

Charter School Application Report

# Pioneer Technology & Arts Academy Nevada

*Memo Regarding Court Ordered Resubmission of Summer 2021 Charter Application Cycle*

*March 30, 2022*

## General Information

<b>Proposed Name</b>	Pioneer Technology & Arts Academy Nevada
<b>Proposed EMO/CMO</b>	CMO: SSS Education Corporation
<b>Proposed Mission</b>	To empower and engage students, especially underserved and underrepresented populations, to reach their full potential as global leaders who enhance their communities and world through an inquiry-based STEAM curriculum that emphasizes creativity, collaboration, and innovation.
<b>Proposed Grade Configuration</b>	Opening Year: Kindergarten – 8 <sup>th</sup> grade Full Scale: Kindergarten – 12 <sup>th</sup> grade
<b>Proposed Opening</b>	August 2022
<b>Proposed Location</b>	Temporary location for first year: 1840 N. Bruce Street North Las Vegas, NV 89030
<b>Zip Codes to be Served</b>	89030, 89027, 89032, 89034, 89081, 89101, 89106, 89107, 89110, 89115, 89117, and 89191

## Process/Key Dates for Pioneer Technology & Arts Academy

- March 9, 2021 – Notice of Intent is received
- April 12, 2021 – New Charter Application Training
- July 15, 2021 – Application is received
- September 20, 2021 – Clarifying Questions sent to applicant; responses received within 3 business days
- October 7, 2021 - Capacity Interview is conducted<sup>1</sup>
- November 5, 2021 – Authority denies initial application
- December 16, 2021 – Resubmitted application is received by the Authority
- January 12, 2022 – SPCSA staff discussed resubmission with the applicant team
- January 28, 2022 – Resubmission recommendation is presented to the Authority

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<sup>1</sup> The Pioneer Technology & Arts Academy capacity interview was conducted virtually as a result of the ongoing COVID-19 pandemic and space limitations within the SPCSA’s offices.

## Planned Enrollment Chart

	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
K	68	115	115	115	115	115
1	68	115	115	115	115	115
2	68	115	115	115	115	115
3	68	115	115	115	115	115
4	68	115	115	115	115	115
5	56	85	85	85	85	85
6	88	115	115	115	115	115
7	88	115	115	115	115	115
8	76	106	112	112	112	112
9		84	102	102	102	102
10			78	102	102	102
11				78	102	102
12					78	96
<b>Total</b>	648	1,080	1,182	1,284	1,386	1,404

## Executive Summary, Process and Recommendation

Upon receipt of a charter application, SPCSA staff reviews the submission for completion and ADA compliance. Should an application be deemed complete, it is assigned to a formal review team and moves to the independent review phase. Members of the review team read and rate each application independently and compile a list of clarifying questions in advance of the capacity interview in an effort to gather additional detail and information about the application prior to the interview. After the capacity interview is conducted, review team members rerate each section of the application against the rubric before finalizing a recommendation.

During the November 5, 2021 Authority meeting, SPCSA staff presented the findings of the initial review team and SPCSA staff for the Pioneer Technology & Arts Academy Nevada charter application which was submitted during the 2021 Summer Application Cycle. The initial application was found to exhibit shortcomings within three of the five components of the submitted application. The review team and SPCSA staff found that while the *Academic* and *Financial* plans met the standards, the proposed *Meeting the Need* and *Operations* sections did not meet the standards as outlined in the charter application rubric. Furthermore, the addendum section<sup>2</sup> required of an applicant that is a charter management organization was also found to not meet the standard. The Authority voted on November 5, 2021 to deny the Pioneer Technology & Arts Academy of Nevada application.

A second review team comprised of SPCSA staff reviewed the resubmitted Pioneer Technology &

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<sup>2</sup> 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. This information is evaluated through the Addendum section, which is required for applicants that propose to contract with an EMO or CMO.

Arts Academy Nevada application after it was received on December 16, 2021. The review team approached rating the resubmission with two primary concentrations:

- 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 rubric that was determined to previously 'Meet Standard'.

Upon resubmission, the review team determined that some deficiencies within the original application had been addressed, and some ratings against the charter application rubric improved as a result of these changes. The applicant restructured the proposed governing board of the school, replacing several members and as a result, the Board Governance subsection was rated as 'Approaches the Standard'. In addition, the resubmission included more robust evaluation measures for the board to measure and assess the performance of the proposed CMO, SSS Education Corporation. This resulted in the School Management Contracts subsection being rated as 'Meets the Standard'.

While the review team identified progress in the areas listed, it also found that the application has not 'Met the Standard' in a sufficient number of application components to be recommended for approval. The review team finds that a number of deficiencies remain within the resubmitted application. Most notable is the lack of clarity regarding the roles and responsibilities of the proposed CMO, particularly as it relates to the day-to-day responsibilities necessary to effectively manage the school. This concern is magnified by recent authorizer action for a school within the SSS Education Network in Arizona, which was directed to enter into a Consent Agreement due to failure to meet operational performance expectations and violation of the school's charter contract and state and federal law<sup>3</sup>.

