



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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

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

---

**ACTION MEMORANDUM**

---

**TO:** SPCSA Board  
**FROM:** Danny Peltier, Management Analyst III  
**SUBJECT:** Nevada Virtual Charter School– Charter Renewal Recommendation  
**DATE:** December 8, 2023

---

**Background and Summary**

Nevada Virtual Charter School<sup>1</sup> (NVCS) has submitted an application to renew its charter contract as the current charter contract expires on June 30, 2024. NVCS is an online public charter school that currently serves 1717 students in 6<sup>th</sup> – 12<sup>th</sup> grade statewide.

After a thorough review of the historical data and charter renewal application, staff recommends that the Authority approve the charter renewal of NVCS for a five-year term, beginning July 1, 2024.

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

The first step in the renewal process is the submission of a renewal report by SPCSA staff to the charter school<sup>2</sup>. Specifically, on or before June 30 immediately preceding the final school year prior to expiration of a charter school's charter contract, the SPCSA submits to the governing body a report regarding renewal. The NVCS renewal report was sent to the board chair on June 29, 2023, and can be found within the supporting documentation for the item.

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

Next, the governing body of the charter school must submit a written notice of intent to submit an application for renewal to the SPCSA 45 days prior to submitting a renewal application. See [NAC 388A.415\(1\)](#). NVCS submitted its notice Intent to Renew its charter contract on August 15, 2023, and NVCS's notice of intent to renew can be found with the supporting documents.

---

<sup>1</sup> Nevada Virtual Charter School was formally known as Nevada Virtual Academy for the majority of its charter term. The SPCSA approved a separation between the school and its EMO on April 14, 2023, and the school's name change on June 28, 2023.

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

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

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

NVCS submitted its renewal application, which can be found with the supporting documents, by the October 15<sup>th</sup> deadline.

The NVCS renewal application describes the key design elements of the school. NVCS's primary instructional apparatus is a virtual setting. Teachers implement curriculum in the virtual space in order to instruct students. Blended components, in person and virtual, are used to address students most at-risk and/or who need more time/assistance in learning the required curriculum. Students enrolling in the middle school program have the opportunity to work in a pathway that fits their academic needs and ensures the correct level of academic support is provided. Pathways include virtual (students working at grade level), blended (students working below grade level who need extra academic supports), and advanced (students working above grade level who need more enrichment/challenging instruction). NVCS's high school offers students five academic pathways to college and career readiness. Each pathway affords students a unique opportunity to participate in an individualized, blended educational experience. The academic team, in partnership with the student and parent, will determine which pathway best serves the individual student's needs. NVCS's mission is to make a difference by meeting the unique needs of our diverse students, preparing them for college or career in the 21st century through high quality instruction in our virtual platform, serving every student, every day. NVCS partners with ACCEL to provide Nevada state aligned curriculum on its virtual platform. NVCS offers blended, CTE, dual credit, virtual, and Jumpstart pathways to meet the needs of their students.

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

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

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

When determining whether to grant an application for renewal of a charter contract, the Authority Board considers the foregoing factors, any other information that the Authority Board determines is relevant to whether the charter contract should be renewed. The Authority Board will consider the "totality of the evidence" presented to it when making renewal decision. See [NAC 388A.415\(9\)](#). Again, as stated above, no factor is to be given more weight than the academic performance of pupils at the charter school.<sup>4</sup> See [NAC 388A.415\(10\)\(b\)](#).

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

The Authority Board may accept or reject, in whole or part, the recommendation of the Executive Director. See [NAC 388A.415\(10\)\(a\)](#). See [NAC 388A.415\(11\)\(b\)](#) and [\(c\)](#).

---

<sup>3</sup> [NRS 388A.285\(3\)](#).

<sup>4</sup> See [NAC 388A.415\(10\)](#). With regard to a second renewal, the Authority is required to place an even greater weight on academic performance than was assigned to it on the first renewal.

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

## **Analysis<sup>5</sup>**

### *Academics*

Nevada Virtual Charter School currently offers instruction at the middle and high school levels. According to the NSPF ratings for the 2019 – 2020 school year, which were carried over from the 2018-19 school year, the middle school was rated as 3-stars and the high school was rated as 3-stars.

As noted in the NSPF guidance document, a 3-star school program identifies an adequate school that has met the state’s standard for performance. The all-students group has met expectations for academic achievement or growth. Subgroups meet expectations for academic achievement or growth with little exception; however, no group is far below standard. The school must submit an improvement plan that identifies supports tailored to subgroups and indicators that are below standard. A school identified for comprehensive support and improvement is not eligible to be classified as a 3-star school or higher. Schools identified for targeted support and improvement are eligible to be classified as 3-star schools.

