



CHARTING THE COURSE: AN ASSESSMENT OF
ORGANIZATIONAL STRUCTURE AND CAPACITY TO SUPPORT
HIGH-QUALITY CHARTER SCHOOL AUTHORIZING

Prepared for:

**NEVADA STATE PUBLIC CHARTER
SCHOOL AUTHORITY**

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For the past few months, NACSA has worked with the Nevada State Public Charter School Authority (SPCSA) to assess its organizational structure and capacity in relation to its responsibilities under state and federal law and NACSA's *Principles and Standards for Quality Charter School Authorizing*. The impetus for this work was a formative authorizer evaluation report NACSA conducted for the SPCSA in fall 2015 (the NACSA Authorizer Evaluation Report). A central theme of the NACSA Authorizer Evaluation Report was the lack of resources (both in terms of time and staffing) being devoted to the SPCSA's authorizing duties. As further described below, existing SPCSA staff members spend approximately 90 percent of their time on school compliance, support and technical assistance and managing relationships with other state entities and only 10 percent on charter school authorizing.

The SPCSA's current allocation of time and resources largely ignores their primary responsibility as a charter school authorizer. As a result, this report further explores this issue and provides the SPCSA with a recommended staffing structure that more closely mirrors the SPCSA's statutorily-defined roles and responsibilities. In addition, this report also addresses certain challenges that are limiting the SPCSA's ability to serve as a high-quality authorizer and fulfill its statutory duties.

This report is divided into the following five sections:

1. Policy Analysis;
2. Current State Analysis;
3. Transition Plan;
4. Human Capital Action Plan; and
5. Recommended Priorities for Authorizing Practice Tool Development.

The Policy Analysis provides a comprehensive assessment of the statutory and regulatory responsibilities of the SPCSA and also addresses certain challenges created or magnified by this legal framework. The Current State Analysis describes how staff time and resources are currently allocated and proposes a new organizational structure to fulfill the SPCSA's statutory responsibilities and key functions of a high-quality authorizer. The Transition Plan outlines how the proposed organizational changes should be implemented and includes suggestions for staff recruitment. Based on the findings of the Current State Analysis, the Human Capital Action Plan provides recommendations for staff training and professional development. Lastly, the Recommended Priorities for Authorizing Practice Tool Development builds off of NACSA's Authorizer Evaluation Report and identifies key areas for practice development and corresponding tools that will help the SPCSA align its processes with national best practice.

POLICY ANALYSIS

The purpose of this Policy Analysis is to outline the state and federal requirements for which the SPCSA is responsible as both a charter school authorizer and the designated LEA for certain purposes. This policy analysis will serve as a foundation for and frame the staffing and human resource allocation recommendations set forth in the Current State Analysis report below. In addition, the SPCSA's current statutory and regulatory context present multiple challenges for the SPCSA and directly impact the SPCSA's day-to-day work and ability to serve as a quality authorizer. As a result, this Policy Analysis will also identify these challenges and at times, present recommendations for addressing them.¹

This Policy Analysis is divided into four sections. The first section will discuss the SPCSA's primary roles and responsibilities under Nevada revised statutes, NRS 388A.010 et. seq., and Nevada administrative code, NAC 386.010 et. seq. (together, hereinafter referred to as the "Nevada Charter School Law"). The second section will address the federal laws which the SPCSA is subject to as the LEA for certain designated purposes. The third section will focus on the applicability and impact of the Nevada Administrative Procedure Act, NRS 233B.010 et. seq., on the SPCSA's work. The fourth section will discuss the State Budget Act, NRS 353.150 et. seq., which is currently limiting the SPCSA's ability to use the funds appropriated to the SPCSA by the Nevada legislature.

Section 1. The SPCSA's Primary Roles and Responsibilities under the Nevada Charter School Law

The Nevada Charter School Law was substantially amended during the 2015 legislative session with the passage of Senate Bill 509 (SB 509). SB 509 addressed a multitude of issues related to charter school authorizing, accountability and autonomy. SB 509 became fully effective as of January 1, 2016 and the changes created by this legislation are incorporated into the analysis below.

A. A Quality-Driven Purpose. Pursuant to NRS 388A.150, the SPCSA's purpose is three-fold: (1) to authorize charter schools of *high-quality* throughout Nevada with the goal of expanding the opportunities for students in Nevada, including at-risk students; (2) to provide oversight to the charter schools that it sponsors to ensure that those schools maintain *high educational and operational standards*, preserve autonomy and safeguard the interests of pupils and the community; and (3) serve as a *model of best practices* in sponsoring charter schools and foster a climate in Nevada in which all charter schools, regardless of sponsor, can flourish. Important to note from this purpose statement is the focus on quality and high standards. The SPCSA is to authorize not simply charter schools, but charter schools of high-quality, and its oversight responsibilities are to ensure that schools maintain high educational and operational standards, rather than achieve minimal standards of performance. Lastly, the purpose statement does require that the SPCSA look beyond its role as an authorizer and serve as a model for other authorizers in the state, but it does not direct the SPCSA to provide technical assistance to charter schools. Aside from the executive director, the current organizational structure, as outlined in the Current State Analysis, does not include individuals directly devoted to

¹ Note: This Policy Analysis does not constitute a legal opinion or purport to provide legal guidance regarding the interpretation of certain statutes and regulations or whether recommendations presented in this section would be permissible under Nevada law.

authorizing. As a result, the current organizational structure does not allow the SPCSA to fulfill its statutorily-defined purpose.

B. Staffing Mandate. NRS 388A.199 states that the SPCSA “may employ such persons as it deems necessary to carry out the provisions of” NRS Chapter 388A and that the staff employed by the SPCSA “must be qualified to carry out the daily responsibilities of sponsoring charter schools” in accordance with the Nevada Charter School Law. Despite this broad authority to hire “such persons as it deems” necessary, SB 509 included specific staffing mandates and qualifications for those serving as SPCSA staff. As a result, the SPCSA staff *must* include:

- (1) Attorneys with experience with laws concerning education, special education and nonprofit organizations;
- (2) Persons with experience overseeing the annual audits and financial operations of school districts, nonprofit organizations or corporations;
- (3) Persons with experience conducting assessments and evaluations for a school district;
- (4) Administrators with significant experience overseeing special education programs and programs while employed by a school district, charter management organization, educational management organization or other operator of charter schools;
- (5) Policy analysts with significant experience in the areas of charter schools and education policy; and
- (6) Any other persons that the SPCSA determines are necessary. SB 509, Sec. 15-16. (NRS 388A.199(2)(f)).

In addition, with the passage of SB 509, the SPCSA is now required to periodically evaluate and make decisions concerning the number of persons employed by the SPCSA and the qualifications and compensation of such persons based on guidance from the National Association of Charter School Authorizers. The SPCSA must also periodically evaluate and make decisions concerning a strategic plan for recruiting charter school operators and the needs of charter schools sponsored by the SPCSA. While these changes to the law are designed to help the SPCSA secure funding to expand its staff and hire qualified applicants, these provisions may also limit the SPCSA’s ability to adjust its organizational structure and the qualifications needed to fulfill certain positions if it is not able, in all cases, to find the “ideal” candidate with the “ideal” set of qualifications and experience.