Additional concerns include the lack of clarity around the leadership team, specifically the selection process and timeline for hiring the selected candidate. There are also concerns with regard to the plan for facilities, the feasibility of the incubation year plan, and several other sections within the charter application rubric as detailed in the remainder of this memo. Finally, questions around student demand for the school remain as the applicant has not demonstrated that there is currently sufficient demand for this proposal outside of the relationship with the operating private school.

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<sup>3</sup> On January 10, 2022, the Arizona State Board for Charter Schools (ASBCS) directed its staff to work with legal counsel to develop a consent agreement to address noncompliance with the Board's operational performance expectations, the charter contract, and state and federal law by Phoenix Education Management, LLC (also referred to as Pioneer Technology and Arts Academy of Arizona), which is part of the SSS Education Network, the proposed CMO. More information about those identified issues can be found [here](#). A summary of that meeting can be found [here](#).

## Summary of Application Section Ratings

The State Public Charter School Authority is required to assemble a team of reviewers and conduct a thorough evaluation of the application, which includes an in-person interview with the applicant designed to elicit any necessary clarification or additional information about the proposed charter school. The SPCSA is required to adhere to its policies and practices, namely the application guidance, training and rubric, regarding evaluating charter applications. Ultimately, the SPCSA must base its determination on the documented evidence collected through the application process.

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.

The rubric is broken into four major sections, plus an addendum, as outlined below. 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/](http://charterschools.nv.gov/OpenASchool/Application_Packet/)

## Summary of Application Section Ratings

Rating options for each section are Meets the Standard; Approaches the Standard; Does Not Meet the Standard.

Application Section	Rating	Resubmission Rating
<b>Meeting the Need</b>	<b>Approaches the Standard</b>	<b>Approaches the Standard</b>
Mission and Vision	Meets the Standard	Meets the Standard
Targeted Plan	Approaches the Standard	Approaches the Standard
Parent and Community Involvement	Approaches the Standard	Approaches the Standard
<b>Academic Plan<sup>4</sup></b>	<b>Meets the Standard</b>	<b>Meets the Standard</b>
Transformational Change	Meets the Standard	Meets the Standard
Curriculum & Instructional Design	Approaches the Standard	Approaches the Standard
Promotion & High School Graduation Requirements	Meets the Standard	Meets the Standard
Dual Credit Partnerships	Meets the Standard	Meets the Standard
Driving for Results	Approaches the Standard	Approaches the Standard
At-Risk Students and Special Populations	Approaches the Standard	Approaches the Standard
School Structure: Culture	Meets the Standard	Meets the Standard
School Structure: Student Discipline	Meets the Standard	Meets the Standard
School Structure: Calendar and Schedule	Meets the Standard	Meets the Standard
<b>Operations Plan</b>	<b>Approaches the Standard</b>	<b>Approaches the Standard</b>
Board Governance	Does Not Meet the Standard	Approaches the Standard <sup>5</sup>
Leadership Team	Does Not Meet the Standard	Approaches the Standard
Staffing Plan <sup>6</sup>	Approaches the Standard	Approaches the Standard
Human Resources	Approaches the Standard	Approaches 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	Approaches the Standard
Facilities	Meets the Standard	Approaches the Standard <sup>7</sup>
Ongoing Operations	Meets the Standard	Meets the Standard
<b>Financial Plan<sup>8</sup></b>	<b>Meets the Standard</b>	<b>Meets the Standard</b>
<b>Addendum</b>	<b>Approaches the Standard</b>	<b>Approaches the Standard</b>
Readiness for Growth	Approaches the Standard	Does Not Meet Standard

<sup>4</sup> The Pioneer Technology & Arts Academy proposal did not contemplate Distance Education or Pre-Kindergarten. Therefore, the corresponding sections of the rubric were not scored.

<sup>5</sup> The SPCSA's Recommendation Memo from January 28, 2022 had this section rated as 'Meets the Standard'. Details regarding the change to 'Approaches the Standard' can be found in the Operations Plan section and Appendix.

<sup>6</sup> While this section is currently rated as 'Approaches the Standard' any changes to the enrollment plan would have cascading impacts including, but not limited to the proposed school's budget and staffing plan.

<sup>7</sup> The SPCSA's Recommendation Memo from January 28, 2022 had this section rated as 'Meets the Standard'. Details regarding the change to 'Approaches the Standard' can be found in the Operations Plan section and Appendix.

<sup>8</sup> While this section is currently rated as 'Meets the Standard' any changes to the enrollment plan would have cascading impacts including, but not limited to the proposed school's budget and staffing plan.

Scale Strategy	Approaches the Standard	Does Not Meet Standard
School Management Contracts	Approaches the Standard	Meets the Standard
Charter Management Organizations Applying Directly	Meets the Standard	Meets the Standard

## Meeting the Need Section

The Meeting the Need section within the initial application was rated as 'Approaches the Standard' and previous strengths were determined to have remained in place upon resubmission and are detailed again below.

Within the resubmission, the applicant provided some evidence of additional community partnerships and outlined several planned events to be held in the coming months to engage with prospective families and the community.

