training aligned with incubation year goals as well as stated academic goals (these may be either designed by or outsourced by the operator)
- Outlines the function of any employees in Year 0, as well as the funding source for associated compensation
- The staffing outlined for Year 0 will enable the school to reach its Year 0 milestones and goals
- Startup expenses are reflected in the budget narrative assumptions and the budget calculations

Services

- Operations plan includes logical plans for all essential and program-specific non-academic services, including, but not limited to:
 - Supporting transportation, food service, facilities management, nursing, and purchasing processes, and school safety.
 - Staff structure/plan is adequate for the proposed school and aligns with the educational program; lines of authority are clear.
- IT plans should include consideration of:
 - User access control policies, limitation of access rights and procedures for removing access from departing employees.
 - Policies for data stored on personal and portable devices aimed at minimizing inadvertent disclosing of information, such as theft or misplaced equipment.
 - Strategy for information backups and disaster recovery.
 - Intruder prevention strategies, including physical and electronic intrusion.
 - Malware and malicious software prevention and removal strategy.
 - An effective plan for managing student information, including Infinite Campus, evidence of contact with the vendor to price and arrange for training, and the provision of appropriate on-site on contract staffing and support resources and an information security plan for staff, students, parents, and contractors.
 - Clear plans that confirm compliance with NRS 385A.800
- Costs of services are realistic and align with budget and academic program.
- Committee to form articulate clear metrics and process for evaluating effectiveness of services.

Facilities

- Identifies a viable educational facility or facilities that meets the needs of the students and accommodates the programmatic and operational needs of the school(s) over the charter term as described throughout the application—OR—outlines in detail the plan and timeline to identify and secure facilities as needed
- Provides facilities costs including, as applicable, cost of purchasing, leasing, building, or renovating an educational facility that conforms to applicable health, safety, and occupancy requirements
- If a facility has been identified
 - Evidence that facility will be appropriate for the educational program of the school and adequate for the projected student enrollment
 - Adequate reflection of the costs associated with the proposed facility in the budget including rent, utilities, insurance and maintenance.
 - Assurance that the proposed facility will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).
 - A sound plan to identify needed startup costs and renovations as well as the funds and a timeline for the completion of those renovations.
 - Evidence that the applicant has engaged with local jurisdiction(s) and municipalities.
- If a facility has not yet been identified
 - Description of anticipated facilities needs including evidence that the facility will be appropriate for the educational program of the school and adequate for the projected student enrollment

- Inclusion of costs associated with the anticipated facilities needs in the budget including renovation, rent, utilities, insurance and maintenance.
- Evidence to indicate that facilities-related budget assumptions are realistic based on anticipated location, size, etc.
- Assurance that the proposed location will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).
- Plan for finding a location including a proposed schedule for doing so.
- A clear, time bound plan to engage with local jurisdiction(s) and municipalities.

Ongoing Operations

- Safety and security plans likely to ensure a safe environment for people and property that corresponds with the core elements of the state-mandated school safety plan and the requirements in statute and regulation.¹⁵
- Provides for adequate insurance coverage that meets the mandatory minimums for each charter school and scales depending on the size the school and number of proposed campuses.¹⁶
 - General liability insurance with a minimum coverage of \$1,000,000.
 - including coverage for molestation and sexual abuse
 - broad form policy, with the named insureds as follows:
 - The sponsor of the charter school;
 - All employees of the charter school, including, without limitation, former, present and future employees;
 - Volunteers at the charter school; and
 - Directors of the charter school, including, without limitation, executive directors.
 - Umbrella liability insurance with a minimum coverage of \$3,000,000.
 - Educators' legal liability insurance with a minimum coverage of \$1,000,000.
 - Employment practices liability insurance with a minimum coverage of \$1,000,000.
 - Employment benefits liability insurance with a minimum coverage of \$1,000,000.
 - Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.
 - If applicable, motor vehicle liability insurance with a minimum coverage of \$1,000,000.
 - If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000.

Financial Plan

- The financial manager has the appropriate expertise to provide accurate and timely financial information to decision-makers.
- The charter committee to form protects mission-critical expenses when faced with budget cuts.
- There is appropriate segregation of financial duties which align to organizational chart and job descriptions.
- Control systems ensure that only allowable expenses will be made and that all expenses will be coded appropriately.
- Projections are based on accurate, conservative, and legally compliant. This includes appropriate allocations for required expenditures such as sponsorship fee, PERS contributions, etc.
- Budget priorities are aligned with school and expansion plan (if applicable)
- School level budget priorities are consistent with the operator's model, including but not limited to: educational program, staffing, and facility
- Both school and network level budgets present balanced, realistic, evidence-based revenue and expenditure assumptions (including, if applicable, any plan to incur and repay allowable debt)
- Sufficient detail and specificity of assumptions for ALL budget line items to allow for the assessment of fiscal viability
- Commitment to maintaining the financial viability of each school individually and the network as a whole (if applicable)
- Clear understanding of monthly cash flow for both individual school sites and the network/region as a whole (if applicable)
- Demonstrates sufficient financial health of the network through audited financial documents (if applicable)
- Current ratio of at least 1.1 on a monthly basis for network (if applicable) and schools are either 1.1 or better or is between 1.0 and 1.1 and trending positive from the immediately prior year
- The debt-to-asset ratio is less than 0.9.
- Sufficient cash reserves to cover operations for EACH school and for network or regional operations (if applicable), required minimum of 15-days in Year 1 and increasing each year
- Projections are based on accurate, conservative, and legally compliant assumptions.
- All funds from external sources are guaranteed with money in hand or letter of award and grant terms.
- No essential services are funded at amounts that would preclude the committee to form from implementing their plan.