Analysis. As further described in the Current State Analysis, the SPCSA’s current staff does not include individuals with many of the qualifications noted above. Specifically, the SPCSA does not have an attorney on staff, persons with experience overseeing the annual audits and financial operations of school districts, nonprofit organizations or corporations, or policy analysts with significant experience in the areas of charter schools and education policy. In terms of other areas of need, the SPCSA currently lacks individuals with any authorizing or general charter school experience, aside from the executive director. The executive director reported that the SPCSA has submitted budget requests that include positions required by law, including an attorney, and that these requests have been denied by the state budget office despite the specific statutory staffing mandates noted above. Most recently, the SPCSA’s budget request for the next biennium, which included funding for these positions or individuals with the qualifications noted above, was denied without justification. See *Section 4 below for a further discussion of the SPCSA’s budget and challenges in accessing appropriated funds.*

- C. Explicit Authorizing Responsibilities Anchored by a Performance Framework.** The Nevada Charter School Law provides the SPCSA with an explicit set of authorizing responsibilities. Such responsibilities cover the charter school lifecycle and more. These laws cover: charter school applications; charter school contracts, including amendments; the pre-opening period; monitoring the performance and compliance of charter schools; the renewal process; charter school revocations and closure; and annual reports of charter school performance and compliance.

NACSA's *Principles and Standards for Quality Charter School Authorizing* state that a quality authorizer "executes charter contracts that plainly: define clear, measurable, and attainable academic, financial, and organizational performance standards and targets that the school must meet as a condition of renewal, including by not limited to state and federal measures." The Nevada Charter School Law expressly requires that each charter school sponsor adopt a performance framework and enter into a written charter school contract with each school that incorporates a performance framework. NRS 388A.270 and 388A.273. This performance framework "must include, without limitation, performance indicators, measures and metrics for the categories of academics, finances and organization." NRS 388A.273. The law provides further definition regarding the types of information that each category must address. In addition, a school and a sponsor may agree to the inclusion of additional, mission-specific performance indicators, measures and metrics, provided such indicators, measures and metrics are rigorous, valid and reliable. *Id.* The governing board of the charter school, in consultation with the sponsor, is charged with "establishing annual performance goals to ensure that the charter school is meeting the performance indicators, measures and metrics set forth in the performance framework in the charter contract." *Id.*

Following approval of a charter, all of the SPCSA's authorizing duties with regard to high-stakes decisions are anchored to the performance framework. For example, regarding renewal of a school operating under a charter contract, the Nevada Charter School Law requires the sponsor to provide a school up for renewal a written report of its performance on or before the June 30th immediately preceding its final school year. This written performance report must include four components including "the criteria the sponsor will apply in making a determination on the application for renewal based upon the performance framework for the charter school and the requirements" of Chapter 388A. NRS 388A.285 To the extent there was any ambiguity in the existing law, SB 509 further amended this section to note that "such criteria must include, without limitation, the performance indicators, measures and metrics included in the performance framework." Furthermore, the sponsor's renewal determination must be based on "the criteria of the sponsor for the renewal of charter contracts; and evidence of the performance of the charter school during the term of the charter contract in accordance with the performance framework for the charter school." *Id.*

With regard to revocations and closures, the Nevada Charter School Law identifies persistent underperformance, as measured by the performance indicators, measures and metrics set forth in the performance framework for the charter school, as one of a number of conditions under which a sponsor is permitted to revoke a charter, terminate a charter contract, or reconstitute the governing board of a charter school. This reconstitution power was added under SB 509. However, until January 1, 2020, the statute's language specifically limits the revocation criteria for persistent underperformance to schools that have a charter contract. NRS 388A.330. Approximately 43 percent of charter schools in the SPCSA's portfolio are currently not under a

charter contact as they were approved prior to passage of this law and have not yet been up for renewal.

In addition, the annual report that a sponsor is required to submit to the Nevada Department of Education (NDE) must include a summary “evaluating the academic, financial and organizational performance” of each charter school within the sponsor’s portfolio “as measured by the performance indicators, measures and metrics set forth in the performance framework for the charter school.” Similar to the revocation language, this requirement is limited to those schools with charter contracts until January 1, 2020. NRS 388A.351

Analysis. As further discussed in the Current State Analysis and as described in the formative SPCSA Authorizer Evaluation Report, the SPCSA is currently not fulfilling many of the responsibilities of a high-quality authorizer in the area of performance-based accountability. While the SPCSA has an established performance framework for charter school academic, financial and organizational performance, it does not currently have any personnel dedicated to implementing the performance frameworks. As a result, school performance is monitored periodically, at best, and at renewal, the SPCSA is scrambling to collect school performance data that should have been collected, monitored and communicated to schools throughout the terms of their charters. While the SPCSA and its board cite a number of valid reasons for their failure to close a number of extremely low-performing charter schools, a primary reason is that the SPCSA does not have a strong record of evidence to base its decisions and withstand a legal appeal. It’s not to say that the SPCSA does not have evidence, but rather that the SPCSA has not been consistently monitoring school performance in accordance with its performance frameworks, communicating to schools about their performance, and intervening as necessary when performance is below established thresholds. With no personnel dedicated to authorizing work, aside from the executive director, this record of evidence is sparse and prevents the SPCSA from closing schools for fear of legal challenges.

- D. Express Regulatory SPCSA and Draft Regulations.** SB 509 granted the SPCSA the express authority to develop and adopt regulations in certain key areas. SB 509 amended the former NRS 386.540 to direct the SPCSA to adopt regulations that prescribe the process for submitting the following and the contents of said submissions:
- (1) An application to open a charter school;
 - (2) An application to renew a school’s charter; and
 - (3) A request to amend a written charter contract. In addition, SB 509 requires the SPCSA to prescribe regulations for the “investigation” of each of these items and the criteria the SPCSA will use to evaluate these applications.

While SB 509 provided the SPCSA with this regulatory power, the SPCSA already had the authority and was required by law to “develop policies and practices that are consistent with state laws and regulations governing charter schools” in the following areas:

- (1) The organizational capacity and infrastructure of the sponsor for sponsorship of charter schools;
- (2) The procedure and criteria for evaluating charter school applications and renewal applications;
- (3) A description of how the sponsor will maintain oversight of the schools it sponsors; and
- (4) A description of the process of evaluation for the charter schools it sponsors. NRS 388A.223

SB 509 further refined this list and added extensive details about what the policies and practices in two of these areas needed to include. For the “description of how the sponsor will maintain oversight,” SB 509 added that such description must include, without limitation: “an assessment of the needs of the charter schools that are sponsored by the sponsor that is prepared with the input of the governing bodies of such charter schools” and “a strategic plan for the oversight and provision of technical support to charter schools that are sponsored by the sponsor in the areas of academic, fiscal and organizational performance.” In addition, NRS 388A.223 also requires sponsors “to review and evaluate nationally recognized policies and practices for sponsoring organizations of charter schools.”

Earlier this year, the SPCSA posted draft regulations to its website, many of which are intended to address SB 509 requirements. These draft regulations cover a wide range of issues including, but not limited to: performance framework terms; accountability requirements for multi-campus schools; the possible conversion from multi to single campus schools and vice versa; policies, procedures and criteria for reconstitution, restart, revocation and termination decisions; procedures and criteria for soliciting and evaluating charter school applications; differentiated and expedited charter school application tracks; and procedures and criteria for evaluating charter school renewal applications, including differentiated and expedited tracks.

Analysis. The draft regulations posted on the SPCSA’s website provide a level of detail more often seen and more appropriate for agency guidance or process-related forms and instructions. Once adopted, such detailed regulations will provide schools with numerous avenues for challenging the SPCSA’s high-stakes decisions for minor process-based deviations from established regulations. SPCSA should reconsider promulgating such specific regulations because many of the regulations and the details included in the draft regulations are not required under statute and may interfere with SPCSA’s authorizer decision-making.