Despite this additional information, a number of concerns identified in the initial application remain and prevent this section from being rated as 'Meets the Standard'. The information presented in the resubmission does not provide sufficient evidence of demand for the proposed school from the target zip codes, and some of the documentation remains dated. Additionally, while the narrative and responses from the capacity interview indicate that the applicant has conducted outreach in the community, there are not clear, specific examples of how this feedback and engagement manifests itself in the proposal beyond required services and staples of the PTAA program already being implemented. Given these chief concerns, this section of the resubmission was rated as 'Approaches the Standard'.

### Areas of Strength

- The mission and vision statements of PTAA Nevada are clear, focused, and appear interwoven throughout the application as the school and network seeks to help students be engaged, global leaders by progressing through a STEAM curriculum. The mission statement identifies the role of the school in working to solve the problem that the school seeks to address.
- The application proposes to serve families in a number of zip codes that are identified in the SPCSA Academic and Demographic Needs Assessment as having a large number of one- and/or two-star schools. While it is not clear that the demand for this school originates from these zip codes, the proposed location does appear to align with the geographic component of the Needs Assessment.
- Multiple members of the proposed applicant team appear to have strong ties to the local community. Additionally, the proposed CMO is currently working with a local charter school, giving them a direct tie to Clark County.

### Areas of Concern

- Some evidence of demand is included in a variety of forms within the application. This includes intent to enroll forms, surveys to gauge interest, and evidence of informational meetings held in 2021. The applicant team also indicated that approximately 50,000 mailers were sent out about the proposed program during the capacity interview. However, only a subset of the provided evidence of demand are intent to enroll forms, most of which are from 2020. A majority of the stated evidence of demand comes in the form of surveys to assess interest in key components of the proposed model and satisfaction with current educational options. Additionally, the application includes evidence that over 60 parents and families attended informational meetings in 2021. While there is certainly some interest in this proposed model, it does not appear to represent a significant percentage of first year enrollment from the intended community. Within the resubmission, more recent intent to enroll forms are provided from the private school community, but the applicant has not demonstrated that there is currently sufficient demand for this proposal outside of the relationship with the operating private school<sup>9</sup>. Additionally, the

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<sup>9</sup> PTAA Nevada contemplates locating in a current private school facility for year one of operations.



applicant team made statements during the January 28, 2022 SPCSA Board Meeting that raise questions about their understanding of Nevada’s enrollment context, particularly as it relates to provisions for a private school ceasing to operate and a charter school reopening in its place. More evidence is needed to confirm that families living in the proposed zip codes, but not attending the private school, support this model and are interested in attending PTAA Nevada.

- The incubation year plan indicates that community outreach and recruitment efforts including direct mailers, online campaigns, and open houses were to occur by March 15, 2022. No evidence has been provided that these activities have been completed and it is not clear how and when the proposed school would successfully recruit and enroll students in time for the 2022-23 school year based on the plan presented. Critically, funding for the first quarter<sup>10</sup> of the school year for new charter schools is based on an enrollment audit that is conducted in mid-June.
- Given the applicant’s intent to serve the St. Christopher school community and students residing the zip codes immediately surrounding the current St. Christopher school, there are concerns that the identified long-term facility options are not nearby to the St. Christopher location that is proposed as a possible location for the first school year. Relocating to one of the identified possible long-term facilities may not align to the needs of the identified community to be served.
- During the capacity interview, the applicant team spoke of open houses and forums held both at St. Christopher’s as well as other locations to gauge interest in a STEAM program. Nevertheless, it is not clear how the proposed community and prospective parents were involved in developing the plan for how the PTAA model would be implemented in their community. Information from the application signals that many of the outreach and engagement efforts were intended to raise awareness about the proposal rather than to seek input that shaped the proposed program. The resubmission includes general statements about these meetings, but it is not clear that feedback from meetings resulted in concrete modifications or adjustments to the proposal. More information is needed to understand how parents, the neighborhood, and the community at-large has helped shape the proposal.
- While evidence of additional partnerships was provided in the resubmission, and proposed national partnerships continue to be well-developed, local partnerships appear to be in the early stages. Organizations named in the application and resubmission have the potential to support the needs of the target population, but many letters of support provided offer limited information about how they would directly work with the proposed school. Details such as clear, measurable, time-specific deliverables from the partner which are clearly relevant to the needs of the target population are often not provided. Additionally, the incubation year plan indicates that securing and finalizing partnerships should occur by March 15, 2022. No evidence has been provided that these partnerships have been secured and finalized. It is not clear how and when the applicant team will secure and formalize local community partnerships relevant to the needs of the target population in time to successfully open in the fall of 2022 based on the plan presented.

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<sup>10</sup> Funding for the first quarter is later trued-up based on the actual enrollment as of October 1. However, schools with low enrollment numbers during the June enrollment audit typically face significant cashflow challenges during the first quarter.

## Academic Section

The Academic section within the initial application was rated as 'Meets the Standard'. The resubmission provided limited new and/or additional information that would result in any changes to the individual subsections or entire Academic section. As such, the review committee determined that the previous strengths and areas of concerns remained in place upon resubmission and are detailed again below. This resulted in a 'Meets the Standard' rating for this section of the resubmission.