¹⁵ See: NRS 388.229-266

¹⁶ See: NRS 388A.190

- There is no evidence that the school ever will become insolvent or lack access to the necessary amount of liquidity.
- There are no material findings in the two most recent audited financial statements of CMO/EMO or any CMO and EMO schools (If applicable).
- Assumptions about facilities in all financial statements correspond to a conservative facility plan and account for possible contingencies.

Addendum (for CMO Applicants and Committee for Form Applicants seeking to contract with a CMO or EMO)

Readiness for Growth

- CMO/EMO criteria for evaluating readiness for expansion are comprehensive and demonstrate high expectations for academic, financial, and organizational performance.
- Evidence is provided that that CMO/EMO is ready to expand according to the articulated criteria for evaluating readiness.
- Academic Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to 4- or 5- star performance on the NSPF.
- Finance Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to a rating of 'meets standard' on the SPCSA's Financial Performance Framework.
- Organizational Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to a rating of 'meets standard' on the SPCSA's Organizational Performance Framework.
- The three most recent audits of the EMO/CMO and existing schools show no material findings.

Scale Strategy

- The plan to scale the model to new sites is adequately resourced and staffed appropriately at both the CMO/EMO and school levels.
- Plans for sourcing and training potential school leaders, including qualifications and competencies, is aligned with the mission and programs.
- Previous scale-up endeavors are shown to have been successful with student performance data and organizational financial data (if applicable).
- Includes plan to infuse Nevada school(s) with the essential elements of EMO/CMO model.
- EMO/CMO has sufficient infrastructure (or plan to develop same) to support the proposed network of schools, including shared services and the costs associated with them.
- Organization charts clearly indicate lines of authority between the board, EMO/CMO, and schools.

School Management Contract

- Clear rationale for selection of Educational Management Organization (EMO/CMO)/Charter Management Organization (CMO)
- Clear, appropriate delineation of roles and responsibilities between the management organization and the school site(s)
- Demonstrates capacity and commitment of the governing board to oversee the EMO/CMO effectively:
 - Plan for board to monitor/evaluate the EMO/CMO's performance
 - Appropriate internal controls guide the relationship
 - Describes how the governing board will ensure fulfillment of performance expectations
 - Discloses and addresses any potential conflicts of interest (real or perceived)
- Clearly outlines the roles/responsibilities of the EMO/CMO in the year prior to the school's opening. The committee to form provides a Memorandum of Understanding (MOU) or agreement that lists specific services and fees for this period of time.
- If school leadership is employed by the EMO/CMO, there are provisions in the contract, bylaws, and organizational structure that ensure board approval, provides evidence of EMO/CMO's demonstrated track record of success in serving a similar population using the same academic model and its track record in managing financial and organizational outcomes to levels consistent authorizer financial and organizational frameworks expectations.
- There are no prohibited familial relationships between charter holder board members and EMO/CMO employees within the third degree of consanguinity or affinity nor any supervisory or business relationships between charter holder board members or relatives of such and relatives of EMO/CMO employees within the third degree of consanguinity or affinity.
- Clearly defined contract terms including: contract duration; roles and responsibilities of the school governing board, school staff, and EMO/CMO-specific services and resources to be provided by the EMO/CMO; performance evaluation measures and mechanisms; compensation to be paid to the provider; financial controls and oversight; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract, and alignment of the key performance indicators for the EMO/CMO and the hierarchy of sanctions for poor performance with the SPCSA academic, financial, and organizational frameworks and intervention ladder. SB509 requires that a management relationship

and a management contract may not jeopardize a school's eligibility to qualify for 501c3 status. The IRS has several criteria which are used by the Authority:

- A charter school must show that contracts, especially comprehensive management contracts, have been negotiated at arm's length and are for the benefit of the school rather than the service provider. The IRS has determined that boilerplate contracts may be an indicator that the terms of the contract were not the subject of negotiations between independent parties; the applicant must provide clear and compelling evidence that the contract submitted is not a boilerplate contract.
- Representation of both the school and the management by the same attorney or payment of the school's attorney by the EMO/CMO is also an indication of the absence of arm's length negotiations.
- When reviewing a charter school contract for management services, determine whether the terms are consistent with fulfillment of the school's exempt purposes. Some contract terms may result in a finding that the school is operated for the benefit of the management and preclude exemption. Areas of concern include:
 - A management contract is subordinate to the charter contract. In the event of any conflict between the management contract and the charter contract or current law or regulation, the charter contract, law, or regulation governs.
 - Length of Contract -A contract's length can greatly influence the board's ability to monitor and evaluate the management's performance. There is a need to balance management company's interest in a long-term contract with the school's need for flexibility in changing companies and meeting its fiduciary responsibility and its responsibilities under the charter contract, law, and regulation. Nevada requires that all management contracts must initially be for two years and no management contract can have a term that extends beyond the charter term. A management contract must cease in the event that a school is reconstituted or restarted. Cancellation of a management contract may be a requirement for renewal.
 - Board Policies -The general policies concerning the operation and management of a charter school may not be contracted away. These broad policies help define the school's identity.
 - Services - Comprehensive school contract packages place much of the control of the day-to-day operations in the hands of the management. Responsibilities of both the company and the school must be clearly stated in the contract.
 - Personnel – Up to 30 percent of principals, teachers and staff may be employed directly by the school or may be employees of the management. However, the existence of an anti-compete clause that prevents a school from hiring the personnel that it has utilized in operating its school (principals, teachers, etc.) for a specific length of time after termination of the management contract is impermissible, as this practice serves the private interests of the management and limits the school's ability to terminate the contract.
 - Compensation - management fees must be reasonable and commensurate with the services provided. A management fee structure should not be based on total income (i.e., all fees, grants, contributions, and unusual receipts). Compensation should not be above the market rate generally charged for the service provided. This can be established through evidence of comparative shopping for services. An applicant must provide clear and compelling evidence of due diligence related to the market rates for such services.
 - Termination - A service contract should specify the provisions for termination and the procedure for evaluating when the terms of the contract are in default. Termination provisions that unreasonably restrict and limit the options of the school are evidence of private benefit to the service provider. No contract can have an automatic renewal provision. All contract evaluations must be aligned to the elements of the charter contract and performance framework (as amended) and current law and regulation for which the management organization provides supporting services.
 - Consider name identification - In many cases, contractual provisions require a charter school to attach the management company's name to the school (i.e., Company X Charter School or Charter School, a Company X affiliate or Y Brand Charter School, where the brand is the property of Company X.) The IRS has determined that "Name branding" has no clear exempt purpose. It links management companies to exempt schools and allows the company to draw goodwill from the relationship. It allows the management companies to build name recognition without additional expense. It also places a contractual burden on the charter schools, making it more difficult for the school to terminate the relationship with the management company. A "name branding" requirement may be an indicator of private benefit depending upon the facts and circumstances. While "name branding" is not specifically forbidden by state law, it will be scrutinized heavily pursuant to SB509 due to the IRS concerns—both to ensure that 501c3 status is not delayed or jeopardized and to ensure that the school that is permitted to use a "name brand" can provide the IRS with evidence that this was scrutinized and determined to be appropriate by a public agency. "Name branding" is more likely to be allowed by the Authority in cases where the established brand name is associated with a proven school model with a lengthy track record of consistent achievement at the highest

levels on the statewide accountability systems in each state where it is implemented. It is unlikely to be permitted in cases where the brand and associated model has a limited or mixed track record. A management contract must contain provisions regarding the change of school names which aligns with the charter contract, state law and regulation, and Authority expectations that the school name include the words “Public Charter School” or that the phrase “a public charter school” accompany the school’s name on the school’s website, signage, letterhead, and marketing materials in a prominent and consistent manner.

- Analyze ancillary services provided - Comprehensive school management companies may provide other services directly or through affiliates. These services may include cash advances for startup funds, capital loans, facility leasing, technology contracting, furnishings, fixtures, textbooks, and just about anything else a charter school may need. The IRS recognizes that such services can be essential for startup schools, but schools should maximize their use of other available funding mechanisms (including the Nevada revolving loan fund) with more competitive interest rates. However, the reviewer should scrutinize agreements and the narrative carefully for clear and compelling evidence to determine whether the terms were the result of arm's length negotiation with an independent charter school board or are, in effect, adhesion contracts with a captive school board.
- There is no provision permitting the EMO/CMO to appoint members to the governing body or approve members.
- The contract does not allow for any form of leverage – including but not limited to severance fees and facilities ownership – by which the EMO/CMO can ensure renewal of their contract.

Charter Management Organizations Applying for Sponsorship Directly (If Applicable)

- The application clearly and logically explains the extent to which the governance model of the charter management organization requires a waiver from the governance provisions of the charter school law pursuant to NRS 388A.243.
- If the charter management organization is from another state, the application provides a comprehensive, actionable plan to ensure that the board will balance fidelity to its mission with appropriate input and oversight from Nevada residents.
- [If applicable] If the non-profit’s current board will govern the charter school, the application outlines clear, logical, and comprehensive steps to transform its board membership, mission, and bylaws to assume its new duties.
- [If applicable] If a new board has been formed, the application clearly delineates the new board’s relationship to the existing non-profit board and the governance responsibilities of both entities as it relates to the proposed school.