The SPCSA has submitted the draft regulations to the legislative counsel’s office for review and comment. In their current form, the draft regulations are confusing and hard to follow. In order to help the SPCSA organize the draft regulations and determine which ones are necessary pursuant to the Nevada Charter School Law and SB 509, NACSA will provide the executive director with a chart outlining the proposed regulations, including threshold questions to determine whether the proposed regulation is needed and the extent to which existing statutory definitions may apply.

- E. **SPCSA’s LEA for “Certain Purposes” Designation.** Pursuant to NRS 388A.159, the SPCSA is deemed an LEA for the specific purposes of: (1) directing the proportionate share of any money available from federal and state categorical grant programs to charter schools which are sponsored by the SPCSA that are eligible to receive such money and (2) paying the special education program units directly to those charter schools that are eligible to receive special education program units. Charter schools that receive money pursuant to the first stated purpose above must comply with any applicable reporting requirements to receive the applicable grant funds. NRS 388A.159 While the Nevada Charter School Law is clear that the SPCSA shall serve as the LEA for its schools, it is also clear that this designation is solely for the two purposes noted here.

Analysis and Recommendation. The SPCSA’s staff currently spends the vast majority of its time on LEA-related duties to the detriment of their authorizing duties. The executive director reports that the SPCSA is treated as the LEA for all purposes by NDE rather than for the specific

purposes noted above. Some of these additional LEA-related duties include monitoring assessments, managing a student information system, and administering state grant applications. These activities go beyond the specific purposes outlined above and as such, should not be the responsibility of the SPCSA.

Section 2. SPCSA's General Responsibilities as LEA under Federal Law

As discussed in Section 1(E), the Nevada Charter School Law designates the SPCSA as the LEA for “certain” purposes related to directing funds to charter schools it sponsors for state and federal categorical grant programs and special education program units. The SPCSA’s dual role as both the authorizer and the LEA for the schools it authorizes is not unusual. Ninety-two percent of authorizers have this dual role, but the vast majority of these authorizers are districts and state education agencies, which generally have the internal capacity and systems in place to manage this dual role without much additional burden. In fact, the SPCSA is one of a very small number of independent charter boards (ICBs) across the United States that also serve as the LEA for their schools. NACSA’s research identified only two ICBs across the country that have a large charter school portfolio that also serve as the LEA for their schools—the Colorado Charter Schools Institute and the South Carolina Public Charter School District. For the vast majority of ICBs, charter schools serve as their own LEAs. Since the SPCSA is the LEA for “certain purposes,” it must use existing staff to fulfill obligations as both the authorizer and the LEA.

As the LEA for the “certain purposes” of state and federal categorical grant programs and special education program units, the SPCSA must ensure that charter schools in its portfolio are: (1) receiving the right amount and types of federal funds; (2) that such schools are using allocated funds for the right purposes; and (3) that the charter schools are meeting all legal requirements for the use of such funds. In addition, as the LEA for the above-mentioned purposes, the SPCSA must also ensure that all required reporting is submitted to the proper agencies. The key federal programs for which the SPCSA serves as the LEA are:

- Title I provides financial assistance to LEAs and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards.
- Title II provides funding to increase the quality of teachers, principals, and school leaders.
- Title III, VI, VII, and parts of IX address specific programs for special populations of students, including English learners and immigrant students, Native American and native Hawaiian, homeless youth, and certain geographic communities.

The SPCSA is also responsible for paying the special education program units directly to those charter schools that are eligible to receive special education program units. As public schools, charter schools are required to abide by federal law and regulations such as the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act. Since the SPCSA is responsible for paying special education program units directly to charter schools, it must ensure that those schools are receiving the appropriate amount of funding, using such funds appropriately, and otherwise complying with state and federal law regarding the provision of services to students with disabilities.

Analysis Recommendation. As described in the Current State Analysis below, SPCSA staff currently spend approximately 90 percent of their collective time on school compliance with state and federal programs, school supports and technical assistance. As the SPCSA builds out its authorizing staff, it

is important that the SPCSA clearly distinguishes the “authorizing” duties from the “compliance” duties with regard to federal and special education programs. While the authorizing and compliance duties may be performed by different individuals, it is important that these individuals or offices work together to minimize duplication of efforts in terms of monitoring, compliance and accountability.

Section 3. Applicability and Impact of Nevada Administrative Procedure Act

- A. Purpose and General Applicability.** The purpose of the Nevada Administrative Procedure Act (APA) is to “establish minimum procedural requirements for the regulation-making and adjudication procedure of all agencies of the Executive Department of the State Government and for judicial review of both functions,” except to the extent an agency is specifically exempted from the act. Since the SPCSA is a “board” of the executive department of the state government and is now, pursuant to SB 509, expressly authorized to “make regulations,” it is covered by this act. NRS 233B.031.
- B. Required Regulations.** The adoption of SB 509, as discussed above in Section 1(D), gave the SPCSA express authority to adopt regulation in certain areas. Charter school or management company attorneys have also cited the definition of regulation in the APA to support their assertion that the SPCSA’s established performance framework is not valid and enforceable because it was not adopted in regulations. The APA defines regulation, in part, as “an agency rule, standard, directive or statement of general applicability which effectuates or interprets law or policy, or described the organization, procedure or practice requirements of any agency.” NRS 233B.038. However, defining what does and does not constitute a “regulation” in the APA is not the same as a requirement that the SPCSA must adopt regulations in certain areas. Furthermore, when the SPCSA adopted its performance frameworks, it did not yet have regulatory authority and therefore was not subject to the APA at the time such frameworks were initially adopted. However, the APA does requires agencies to adopt such regulations as are necessary to the proper execution of the functions assigned to it by law and to adopt “rules of practice, setting forth the nature and requirements of all formal and informal procedures available, including a description of all forms and instructions used by the agency.” NRS 233B.040 and 233B.050.
- C. Contested Cases.** The Nevada Charter School Law defines the decision-making process for renewals and revocations, and under SB 509, the SPCSA must adopt additional regulations to further define these processes. Nevertheless, it is not clear whether SPCSA renewal and revocations decisions also fall within the legal definition of a “contested case” under the state’s APA. A contested case means “a proceeding, including but not restricted to rate making and licensing, in which the legal rights, duties or privileges of a party are required by law to be determined by an agency after an opportunity for hearing, or in which an administrative penalty may be waived.” NRS 233B.032. If renewal and revocation decisions are found to be “contested cases,” such proceedings will require a quasi-judicial process that adheres to NRS 233B.121 through 233B.150. Such requirements would include the right of each party to respond to and present evidence, call and examine witnesses, introduce exhibits, and cross-examine and impeach opposing witnesses. General rules of evidence would also apply. NRS 233B.121-123.

Analysis and Recommendation. It is NACSA’s view that the statutory requirements for renewals and revocations as set out in the charter school law are appropriate and sufficient for meeting the highest standards of professional practice provided that the SPCSA adopts rules consistent with those requirements. Conversely, if the SPCSA is subject to the APA, performance

management and school accountability are likely to become more litigious and time consuming in ways that do not serve the best interests of the children that charter schools are intended to help. It is noteworthy that if the APA is deemed applicable, the SPCSA would be the only charter school authorizer in the state and, to our knowledge one of very few in the entire country, whose accountability procedures are subject to a general administrative procedures act.