### Areas of Strength

- The written application describes plans to implement a P-TECH model at the high school, similar to those established through other PTAA schools in Texas. This was reaffirmed through the capacity interview, where the CMO was also able to describe potential avenues for applying for the proposed school to become a recognized P-TECH school, given that this would be the school of its kind in the state. The proposed academic program will prioritize 21<sup>st</sup> century skills, emphasize student investigations, offer differentiated individual educational plans, provide a STEAM curriculum, and include project-based and blended learning. The core academic curricula are designed to encourage all students to see interdisciplinary connections between STEAM subjects. The course progression includes computer coding for all students in grades kindergarten through 8<sup>th</sup> grade. The academic plan presents an innovative educational program with distinguishing features that are supported by evidence of schools currently operating in Texas.
- The proposed CMO has established relationships with national industry partners, Sharp and Microsoft, that can ultimately benefit students as they progress through the proposed model. Both of these partners would assist with the two primary pathways—software development and network administration. As a result of the capacity interview, it appears that these partners are woven into the proposal and can be involved at the proposed school post authorization.
- The application indicates that certifications and associates degrees would be available to students attending the school, in addition to internship opportunities at Sharp as well as the opportunity to work with representatives from Microsoft in the classroom. These pathways demonstrate that the school is promoting college and career readiness, as well as a culture of high expectations.
- The applicant describes a robust teacher development program and schedule, although it is not clear when this will occur. Teacher development includes preservice training, web-based learning modules, twice weekly in-class coaching sessions, weekly feedback meetings, twice weekly data team meetings, and monthly early release days for additional development. In addition, the proposed school's professional development is connected directly to curriculum, instructional goals and processes, and data-driven decision-making.
- The applicant team provides a comprehensive description of how its MTSS program would support students, including those who are over-age for their grade level. According to the application, PTAA will provide tutoring, advisory and/or college readiness supports, and layered social and emotional supports to students as needed through community partnerships and service providers. Summer school will be offered to high school students who need remediation and/or credit recovery, and those interested in credit acceleration. Furthermore, since the proposed school would offer opportunities to gain real world skills via concurrent community college enrollment and work-based learning experiences, the high school program will provide significant relevancy to struggling learners and those who are over-age and under-credited.

## Areas of Concern

- While it appears that most chosen curricula are aligned to Nevada Academic Content Standards, it is not clear how some of the chosen curricula will work simultaneously together and whether all final decisions have been made regarding curriculum, as noted in the incubation year plan. Ultimately, more evidence and information are needed to confirm that all proposed curricula are aligned to the Nevada Academic Content Standards. Additionally, the incubation year plan indicates that key instructional activities such as creating scope and sequencies, finalizing alignment to the NVACS, procuring curriculum and assessments, preparing professional development, and creating pacing calendars were to have occurred by February 28, 2022. It is not clear how and when the proposed school would effectively prepare for the implementation of the instructional program in time to successfully open in the fall of 2022.
- The applicant does describe a clear plan for internal assessments. Conflicting information was presented in the capacity interview from the narrative, and it is not clear that the applicant understands the required K-8 assessments in Nevada other than the Smarter Balanced Assessment (SBAC). More information is needed to understand how the school will effectively implement both Renaissance 360 and NWEA MAP together to effectively measure and monitor individual students, student cohorts, and school level results. During the capacity interview, the CMO stated that the school will continue to adopt Renaissance 360, but it is not clear what this means for the proposed school.
- While the application emphasizes the importance of student data, performance goals for specific student groups including students with disabilities, English learners, and students who may be at-risk may not lead to a four- or five-star school as proposed. More information is needed to understand how the proposed school will monitor the performance of these student groups, and if these goals are rigorous enough to lead the school to a high rating under the Nevada School Performance Framework.

## Operations Section

The Operations section within the initial application was rated as 'Approaches the Standard' and the review committee identified some progress within the resubmission in this section. Specifically, the applicant team has removed three board members for whom concerns existed and board goals have been modified so as to be more robust and help guide the work of the governing body. Despite this progress, a number of concerns identified in the initial application remain, and prevent this section from being rated as 'Meets the Standard'.

Significant outstanding questions remain regarding the current state of the leadership team, as well as the process, timeline and selection of the proposed principal of the school given the information contained in the application when paired with the resubmission narrative. Another chief concern within this section is the insufficient demonstration of student demand from within the identified zip codes, as presented in the application, as the resubmission included new information for only a subset of interested students and families. A number of critical concerns remain regarding the incubation year and organization plans, in addition to the lack of comprehensive leadership plans. Finally, additional detail is needed with regard to the facility plan. For these reasons, among others, this section was rated as 'Approaches the Standard'.

### Areas of Strength

- The resubmission provided metrics and processes for evaluating the effectiveness of services provided by the CMO. While questions remain about some specifics, the contract includes measures that the board may use to evaluate services for the school.

