

EXHIBIT K

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Sparks, Jenny

From: McIntosh, Caroline <cmcintosh@nvvacademy.org>
Sent: Tuesday, September 22, 2015 9:14 PM
To: Patrick Gavin
Cc: Danny Peltier
Subject: SPCSA Meeting on September 28, 2015

Hello Patrick,

Thank you for you vm this evening regarding agenda item #13 on the SPCSA board meeting scheduled on September 28, 2015. I was quite surprised upon seeing this agenda item when Danny Peltier forwarded the agenda in an email this afternoon, since we had no notice or conversation regarding the item regarding the enrollment at Nevada Virtual prior to reading the email.

Nevada Virtual was unofficially "restricted" from marketing enrollment to the school since June 2013. Finally, in the July 13, 2015, SPCSA meeting, the unofficial, anecdotal restriction was lifted. The consequence of the 25 months of lost opportunity to market enrollment has resulted in a significant drop in enrollment. The current net enrollment at Nevada Virtual Academy has again declined due to the late opportunity in the marketing season. Nevada Connections Academy was able to capture the marketing arena for the virtual education platform, which resulted in a growth in its enrollment.

If you would like me to provide an anecdotal report regarding enrollment at Nevada Virtual Academy at the September 28, 2015 SPCSA board meeting, I am happy to oblige. Otherwise, Nevada Virtual Academy will submit the required amendment at a later SPCSA meeting.

Best regards,

Caroline



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From: [Robert McCord](#)
To: [Patrick Gavin](#)
Subject: 378
Date: Wednesday, December 02, 2015 5:05:23 AM

I guess I am wrong, unless 387.1233(4) applies. I believe it does apply to Nevada Virtual because they admitted reducing enrollment from 4500 to 2400 didn't they?

RSMc

NRS 387.1233 Calculation of basic support; effect of declining enrollment; consequences for school district or charter school that deliberately causes decline in enrollment.

1. Except as otherwise provided in subsection 2, basic support of each school district must be computed by:

(a) Multiplying the basic support guarantee per pupil established for that school district for that school year by the sum of:

(1) Six-tenths the count of pupils enrolled in the kindergarten department on the last day of the first school month of the school district for the school year, including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school on the last day of the first school month of the school district for the school year.

(2) The count of pupils enrolled in grades 1 to 12, inclusive, on the last day of the first school month of the school district for the school year, including, without limitation, the count of pupils who reside in the county and are enrolled in any charter school on the last day of the first school month of the school district for the school year and the count of pupils who are enrolled in a university school for profoundly gifted pupils located in the county.

(3) The count of pupils not included under subparagraph (1) or (2) who are enrolled full-time in a program of distance education provided by that school district or a charter school located within that school district on the last day of the first school month of the school district for the school year.

(4) The count of pupils who reside in the county and are enrolled:

(I) In a public school of the school district and are concurrently enrolled part-time in a program of distance education provided by another school district or a charter school on the last day of the first school month of the school district for the school year, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(II) In a charter school and are concurrently enrolled part-time in a program of distance education provided by a school district or another charter school on the last day of the first school month of the school district for the school year, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(5) The count of pupils not included under subparagraph (1), (2), (3) or (4), who are receiving special education pursuant to the provisions of [NRS 388.440](#) to [388.520](#), inclusive, on the last day of the first school month of the school district for the school year, excluding the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to subsection 1 of [NRS 388.475](#) on that day.

(6) Six-tenths the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to subsection 1 of [NRS 388.475](#) on the last day of the first

school month of the school district for the school year.

(7) The count of children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570 on the last day of the first school month of the school district for the school year.

(8) The count of pupils who are enrolled in classes for at least one semester pursuant to subsection 5 of NRS 386.560, subsection 5 of NRS 386.580 or subsection 3 of NRS 392.070, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(b) Multiplying the number of special education program units maintained and operated by the amount per program established for that school year.

(c) Adding the amounts computed in paragraphs (a) and (b).

2. Except as otherwise provided in subsection 4, if the enrollment of pupils in a school district or a charter school that is located within the school district on the last day of the first school month of the school district for the school year is less than or equal to 95 percent of the enrollment of pupils in the same school district or charter school on the last day of the first school month of the school district for the immediately preceding school year, the largest number from among the immediately preceding 2 school years must be used for purposes of apportioning money from the State Distributive School Account to that school district or charter school pursuant to NRS 387.124.

3. Except as otherwise provided in subsection 4, if the enrollment of pupils in a school district or a charter school that is located within the school district on the last day of the first school month of the school district for the school year is more than 95 percent of the enrollment of pupils in the same school district or charter school on the last day of the first school month of the school district for the immediately preceding school year, the larger enrollment number from the current year or the immediately preceding school year must be used for purposes of apportioning money from the State Distributive School Account to that school district or charter school pursuant to NRS 387.124.

4. If the Department determines that a school district or charter school deliberately causes a decline in the enrollment of pupils in the school district or charter school to receive a higher apportionment pursuant to subsection 2 or 3, including, without limitation, by eliminating grades or moving into smaller facilities, the enrollment number from the current school year must be used for purposes of apportioning money from the State Distributive School Account to that school district or charter school pursuant to NRS 387.124.

5. Pupils who are excused from attendance at examinations or have completed their work in accordance with the rules of the board of trustees must be credited with attendance during that period.

6. Pupils who are incarcerated in a facility or institution operated by the Department of Corrections must not be counted for the purpose of computing basic support pursuant to this section. The average daily attendance for such pupils must be reported to the Department of Education.

7. Pupils who are enrolled in courses which are approved by the Department as meeting the requirements for an adult to earn a high school diploma must not be counted for the purpose of computing basic support pursuant to this section.

(Added to NRS by 1977, 704; A 1979, 1243, 1588; 1981, 299; 1985, 1868; 1987, 135, 1639, 1640; 1989, 1554, 1814, 1816; 1991, 1548; 1993, 2157; 1997, 1861; 1999, 3307; 2001, 1484, 3144; 2001 Special Session, 237; 2003, 289, 1137; 2005, 1668; 2007, 1201, 1566; 2011, 768; 2013, 1604)