Given the potential challenges the APA presents, especially with regard to high-stakes decisions, the SPCSA should seek a full or partial exemption from this act. A number of similar governmental entities, either in terms of type or substantive focus area, are exempted or partially exempted from this act, including: the Nevada System of Higher Education (full exemption); the State Gaming Control Board (full exemption); the Nevada Gaming Commission (partial exemption); the Department of Education (partial exemption); the State Board of Education (exemption for certain regulations); and the Public Utilities Commission of Nevada (exemption regarding judicial review of decisions). NRS 233B.039.

In seeking an exemption, the SPCSA should further explore the full exemption given to the State Gaming Control Board and the partial exemption provided to the Public Utilities Commission of Nevada. While both of these organizations are substantively quite different from the SPCSA, each of these entities is a regulatory body charged with providing oversight in the public interest. Each entity has the power to grant and revoke rights as part of its oversight duties. If these entities were subject to the APA (or the full act in the case of the Public Utilities Commission), this power to effectively regulate an industry and fulfill their statutory obligations would be drastically curtailed by the APA's extensive judicial requirements for proceedings and the multiple avenues for appeal.

Section 4. SPCSA's Budget Challenges Stymies SPCSA's Work

The SPCSA's challenges in accessing and making use of appropriated funds and making adjustments to its existing budget came up repeatedly in NACSA's interviews with SPCSA staff and board members. The SPCSA's lack of control over its budget and appropriated funds is severely impacting the SPCSA's ability to do its job. As a result, this Policy Analysis outlines the current statutory context under which the SPCSA must operate to access funds to fulfill its statutory duties.

- A. Sponsorship Fees and Reserves.** The SPCSA is permitted to collect a sponsorship fee of up to two percent pursuant to NRS 388A.414, but the legislature only approved a 1.5 percent sponsorship fee for the SPCSA's last two-year budget. The NDE withholds these funds from the schools and these funds are supposed to cover the "administrative costs associated with sponsorship." Despite these funds being designated to cover administrative costs associated with sponsorship, the SPCSA does not have direct access to them. Instead, since these funds are subject to the provisions of the State Budget Act (as further discussed below), SPCSA staff must submit requests to access and use appropriated funds that exceed the agency's approved budget and are placed in reserve.

Analysis and Recommendation. According to the National Alliance for Public Charter Schools, "three percent of public charter school per-pupil funding is generally regarded as adequate funding for authorizers in most states, particularly where start-up funding is allocated for the establishment of new authorizers like a statewide commission," acknowledging that once an authorizer has charter schools for a few years and oversees a critical mass of charters, it might

be able to consider reducing the fee.² Not only does the SPCSA receive only one-half of the three percent identified as “generally adequate” by the National Alliance for Public Charter Schools, SPCSA’s current approved budget only has the SPCSA using one percent of the 1.5 percent fee charged to charter schools. The remaining half a percent is placed in a reserve account, which the SPCSA cannot access. For comparison, Colorado Charter School Institute’s funding is based on a three percent fee, and the South Carolina Public Charter School Board’s funding is based on a two percent fee. Ideally, the legislature would raise the fee toward a target of three percent. At a minimum, the SPCSA should have access to the full 1.5 percent that has already been appropriated.

- B. SPCSA’s Budget and Budget Amendments.** Pursuant to the State Budget Act, NRS 353.150 to 353.246 inclusive, the budget division of the office of finance is responsible for administering the budgets of all the agencies, boards, commissions, departments, divisions and any other units of the Executive Department of the State Government. The SPCSA is a state agency within the Executive Department of the State Government. As of July 1, 2015, the office of finance was moved to the office of the governor pursuant to Assembly Bill No. 469. Since the state operates on a biennium, the state’s budget is adopted in two fiscal year periods. As a state agency, the SPCSA must develop and submit a two-year budget to the budget division for review and consideration. The chief of the budget division is then responsible for preparing the proposed budget for the entire Executive Department of the State Government, which includes the SPCSA. The budget must be approved by the governor and the legislature. NRS 353.185.

Analysis and Recommendation. Since the adopted budget is for a two-year period, it is not surprising that state agencies, including the SPCSA, may need to make adjustments to the approved budget during this two-year period. When a state agency needs or wishes to make an amendment to its approved budget, it must follow a detailed process set forth in NRS 353.220. Under this process, the SPCSA must submit the request, in the required form and with the required supporting documentation, to the governor through the chief of the budget division. Changes that would amount to more than \$30K and serve to increase or decrease allotment within a work program by 10 percent or \$75K require approval by the interim finance committee, unless such changes are due to an emergency or require expeditious action, as determined by the governor. The interim finance committee has 45 days to consider the amendment request and in making its decision, is to consider “the need for the proposed revision” and “the intent of the legislature in approving the budget for the present biennium and originally enacting the statute which the work program is designed to effectuate.” NRS 353.220.

Given the recent statutory changes which govern the SPCSA and the growth in the number of charter schools authorized by the SPCSA, it is not surprising that the SPCSA continually needs to submit work program amendments. However, the lengthy process for obtaining approval, if it is even granted, has severely limited the SPCSA’s ability to do its job and fulfill its statutory responsibilities. SPCSA staff report extreme delays (up to six months) in approval of expenditure requests and that some work programs requests are denied even though funds are available. In addition SPCSA staff state that seemingly simple requests require extensive and excessive documentation. SPCSA staff and board members note that approval of such expenditure

² A New Model Law For Supporting The Growth of High-Quality Public Charter Schools, pg. 12, http://www.publiccharters.org/wp-content/uploads/2014/01/ModelLaw_P7-wCVR_20110402T222341.pdf

requests often seem at the discretion of individuals within the office of finance, which is now in the governor's office.

Both Colorado Charter Schools Institute and the South Carolina Public Charter School Board report having access to and control over the funds generated by the authorizer fee. The board of the Colorado Charter School Institute approves the budget developed by the staff and any subsequent budget amendments. If the Institute wishes to change its organizational structure or hire for new positions, it only requires the approval of their board. The South Carolina Public Charter School District's budget does require yearly state approval, but after the budget is approved, the District has substantial autonomy in implementing the budget and accessing and spending funds generated by the authorizer fee.

The SPCSA's current funding structure does not allow the SPCSA to budget for organizational effectiveness and stability. It is interfering with SPCSA's ability to fulfill its statutory obligations and be an effective authorizer and should be modified to allow the SPCSA greater authority to adjust its budget and access funds.

CURRENT STATE ANALYSIS

During May 2016, NACSA interviewed all active SPCSA staff and board members to determine how staff time and resources are currently allocated and the extent to which that allocation aligns with and satisfies SPCSA's responsibilities, mandates, and goals as a charter school authorizer and LEA. In addition, NACSA reviewed the previous Authorizer Evaluation Report, existing position descriptions, and a SPCSA-created time-study in order to identify the changes necessary to satisfy any unmet responsibilities. To further inform this analysis, NACSA compared SPCSA's current organizational structure to other statewide independent chartering boards (ICBs) across the country, both in terms of staffing and allocation of staff between authorizing and other school support related duties. As described in the Policy Analysis, only two other ICBs with a large charter school portfolio across the country also serve as the LEA for its schools. Those two authorizers are the Colorado Charter School Institute and the South Carolina Public Charter School District. NACSA conducted interviews with representatives from both of these ICBs to discuss their organizational structure, role as an LEA, and budget autonomy.