### Areas of Concern

- Questions remain about the proposed school leadership team, specifically the identified acting principal and proposed regional director of the CMO.
  - In the resubmission, the applicant indicated that the previously identified principal had been changed to an 'acting principal.' The application rubric calls for a school leader with identified accomplishments related to student performance as well as evidence that the school leader is able to demonstrate strong recruitment, hiring, and teacher development. If a leader has not been identified, the application rubric requires that the proposal include a clear method by which the school will recruit and select a candidate who satisfies identified criteria. Based upon the information provided in the original application and the resubmission, it remains unclear whether or not the acting principal will become the principal, and when the governing board anticipates beginning a formal process to identify and hire for the position. Additionally, the acting principal, who may become the principal, does not appear to possess administrative experience at a high school or a strong background leading the implementation of a STEAM program. While the resubmission narrative notes that this individual has already begun to receive professional development on the PTAA model, this does not fully address all reservations and adds to the confusion about the current state of this important role.
  - The regional director role is not clearly defined, and the job description and information in the narrative imply that this individual would oversee charter school staff. The decision-making flow chart indicates that the principal oversees school staff, but the regional director job description notes that this individual would coach and supervise staff. This

evidence contradicts the regional director role as described in the application. More information is needed to understand how these two roles work together to support the success of the school.

- Based on information provided in the letter from the proposed board chair on January 25, 2022, a school leader was to be selected by April 1, 2022. At this point, it is not clear whether a leader has been selected and if not, how and when the proposed board will effectively select, hire, and train a school principal in time to successfully open in the fall of 2022 based on the plan presented. Both the incubation year plan and MOU included in the resubmission do not include a timeline or benchmark for this key activity to occur.
- The initial application raised a multitude of concerns with the board governance section, including concerns with the independence and capacity of the board. To address these issues, as part of the resubmission, the applicant team removed three board members and replaced them with two individuals that reside in the Las Vegas area, and appear to be qualified to serve. However, recent developments raise concerns about the current capacity and qualifications of the board and their ability to provide effective governance and meaningful oversight of school:
  - The SPCSA has been informed that one of the five proposed members of the board has recently resigned, leaving the board with only four active members, three of whom reside in Nevada. Overall, a total of four proposed board members have left the board since the July 2021 submission. This raises significant turnover concerns and questions about those board members which have remained on the board since the time of the application.
  - Information provided to SPCSA staff indicates that one of the four remaining board members has posted several items on social media that raise questions about the individual's fitness to serve on a public charter school board. Among other things, the posts include derogatory comments regarding transgender individuals raising concerns about the ability of this individual to lead a public school which is required to develop and uphold policies regarding the rights and needs of persons with diverse gender identities or expressions.
- Some evidence of demand is included in a variety of forms within the application. This includes intent to enroll forms, surveys to gauge interest, and evidence of informational meetings held in 2021. The applicant team also indicated that approximately 50,000 mailers were sent out about the proposed program during the capacity interview. However, only a subset of the provided evidence of demand are intent to enroll forms, most of which are from 2020. A majority of the stated evidence of demand comes in the form of surveys to assess interest in key components of the proposed model and satisfaction with current educational options. Additionally, the application includes evidence that over 60 parents and families attended informational meetings in 2021. While there is certainly some interest in this proposed model, it does not appear to represent a significant percentage of first year enrollment from the intended community. Within the resubmission, more recent intent to enroll forms are provided from the private school community, but the applicant has not demonstrated that there is currently sufficient demand for this proposal outside of the relationship with the operating private school<sup>11</sup>. Additionally, the applicant team has made statements that raise questions about their understanding of Nevada's enrollment context, particularly as it relates to provision for a private school ceasing to operate

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<sup>11</sup> PTAA Nevada contemplates locating in a current private school facility for year one of operations.

and a charter school reopening in its place. More evidence is needed to confirm that families living in the proposed zip codes, but not attending the private school, support this model and are interested in attending PTAA Nevada.

- The incubation year plan indicates that community outreach and recruitment efforts including direct mailers, online campaigns, and open houses were to occur by March 15, 2022. No evidence has been provided that these activities have been completed and it is not clear how and when the proposed school would successfully recruit and enroll students in time for the 2022-23 school year based on the plan presented. Critically, funding for the first quarter<sup>12</sup> of the school year for new charter schools is based on an enrollment audit that is conducted in mid-June.
- Based on statements by the applicant team during the January 28, 2022 board meeting and information provided in the Reply in Support of the Motion for Preliminary Injunction in Case No. A-22-849079, it appears that the proposed enrollment plan may no longer be accurate and that the proposed school may plan to enroll fewer students than had previously been proposed, perhaps with few grade levels. While the applicant has stated that the minimum viable enrollment is 180 students, information has not been provided to indicate that scenario would be viable. Changes to the enrollment plan would have cascading impacts including, but not limited to the proposed school's budget and staffing plan.
- The proposed incubation plan and the proposed organization plan include numerous milestones that have already passed or a quickly approaching, including but not limited to the following examples:
  - Within the incubation year plan, instructional activities were to have been completed in February, operations activities were to have been completed in March, finance activities were to have been completed by February 1, 2022, parent & community engagement activities were to have been completed by March 15, 2022, and school systems & culture activities were to have been completed by March 15, 2022. No evidence has been provided that these milestones have been met.
  - Additionally, all teachers were to be identified by May 1, 2022, and key governance and technology activities were also expected to be completed by May 1, 2022.

Given the significantly shortened incubation year period and lack of evidence that milestones have been met, the current plan does not ensure that the proposed school would be ready for a successful launch.