As the Authority is aware, NSPF school ratings and accountability for the 2020 – 2021 school year were carried over from the 2018 – 2019 reporting year. Star ratings were not calculated for the 2021 – 2022 school year due to lack of data brought on by the COVID-19 pandemic as approved by the U.S. Department of Education<sup>6</sup>, but the Nevada Department of Education published index scores<sup>7</sup>. For the 2021 – 2022 school year, NVCS’s middle school received a 42.0 NSPF index score and the high school received a 53.5 NSPF index score.

The Nevada Department resumed the issuance of star ratings for the 2022 – 23 school year. NVCS middle school was rated as 2-stars and the high school was rated as 3-stars.

As noted in the NSPF guidance document, a 2-star program identifies a school that has partially met the state’s standard for performance. Students and subgroups often meet expectations for academic performance or growth but may have multiple areas that require improvement. Areas requiring significant improvement are uncommon. The school must submit an improvement plan that identifies supports tailored to subgroups and indicators that are below standard. A two-star school in consecutive years is subject to state intervention. A school identified for targeted support and improvement or comprehensive support and improvement is eligible to be classified as a 2-star school. a 3-star school program identifies an adequate school that has met the state’s standard for performance. The all-students group has met expectations for academic achievement or growth. Subgroups meet expectations for academic achievement or growth with little exception; however, no group is far below standard. The school must submit an improvement plan that identifies supports tailored to subgroups and indicators that are below standard. A school identified for comprehensive support and improvement is not eligible to be classified as a 3-star school or higher. Schools identified for targeted support and improvement are eligible to be classified as 3-star schools.

---

<sup>5</sup> NVCS is currently operating under a charter contract with a 5-year term. Data for the current charter contract extends back to 2019-20

<sup>6</sup> Page 72 of the [NSPF Technical Manual](#)

<sup>7</sup> According to the NSPF technical guide released by the Nevada Department of Education, star ratings were not calculated for the 2021 – 2022 school year in accordance with flexibility offered in the U.S. Department of Education’s addendum to Nevada’s consolidated state plan due to COVID-19. Star ratings will resume in 2023.

Full results for NVCS under the Nevada Schools Performance Framework for the charter term can be found below:

School Year	NSPF Rating <sup>8</sup>
2019 – 2020	Nevada Virtual Charter School - Middle School: 3 stars - High School: 3 stars
2020 – 2021	Nevada Virtual Charter School - Middle School: 3 stars - High School: 3 stars
2021 – 2022 Index Score	Nevada Virtual Charter School - Middle School: 42.0 - High School: 53.5
2022 – 2023	Nevada Virtual Charter School - Middle School: 2 stars - High School: 3 stars

The Authority adopted its own Academic Performance Framework in 2019<sup>9</sup>. The SPCSA calculated Academic Performance Ratings again beginning with the 2021 – 2022 school year. For the 2021 – 2022 school year, NVCS’s middle school received a 37.2 SPCSA Academic Performance Framework rating score which did not meet standards and the high school received a 44.1 SPCSA Academic Performance Framework rating score which did not meet standards. For the 2022 – 2023 school year, NVCS’s middle school received a 30.8 SPCSA Academic Performance Framework rating score which did not meet standards and the high school received a 54.6 SPCSA Academic Performance Framework rating score which meet standards.

Results for NVCS during the 2021 – 2022 and 2022 – 2023 school years can be found below.

#### 2021 – 2022 Academic Performance Framework

Campus	2021-22 SPCSA Academic Framework Score	2021-22 SPCSA Academic Framework Rating
Middle	37.2	DOES NOT MEET STANDARD
High	44.1	DOES NOT MEET STANDARD

#### 2022 – 2023 Academic Performance Framework

Campus	2022-23 SPCSA Academic Framework Score	2022-23 SPCSA Academic Framework Rating
Middle	30.8	DOES NOT MEET STANDARD
High	54.6	MEETS STANDARD

NVCS operates a high school and receives a Graduation Rate. The NVCS high school graduated at least 86.0% of its students in each of the last 4 years.

<sup>8</sup> Due to COVID-19, the Nevada Department of Education (NDE) did not calculate Nevada School Performance Framework (NSPF) school ratings for the 2019-20 or 2020-21 school years and instead applied NSPF school ratings from the 2018-2019 school year to both the 2019-20 and 2020-21 school years.

<sup>9</sup> Despite being adopted in 2019, results under the SPCSA Academic performance Framework were not adopted for the 2019 – 2020 and 2020 – 2021 school years due to the COVID-19 pandemic and the lack of NSPF scores. 2021 – 2022 was the first academic year with reported scores.