Based on this information and research, the Current State Analysis will begin with a summary of the key findings and recommendations in the following areas:

- Charter school authorizing;
- School support and monitoring;
- SPCSA's budget;
- Geographical allocation of staff; and
- Staff capacity and development.

Next, the current state analysis will outline the SPCSA's current organizational structure and will conclude with a proposed new organizational structure, the rationale for this new structure, and detailed descriptions for each position in this new structure.

Key Findings and Recommendations

Authorizing

Findings. Although the SPCSA has established processes for application review, contracting, monitoring and renewal, authorizing processes are not being consistently implemented because the SPCSA does not have staff needed to do the work. Existing SPCSA staff members spend approximately 90 percent of their time on school compliance, support and technical assistance and managing relationships with other state entities and only 10 percent on charter school authorizing. As referenced in the Policy Analysis, there are no SPCSA staff who are fully dedicated to authorizing activities. This lack of authorizing staff and the failure of staff to implement authorizing activities was a central focus of the NACSA Authorizer Evaluation Report. Specifically, the NACSA Authorizer Evaluation Report noted that critical authorizing activities including site visits and reports on school performance were not being implemented. As a result, the SPCSA has lacked the evidence necessary to close low-performing schools.

Recommendation. Increase the size and capacity of the staff so that the SPCSA can authorize schools consistent with Nevada law and SPCSA's performance framework and application and renewal processes. Restructure and grow the staff to build an authorizing unit with capacity

necessary to implement effective application review, contracting, monitoring and renewal processes.

School Support and Monitoring

Findings. Under Nevada state law, the SPCSA is the local education agency (LEA) for all its schools. NDE expects the SPCSA to provide its schools with the same level of support, technical assistance and compliance monitoring provided by districts, despite the law carving out a more narrow set of LEA-related responsibilities for the SPCSA (see Policy Analysis, Section 1(E) and 2). As a result, SPCSA staff members spend substantial time and effort coordinating and monitoring state and federal grant applications, awards, implementation, and related reporting. They also oversee state testing, special education, and English language learner services in schools.

SPCSA staff report that most schools lack the capacity to meet state and federal requirements without substantial oversight and assistance from the SPCSA. Staff also report that their school compliance monitoring is intended to eliminate all risk to the SPCSA that might result from schools failing to fully comply with state and federal requirements. The SPCSA's compliance regimen discounts the burden on schools and the impact on school autonomy. As further discussed below, the state budget office and the legislative counsel bureau reinforce this mindset by requiring the SPCSA to produce extensive reports on the allocation and use of school grant funds prior to the approval of additional fund transfers.

Recommendation. The SPCSA should work with NDE and the state budget office to review the level and nature of school support and oversight and compliance monitoring to ensure that it maintains an appropriate balance between charter school autonomy and accountability. School support and monitoring should focus on ensuring that special education students receive the services they need and on making sure that state and SPCSA assessments are administered correctly.

SPCSA's Budget

Findings. Although the SPCSA is a state agency and has funds available in reserve to support additional staff positions, the state's process for releasing budgeted funds requires the prior approval of the state budget office for any new staff positions. This process has prevented the SPCSA from adding critical staff in a timely manner. The SPCSA is also unable to access reserve funds to support its authorizing work (e.g., travel to Las Vegas), and faces restrictive budgeting and state contracting requirements that make it difficult to augment staff with consultants for critical authorizing activities like application proposal reviews.

Finally, under state law, the SPCSA is permitted to collect a sponsorship fee of up to two percent, but the legislature must approve the SPCSA's budget and has only approved a 1.5 percent fee for the SPCSA. NDE withholds these funds from schools and these funds are supposed to cover the administrative costs associated with sponsorship.

Recommendation. The legislature should permit the SPCSA to collect a sponsorship fee of up to two percent, as permitted by law, and once the legislature approves the budget, the SPCSA should not have to seek approval from the budget office to make line item changes regarding how appropriated funds are allocated. Having to continually seek permission from the budget

office to make minor changes to the budget and to access appropriated funds is hindering the SPCSA’s ability to do its job and meet its statutory obligations, such as hiring qualified and needed personnel to carry out its authorizing duties.

Geographical Allocation of Staff

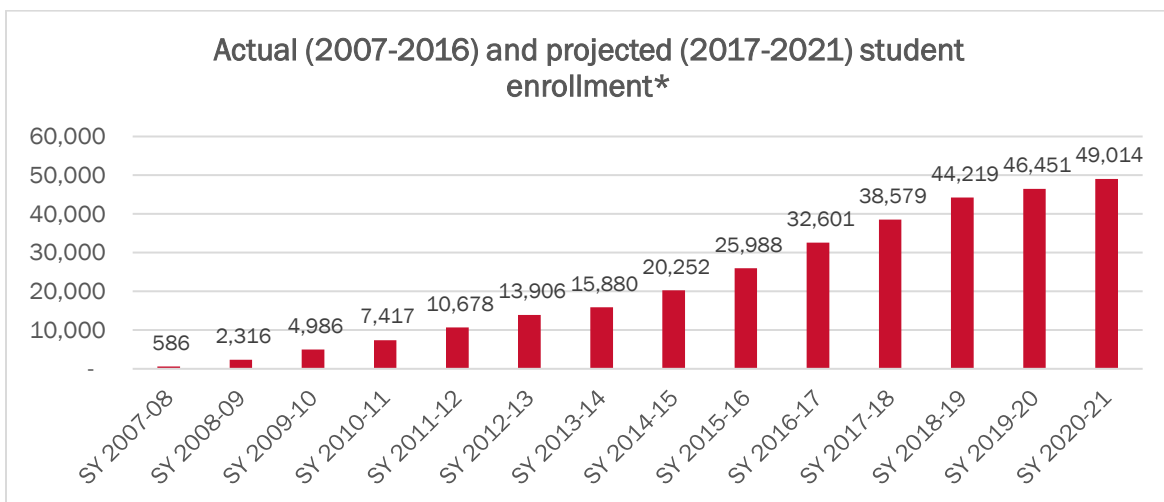
Findings. The main SPCSA office and three-quarters of the staff are located in Carson City, while the great majority of the campuses and one-quarter of the staff are located in the Las Vegas area. As a result, schools in the Las Vegas area have less access to SPCSA support and monitoring. Communication between the Carson City and Las Vegas offices is hampered by a freeze on travel funds by the state budget office.

Recommendation. As new staff are added, increase the size of the Las Vegas office to better serve schools in southern Nevada. Increase communication between the offices by allocating adequate resources for travel between offices and utilize video conferencing for staff meetings.

Staff Capacity and Development

Findings. During the past three years, the SPCSA has built a robust charter school application and performance framework, but it does not have sufficient staff capacity or expertise to thoroughly review and assess applications or regularly assess school performance using the new framework. As a result, on two occasions the board has been unwilling to close persistently low-performing schools.

Over the past four years, SPCSA’s portfolio of schools has grown substantially and the growth is expected to continue. The number of schools has grown from 14 in 2012 to 23 in 2016; the number of campuses has increased from 17 to 43 and the number of students has grown from 11,000 to nearly 26,000. The SPCSA now has more students than all but the Washoe and Clark County school districts in Nevada. SPCSA projects that student enrollment will grow to nearly 50,000 by 2021.³



³ Enrollment projections for 2017 through 2021 were prepared by SPCSA and are based on continuing the same rate of growth as occurred from 2011 to 2016.