- Certain regulatory deadlines for the upcoming school year are quickly approaching, such as the April 15 deadline to submit a tentative budget (see NAC 387.720), budget hearings which must occur during the third week in May (see NAC 387.720), and school calendars which are due by May 1. Additionally, school-level grant applications are due to the SPCSA by April 24, 2022, and the SPCSA is required to submit its grant application to the Nevada Department of Education by mid-May to avoid a delay in approval which would result in a black-out period for grant expenditures. Given the limited timeframe for the incubation year period it is not clear how the proposed school would meet critical deadlines for the upcoming school year and ensure successful opening and operations.

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<sup>12</sup> Funding for the first quarter is later trued-up based on the actual enrollment as of October 1. However, schools with low enrollment numbers during the June enrollment audit typically face significant cashflow challenges during the first quarter.

- The resubmission states that the proposed board will secure an MOU with the CMO for services to be provided during the incubation year. The initial application lacked clarity regarding the comprehensive leadership plan aligned to incubation year and academic goals. While a proposed MOU is provided in the resubmission, it does not provide additional clarity and information on how and when the principal will be trained.
- The applicant team has secured a possible first-year facility through a lease of the St. Christopher Catholic School building, but also indicated that they were pursuing other possible facility options. Information provided in response to clarifying questions indicated that the proposed board would make a final decision regarding the facility by March 30, 2022. At this point, it is not clear whether the proposed board has selected a facility for the first year of operation. With regard to the possible St. Christopher facility, there is not sufficient information to demonstrate that it would provide enough space to house the proposed student enrollment and program. The current capacity of the St. Christopher facility appears to be between 200 and 240 students, while first year enrollment is projected at 648 students. While the applicant team has indicated that there are plans to place portables on the site, additional details are needed regarding how the possible St. Christopher site would accommodate the proposed first year enrollment, if selected by the proposed board. Additionally, the information provided in response to clarifying questions indicates that any remodeling of the St. Christopher facility would occur by June 30<sup>13</sup>. Additional details are needed regarding the timeline and plans for any renovations. Concerns also exist regarding the capacity of the parking lot for student pick-up and drop-off, as well as implications for traffic.
- The four possible long-term facilities identified in the application are each at least 3.5 miles and up to 9.7 miles from the possible, first-year facility at St. Christopher. Given the applicant's intent to serve the St. Christopher school community and students residing the zip codes immediately surrounding the St. Christopher school, there are concerns that relocating to one of these locations may not align to the needs of the identified community to be served.

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<sup>13</sup> The response clarifying questions indicated that remodeling would be completed by June 30, 2021. However, it is assumed that this is a typo and that the date should read June 30, 2022, given that the responses were submitted on September 23, 2021.

## Financial Section

The Financial section within the initial application was rated as 'Meets the Standard'. The resubmission provided minimal new and/or additional information that would result in any changes to the individual subsections or entire Financial section. As such, the review committee determined that the previous strengths remained in place, while one concern was addressed and has since been removed from this summary. This resulted in a 'Meets the Standard' rating for this section of the resubmission.

The submitted application underscores that the CMO possesses financial expertise and has extensive experience in financial management, which was reiterated during the capacity interview. The budget narrative demonstrated an understanding of local context, and this expertise would help guide the proposed governing board through regular reporting that uses multi-year budgets, historical data as well as cash flow projections. Finally, the proposed facility represents a potential windfall in terms of cost savings for at least year one as the school is able to obtain a lease rate significantly below market value.

While this section was rated as 'Meets the Standard', one minor concern remains. The resubmission indicates that PTAA Nevada will have the ability to access a Line of Credit through the proposed CMO. This raises some questions about the ability of the proposed board to hold the CMO accountable for services given that the proposed school would potentially be financially obligated to the CMO as early as the incubation year. Nevertheless, this section was rated as 'Meets the Standard'<sup>14</sup>.

### Areas of Strength

- The CMO has financial expertise to assist the school with financial management, oversight, and day to day operations if needed. This was reiterated during the capacity interview when CMO representatives assisted the proposed board with addressing financial questions and concerns.
- The budget narrative presents a baseline understanding of GAAP principles, and demonstrates a basic understanding of Nevada context and budgeting concepts. The narrative notes that the Board will annually review a three-year budget, historical income and expenses, and a cashflow forecast for the upcoming year.
- Evidence presented in the application indicates that PTAA schools in operation in Texas are performing soundly and meeting financial performance standards.
- During the capacity interview, the CMO representatives noted that despite a very favorable, below-market lease rate for the proposed year one facility, the current budget notes that forecasted substantial expenditures are still included as anticipated expenses for years one through six. If the proposed facility is secured for at least year one, this would positively impact the financial health of the school.

### Areas of Concern

- The resubmission indicates that PTAA Nevada will have the ability to access a Line of Credit through the proposed CMO. This raises some questions about the ability of the proposed board to hold the

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<sup>14</sup> While the current, proposed budget aligns with key components of the model and proposal, comments by the applicant team and information provided in the Reply in Support of the Motion for Preliminary Injunction in Case No. A-22-849079 indicate that the proposed enrollment plan may no longer be accurate and that the proposed school may plan to enroll fewer students that had previously been proposed, perhaps with fewer grade levels. While the applicant has indicated that the minimum viable enrollment is 180 students, information has not been provided to indicate that scenario would be viable. Any changes to the proposed enrollment are expected to impact projected revenues. As a result, a revised budget that aligns to the updated proposal, and otherwise meets the standards outlined in the charter application rubric, would be necessary to be rated as 'Meets the Standard.'