#### 4-Year Graduation Rate (if applicable)

Class of	Percent Students Graduating in 4 Years
2019 – 2020	88.7%
2020 – 2021	86.2%
2021 – 2022	86.0%
2022 – 2023	87.3%

#### *Organizational*

The current iteration of the SPCSA’s Organizational Performance Framework was adopted by the Authority in the summer of 2019. The school earned 100 points under the 2020 Organizational Performance Framework as approved by the Authority on November 6, 2020, earned 100 points under the 2021 Organizational Performance Framework as approved by the Authority on January 28, 2022, and earned 100 points under the 2022 Organizational Performance Framework as approved by the Authority on December 16, 2022. SPCSA staff have not noted any substantial organizational performance concerns during the 2022 – 2023 school year.

#### **SPCSA Organizational Framework Findings**

2019 – 2020	Meets the Standard (100/100 points)
2021 – 2022	Meets the Standard (100/100 points)
2020 – 2021	Meets the Standard (100/100 points)

#### *Financial*

In 2018, the Authority requested that the SPCSA Financial Framework be modified so as to better assess the financial health of sponsored schools. The revised SPCSA Financial Framework was approved on January 18, 2019, with results for FY20 approved by the Authority in January 2021. NVCS was issued a Notice of Concern for FY20 and directed to develop a financial performance improvement plan in collaboration with SPCSA staff. For FY21, NVCS’s Notice of Concern was lifted and the school earned a ‘Meets Standard’ rating under six of the seven reported indicators. For FY22, NVCS was rated as Meets Standard and was found to have met the standard on six of the seven reported indicators.

#### **SPCSA Financial Framework Findings**

2019 – 2020	Notice of Concern
2021 – 2022	Meets the Standard
2020 – 2021	Meets the Standard

#### **Recommendation: Renew Nevada Virtual Charter School for a 5-year term**

As described above, NVCS has exhibited relatively consistent academic performance over the charter term for both the middle and high school. The middle school has been rated as high a 3-star, but also fell to 2-star, and Does Not Meet Standards, during the most recent NSPF and SPCSA Academic Performance ratings. The high school has maintained a 3-star rating throughout the charter term and was rated as Meets Standard on the most recent SPCSA Performance Framework.

NVCS has not exhibited any major organizational performance concerns over the course of the current charter term and the NVCS worked with SPCSA staff to address financial concerns that were identified during the 2019-20 rating cycle and the Notice of Concern that was issued was lifted after the 2020-21 school year.

Ultimately, due to varied academic performance of NVCS’s middle school, SPCSA staff is recommending the Authority renew NVCS for a 5-year charter term. A 5-year term will allow NVCS to continue to work to improve the middle school and allow the Authority to consider those outcomes during the next the school’s next renewal cycle.

School Year	2024-25	2025-26	2026-27	2027-28	2028-29
Grade Levels	6-12	6-12	6-12	6-12	6-12
Enrollment	2100	2100	2100	2100	2100

**Proposed Motion**

*Approve the Nevada Virtual Charter School renewal Application for a five-year term beginning July 1, 2024 and the enrollment cap as outlined above in the recommendation memo. In the event of academic, financial or organizational underperformance the Authority may impose additional oversight.*

*Appendix: School Demographics since 2018<sup>10</sup>*

*Nevada Virtual Charter School*

<b>Year</b>	<b>Total Enrollment</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>H</b>	<b>I</b>	<b>M</b>	<b>P</b>	<b>FRL</b>	<b>IEP</b>	<b>ELL</b>
2019-20	1461	5.0	15.0	44.4	31.9	1.0	0.0	2.3	53.4	11.7	<5.0
2020-21	2187	4.7	18.9	43.1	28.7	0.7	1.3	2.3	62.5	11.1	<5.0
2021-22	2027	5.4	21.5	37.2	31.9	1.1	0.0	2.6	56.7	11.4	<5.0
2022-23	2153	5.0	22.8	32.6	35.1	0.8	0.2	3.2	57.3	12.3	<5.0
2023-24	1717	6.1	21.4	32.1	35.4	1.0	0.5	3.2	58.1	12.7	<5.0

A – Asian

B – Black

C – Caucasian

H – Hispanic

I – American Indian/Alaskan Native

M – Two or more races

P – Pacific Islander

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

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

ELL – English Language Learner

\* Indicates data are suppressed to protect student privacy as the group size is less than 10.

<sup>10</sup> Enrollment Count totals are from Nevada Department of Education’s October 1 Validated Count Day data.