Except for the executive director, SPCSA staff have little experience with charter schools and charter school authorizing. Several SPCSA staff are career state employees who have moved to SPCSA from other state agencies unrelated to charter schools or education. These staff need training to help them better understand charter schools and charter school authorizing, but the SPCSA has no staff training program. Even those staff members with education and charter school experience need opportunities to continue to learn. Furthermore, aside from the executive director and the deputy director, all SPCSA positions are classified, which limits the executive director's ability to seek and hire qualified candidates with the unique skill sets and knowledge necessary for authorizing.

Recommendations. Increase the size and capacity of SPCSA staff to meet the needs of a growing portfolio of schools. Based on projected charter school growth over the next three years, increase the staff from 13 to 21 full-time staff.

Provide all staff with initial orientation and ongoing training and professional development on charter schools and charter school authorizing. Encourage and support staff efforts to participate in national charter school and charter school authorizing organizations and events, including budgeting sufficient travel funds for attendance.

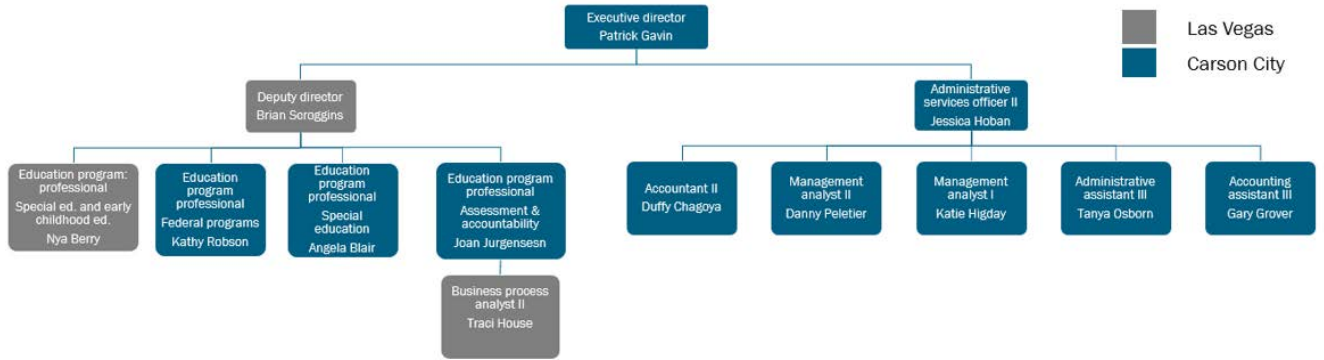
Organizational Structure and Staffing

Current Organizational Structure

In June 2016, the SPCSA had a staff of 13 in the following positions:

- Executive director
- Deputy director
- Administrative services officer II
- Four education program professionals
- Accountant II
- Management analyst II
- Management analyst I
- Administrative assistant III
- Accounting assistant III
- Business process analyst II

The official position descriptions are based on state classifications and do not reflect individual responsibilities or functions. The SPCSA's current organizational chart reflect the lack of authorizing staffing as noted above. Staffing is heavily focused on LEA-related duties, compliance, and school support.



Proposed Organizational Structure

To fulfill its statutory duties, NACSA recommends an organizational structure and size that can deliver state-wide charter school leadership, high-quality authorizing, support for schools in critical areas, and financial and administrative planning and oversight. NACSA recommends increasing the staff from 13 to 21—an increase of eight staff positions. NACSA believes this increased size is justified by the number of schools, campuses and students, and the current need to provide LEA functions related to special education, federal programs, assessments and grants management.

While authorizing environments vary from state to state, state-wide authorizers in the District of Columbia, Hawaii, Colorado and South Carolina are examples of states with comparable numbers of schools and students, and staffing levels that are comparable to what is recommended here. The Colorado Charter School Institute and South Carolina Public Charter School District are the only other state-wide authorizers that serve as the LEA for their schools. As illustrated below, each of these authorizers have a substantially larger staff and a much greater portion of their staff resources devoted to authorizing than does the SPCSA.

State-Wide Authorizers	# of Schools/Campuses	# of Students	Total Staff	Authorizing staff	Non-Authorizing staff
Colorado Charter School Institute	35	14,000	18	~9	~9
Hawaii State Public Charter School Commission*	34	~10,000	18	NA	NA
South Carolina Public Charter School District	32	18,500	20	~12	~8
District of Columbia Public Charter School Board*	126	39,000	34	NA	NA
SPCSA (2015-16)	22/37	25,988	13	~2	~11

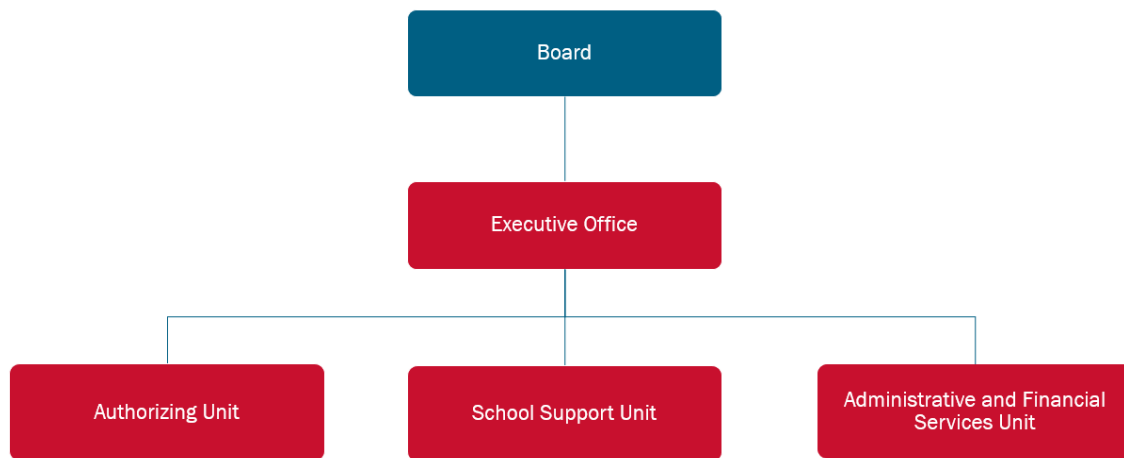
*NA because these authorizers do not also serve as LEAs for schools in their portfolio.

The following staffing plan is based on four assumptions:

- The SPCSA needs to substantially increase the resources available for authorizing activities.
- The portfolio of schools and enrollment will continue to grow.
- The SPCSA needs to continue to provide LEA services to schools but needs to clarify the nature and level of those services.
- The increases in staff will be phased in over the next three years based on the schedule outlined in the Transition Plan, included below.

Based on these assumptions and the findings and recommendations outlined above, the following staffing plan addresses all of the SPCSA's core functions by organizing the SPCSA into four units:

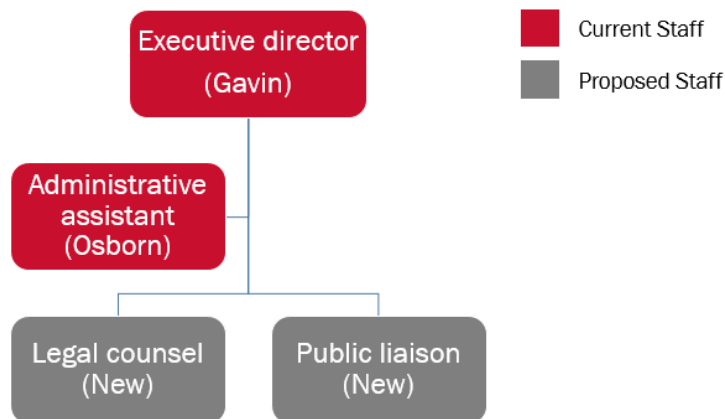
1. Executive office
2. Authorizing unit
3. School support unit
4. Administrative and financial services unit



An explanation of each unit and organizational charts for each unit are included below.