CMO accountable for services given that the proposed school would potentially be financially obligated to the CMO as early as the incubation year.

## Addendum Section

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 *Addendum Section* is required for those applications that seek to contract with a CMO or EMO, or are applying for sponsorship directly.

The Addendum section within the initial application was rated as ‘Approaches the Standard’ and previous strengths were determined to have remained in place upon resubmission and are detailed again below. Academic performance data included in the application indicates that PTAA schools in Texas, which represent the original network of schools, are performing well according to the state accountability system. Due to the COVID-19 pandemic, the most recent ratings are from the 2018 – 19 school year, and all schools were issued one of the two highest ratings. Additionally, contract terms between the proposed board and CMO appear reasonable given the scale of services described in the narrative.

Several concerns were identified in this section, however, including the capacity of the proposed CMO to effectively scale and support the proposed school, and inconsistencies in the scale strategy that fail to provide clarity around roles and responsibilities. Perhaps most important, recent data and information from Arizona indicates that PTAA-Arizona<sup>15</sup>, which is described in the application as being part of the SSS Education Network was found to have failed to meet the operational performance expectations set forth in the Arizona authorizer’s operational performance framework and has violated its charter contract and state and federal law. On January 10, 2022, the Arizona State Board for Charter Schools directed its staff to work with legal counsel to develop a consent agreement to address this noncompliance. This raises significant questions about the CMO’s readiness to grow and the success of previous efforts to scale. Finally, the past performance of the CMO in Nevada, through its support of 100 Academy, raises additional questions about its ability to support a high-quality program in the first years of operation. For these reasons and others, this section of the application was rated as ‘Approaches the Standard’.

### Areas of Strength

- While some schools within the PTAA network in Texas are not yet at full scale, and other affiliated schools in Arizona and Colorado do not have performance data, available performance data for sister schools outside of Nevada signal that schools are meeting or exceeding academic performance standards.
- Evidence presented in the application indicates that PTAA schools in operation in Texas are performing soundly and meeting financial performance standards.
- The proposed fee structure for the CMO is clear within the narrative and proposed contract. While the fee is high compared to other CMO/EMOs that operate and support schools in Nevada, the CMO will be supporting, implementing and overseeing many operational pieces of the proposed school. The operations and services outlined in the narrative appear to closely align to the services contemplated in the contract.

### Areas of Concern

- Recent operational performance and compliance concerns arising from the affiliate school in Arizona, for which PTAA assumed operations in July of 2021, raise significant capacity concerns and

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<sup>15</sup> The official name of the Charter Holder which operates the school is Phoenix Education Management, LLC.

raise questions about the CMO's readiness to grow. The five-year interval review compliance report for this school, dated January 27, 2021, notes only one compliance concern. A second, similar [review](#) was conducted on September 29, 2021 after the affiliate of the proposed Nevada CMO assumed operational control of the school. As noted on pages 19-23, for each of the operational standards evaluated, the school was deemed to not meet operational standards. This resulted in authorizer intervention on January 10, 2022. Specifically, the Arizona State Board for Charter Schools found that the school had failed to meet the operational performance expectations set forth in the Board's operational performance framework and has violated its charter contract and state and federal law. The Board exercised its legal discretion and rather than issuing a notice of intent to revoke the charter contract, the Board directed its staff to work with legal counsel to develop a consent agreement to address the school's noncompliance. While SPCSA staff has confirmed with the Arizona authorizer that the school is now in compliance in these areas, the number of compliance concerns occurring shortly after the CMO assumed operational control of the school raise significant capacity concerns about the CMO and its ability to support another school this upcoming fall. Additionally, they raise questions about the success of prior attempts to scale to other states. While the proposed governing body of PTAA Nevada has indicated that they will require the CMO to provide quarterly updates regarding the performance of sister schools and evaluate the performance of the CMO relating to other schools in the PTAA Network, this is not codified within the management agreement, nor is it clear how the board would use this information to hold the proposed CMO accountable.

- During the capacity interview, the CMO was asked about how it evaluated readiness to expand. The CMO indicated that expansion had been driven by invitations or demand from other states, but did not discuss how the CMO had determined that the organization was ready to support additional schools. Limited new information was provided in the resubmission to support this organization's readiness to expand, and as previously noted, SPCSA staff has significant concerns about the organizational performance of the CMO and its affiliates due to recent findings in Arizona.
- Questions remain about the CMO and their readiness to open and support a high performing school in Nevada. Currently, the proposed CMO is supporting 100 Academy, a public charter school authorized by CCSD. 100 Academy is partially meeting state standards according to the most recent Nevada School Performance Framework (NSPF) for both the elementary and middle school and the latest available data for 100 Academy indicates that proficiency levels have not improved. While the relationship between the CMO and 100 Academy is relatively new and the impacts of COVID-19 have likely affected the implementation of the program and ability to collect reliable student assessment data, available data does not demonstrate that the CMO has been able to implement a program that has driven significant academic gains for students in Nevada.
- Inconsistencies were identified between the written application and the capacity interview regarding the services to be provided by the proposed CMO. The draft contract provided in the written application indicates that the CMO will be significantly involved in the proposed school, but the narrative describes the CMO as primarily a "back office" provider. For example, proposed contract contemplates many day-to-day responsibilities such as the implementation of the educational program and services to special needs students. As another example, the role of the CMO in the hiring and dismissal of teachers is unclear and several different arrangements are contemplated in the application. Parts of the initial application indicate that the Superintendent of the CMO and Principal will be responsible for final decisions regarding hiring, while other sections of

the application state that the Regional Director of the CMO, with support of the Principal is charged with recruiting and hiring staff. The resubmitted application indicates that the principal is responsible for hiring staff. Additionally, the initial application indicates that the responsibility for dismissal of staff lies with the Superintendent of the CMO, raising questions about the principal's role in the dismissal of staff. Based on the information provided, it is not clear what the roles of the CMO and school principal are when it comes to hiring and dismissing staff. Additional information is needed to understand the roles and responsibilities of the CMO. The application narrative and all attachments and appendices, such as the proposed contract with the CMO and the draft board policy manual should articulate a consistent delineation of roles and responsibilities. These concerns are magnified by the proposed feedback to be provided on the Principal and CMO staff as indicated in information provided to the SPCSA on January 25, 2022.

- Previous findings from a financial audit provided in the initial application raise questions about internal financial policies and procedures.

# Capacity Interview Summary

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 Pioneer Technology & Arts Academy Nevada was conducted on Thursday, October 7, 2021 and lasted approximately 120-minutes. Various representatives of the proposed CMO were present at the interview, in addition to all members of the proposed board with one exception. Questions during the capacity interview focused primarily on these areas:

Targeted Plan	Leadership Team
Parent and Community Involvement	Student Recruitment and Enrollment
Curriculum & Instructional Design	Facilities
At-Risk Students and Special Populations	Financial Plan
Driving for Results	Scale Strategy
School Structure: Discipline	School Management Contracts
School Structure: Calendar and Schedule	CMO Applying for Sponsorship Directly
Board Governance	

Prior to the capacity interview, the review committee sent the applicant team a list of clarifying questions 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 applicant team’s capacity to oversee and monitor the progress of the proposed school during the incubation year.

## Meet and Confer

The Pioneer Technology & Arts Academy Nevada applicant team met with the SPCSA staff on multiple occasions to discuss the deficiencies identified prior to their resubmission on December 16, 2021. During these meetings, the applicant team asked a number of questions and sought clarity about identified deficiencies.

## District Input

Per Assembly Bill 462 (2019), now codified in NRS 388A.249, the SPCSA solicited input from the Clark County School District regarding this application.<sup>16</sup> The timeline regarding this request for input is below and the response provided by the Clark County School District is attached.

- August 5, 2021 – Memo sent to CCSD soliciting input.
- November 1, 2021 – Written input provided from CCSD to SPCSA.
- November 24, 2021 – Written notification from the SPCSA to CCSD regarding the denial of the original Pioneer Technology & Arts Academy Nevada charter application.
- January 4, 2022 – Written notification to CCSD confirming that the Pioneer Technology & Arts Academy resubmission had been received. The SPCSA provided a tentative timeline for possible

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<sup>16</sup> NRS 388A.249(2)(a): “The 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.”

action on the Pioneer Technology & Arts Academy resubmitted application, and provided CCSD with an opportunity to provide additional input.

## Appendix (Rubric Detail)

The information below indicates *rubric criteria that the applicant did not substantially meet*.

### Meeting the Need

- **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.*
  - *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.*
  - *Identifies specific 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

- **Curriculum and 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.*
- **Driving for Results**
  - *Internal and mission-specific goals are SMART: goals and objectives are specific, measurable, ambitious and attainable, relevant, and time bound.*
  - *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.*
  - *Sound plan for measuring and reporting academic performance and progress of students for both individual schools and the network (if applicable).*
- **At-Risk Students and Special Populations**
  - *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.*

## **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.*
- *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.).*

### **- Leadership Team**

- *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.*
- *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.*

### **- Staffing Plan**

- *Staffing plans matches the proposed budget and is explicitly aligned to both budget narrative assumptions and to budget calculations.*
- *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 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.*

### **- Student Recruitment and Enrollment**

- *The enrollment plan reflects an understanding of the Nevada context.*
- *Complies with Nevada laws and regulations regarding enrollment, including but not limited to:*
  - *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 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).*
- *The staffing outlined for Year 0 will enable the school to reach its Year 0 milestones and goals*
- **Services**
  - *Operations plan includes logical plans for all essential and program-specific non-academic services, including but not limited to:*
    - *Staff structure/plan is adequate for the proposed school and aligns with the educational program; lines of authority are clear.*
- **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*
  - *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*
    - *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.*
    - *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.*

## **Addendum**

- **Readiness for Growth**
  - *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.*
  - *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.*
  - *Previous scale-up endeavors are shown to have been successful with student performance data, organizational and financial data (if applicable).*
  - *Organization 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, network, and schools.*
- **School Management Contracts**
  - *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.*
  - *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) that lists specific service agreements for the period of time.*