Executive Office

The executive office is responsible for providing leadership for the SPCSA and the Nevada charter school sector, managing SPCSA staff and resources, ensuring that the SPCSA acts consistent with the law and applicable regulations, and communicating with stakeholders. The executive office has two new positions, legal counsel and public liaison.



Executive Office Position Descriptions

Executive director (Executive director – Gavin). Provides leadership and overall direction consistent with the SPCSA strategic plan. Provides statewide leadership on charter school issues. Hires and manages staff, works with the board to meet SPCSA goals, represents the SPCSA with the legislature and other state entities and serves as the spokesperson for the SPCSA. Responsible for development and implementation of SPCSA policies and procedures. The executive director reports to the SPCSA board.

Administrative assistant (Administrative assistant II – Osborn). Provides administrative support including managing schedules and calendars for senior staff, coordinating travel and processing travel reimbursements. Serves as the SPCSA board secretary with responsibility for scheduling meetings, preparing and posting meeting minutes, and providing assistance to individual board members.

Legal counsel (new position). Serves as counsel for both the LEA and authorizing functions of the SPCSA. With regard to the authorizing function, the attorney will be responsible for the review and approval of all charter school contracts and amendments, the development of any legal documents the SPCSA will use to support its key authorizing duties, including ensuring that such documents comply with all applicable laws and regulations, and managing any new or pending litigation involving the SPCSA. Also responsible for the development and implementation of any required administrative procedures and regulations. Serves as liaison with the office of the attorney general.

Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

Public liaison (new position). Public liaison works with the executive director and the board to communicate the SPCSA’s priorities and accomplishments to all stakeholders and the public. The liaison also provides communication consulting to SPCSA board and staff and serves as liaison to media, schools and stakeholder groups.

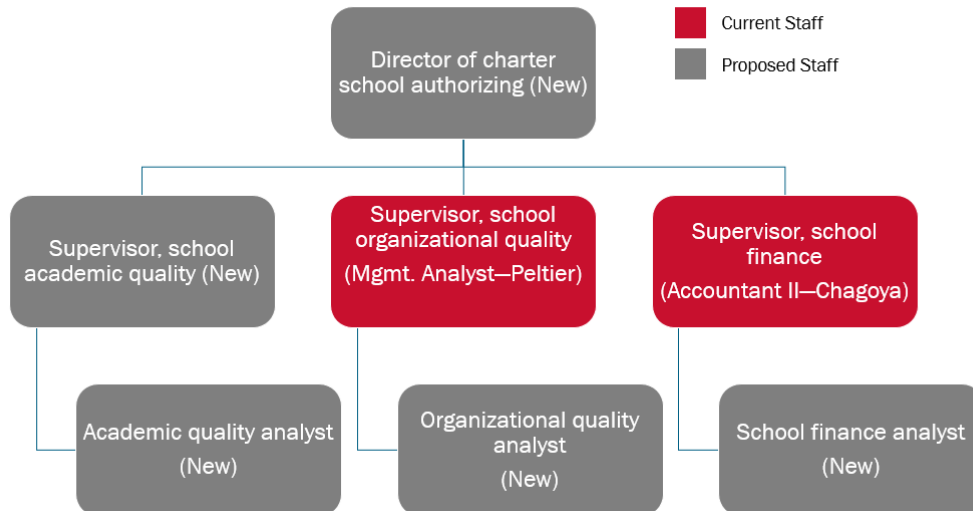
Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

Authorizing Unit

The authorizing unit is responsible for ensuring that SPCSA authorizes schools consistent with state law and its own policies. The NACSA Authorizer Evaluation Report found that the “Authority has the authorizing policy and performance frameworks and model school contracts necessary to be an effective authorizer in place, but it lacks staff capacity to implement the policy.” The report also found that SPCSA’s application, monitoring, and renewal processes are all falling short of what is required because of a lack of authorizing staff. NACSA’s interviews with SPCSA staff and board members this past May reinforced these findings. Specifically, staff noted they were unable to fully staff the application review process, which delayed application decisions and also reported problems implementing the school monitoring and renewal processes.

Staffing levels for leading statewide authorizers range from one FTE staff member per eight schools to one FTE staff member per three schools to carry out its authorizing functions depending among other things, on the amount of back office or other support they receive from related agencies. Based on feedback from leading statewide authorizers regarding staffing, NACSA recommends a ratio of one FTE staff member per five schools for the authorizing unit. The proposed authorizing unit takes into account both the total number of schools and campuses and expected future growth.

The proposed authorizing unit will eventually include seven staff led by a director with two staff in each of three areas: academic quality, organizational quality, and school finance. Two of the positions noted below already exist and five are new.



Authorizing Unit Position Descriptions

Director of charter school authorizing (new position). Oversees management of charter school authorizing programs and staff. Coordinates authorizing functions to assure efficiency and maximum leverage of staff skills and knowledge. Leads efforts to improve school quality and performance. Develops systems for collecting, monitoring, evaluating and presenting evidence of school performance in accordance with the established performance framework. Leads

development of recommendations for board actions on approval, renewal, intervention, non-renewal and revocation and directly manages the SPCSA's work on charter school openings, interventions and closures with support from SPCSA staff. Leads professional development on charter school authorizing for SPCSA staff.

Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

Supervisor, school academic quality (new position). Oversees gathering, monitoring, and evaluation of evidence on academic performance of charter schools based on the SPCSA's performance framework. Manages relationship with NDE on state assessments and report cards. Organizes site visits and other means of gathering qualitative input on school performance. Prepares annual summary of school academic performance for the SPCSA's annual report. The supervisor along with the academic quality analyst is responsible for coordinating the application review and renewal processes, tracking and processing new applications, establishing review committees, and ensuring that review timelines are met. The supervisor and the analyst are also responsible for providing guidance to charter schools on academic performance requirements, and producing and helping schools to understand annual reports on school academic performance,

Statutory authority: NRS388A.199; SB 509, Sec. 15-16.

Academic quality analyst (new position). Provides ongoing, detailed review of metrics on school academic performance in accordance with SPCSA's performance framework. Brings knowledge of latest research and benchmarking methods to academic evaluation tasks.

Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

Supervisor, school organizational quality (Management Analyst – Peltier). Oversees gathering, monitoring, and evaluation of evidence on organizational performance of charter schools based on the SPCSA performance framework. Maintains the Epicenter Reporting system for gathering compliance data. Assures that school boards are carrying out responsibilities. Prepares annual summaries of compliance information for the SPCSA's annual reports. Proactively documents potential compliance problems and secures resolution. Oversees SPCSA facility leases, inspection compliance and crisis response management. The supervisor along with the organizational analyst is also responsible for ensuring compliance and providing guidance to schools on procurement, governing board requirements, facility health and safety requirements, student transportation, record keeping, student privacy requirements, and risk management.

Organizational quality analyst (new position). Provides ongoing, detailed review of metrics on school organizational performance in accordance with the SPCSA's performance framework. Assesses compliance findings to identify and address common organizational challenges.

Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

Supervisor, school finance (Accountant II—Chagoya). Oversees gathering, monitoring, and evaluation of evidence on financial performance of charter schools based on the SPCSA performance framework. Differentiates oversight according to schools' track record of financial stewardship. Uses school audits and financial reporting to identify trends and potential issues, especially those involving potential misuse of public funds. Prepares annual summary of school financial performance for the SPCSA's annual report. The supervisor along with the financial analyst is also responsible for reviewing finance-related portions of new applications, working with charter schools to establish financial performance targets, monitoring compliance with

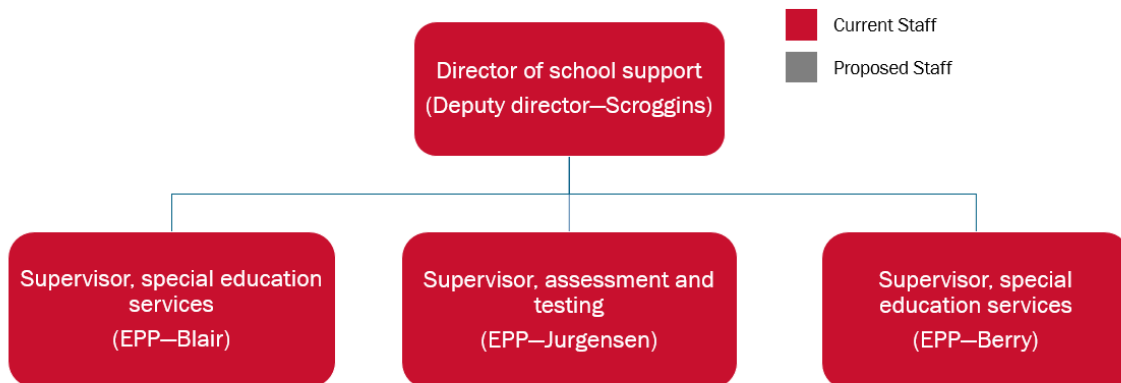
financial-related portions of charter contracts, ensuring accurate and timely reporting on financial performance, providing guidance to schools on financial performance requirements and ensuring timely annual audits.

School finance analyst (new position). Provides ongoing, detailed review of metrics on school performance in accordance with the SPCSA performance framework. Reviews school financial reports and identifies problems that need to be addressed.

Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

School Support Unit

The school support unit provides supports to schools and monitors compliance to fulfill the SPCSA’s LEA responsibilities regarding special education, federal programs, assessments, and grants management. Consistent with recommendations included in the NACSA Authorizer Evaluation Report, the unit should clarify and codify the specific LEA responsibilities of the SPCSA and communicate those responsibilities to schools. It should also work with other state agencies to reduce the reporting burden on schools and eliminate duplicative reports. The proposed unit will be made up of existing positions under the leadership of the deputy director.



School Support Unit Position Descriptions

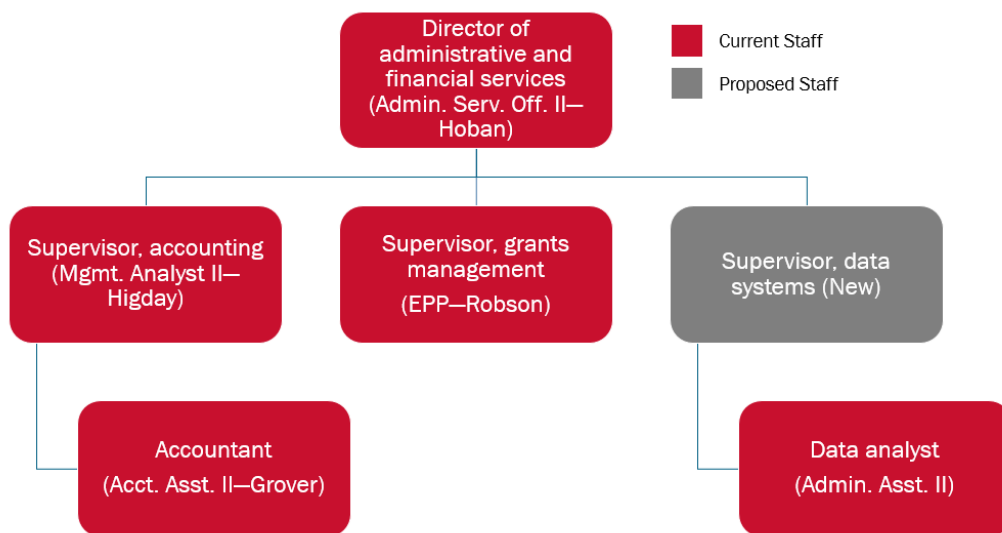
Director of school support (Deputy director – Scroggins). Oversees management of charter school support programs and staff. Assists school leaders in navigating the state system in a way that respects school autonomy while reducing the risk of non-compliance for the SPCSA. Ensures that students are receiving federal and state-funded services, particularly the special education and English language learning supports. Oversees all state and SPCSA assessments.

Supervisor, special education services (Education program professional – Blair and Berry). Coordinates SPCSA’s special education support to schools. Develops special education policies and procedures. Prepares and solicits special education budgets and funds. Facilitates the resolution of special education concerns and complaints. Supports school-based early childhood education programs where they exist.

Supervisor, assessment and testing (Education program professional – Jurgensen). Oversees state, federal, and SPCSA assessment systems and manages all assessment-related reporting databases. Responsible for all technical matters related to state and federal accountability.

Administrative and Financial Services Unit

The Administrative and Financial Services Unit is responsible for allocation, disbursement and monitoring of state and federal funds to schools. The unit also prepares and manages the SPCSA budget and manages the SPCSA’s Infinite Campus systems. The new unit should begin its work by clarifying the level of financial oversight required to ensure an appropriate balance between providing schools with autonomy and minimizing risk to the SPCSA. The unit is made up of five existing positions and one new position. The new position, supervisor of data systems, will coordinate implementation of Infinite Campus in all the schools.



Administrative and Financial Services Unit Position Descriptions

Director of administrative and financial services (Administrative services officer II – Hoban). Oversees the management of SPCSA’s administrative and financial programs and staff. Coordinates the allocation and disbursement of state and federal funds on behalf of the SPCSA including development of spending and disbursement plans and schedules. Prepares and monitors the SPCSA budget and prepares and submits all finance-related federal and state reports. Responsible for all agency contractual agreements, procurement requests, compliance with state accounting procedures and preparation of financial reports to the legislature. Facilitates and monitors school participation in state bonding and loan programs.

Supervisor, accounting (Management analyst II – Higday). Ensures fiscal compliance with all federal programs (special education, Title I, Title II, Title III, McKinney Vento, Early Childhood, IDEA Part B and Pre-K) as well as state categorical grants. Monitors compliance with insurance, health record and other requirements. Manages vendor contracts and approves all transactions for the agency in the statewide accounting system. Serves as liaison for state program and financial audits.

Supervisor, grants management (Education program professional – Robson). Monitors compliance and provides technical assistance for school participation in all federal programs (i.e., Title I, Title II, Title III, McKinney Vento) and state categorical and competitive programs administered by the SPCSA. Serves as program manager for state and federal English language learner programs for all of schools under the agency’s LEA designation.

Supervisor, data systems (new position). Manages the SPCSA’s data collection and reporting systems including the Infinite Campus system. Assists school leaders with data problems. Establishes and communicates expectations for data reporting and quality and designs and produces data reports.

Statutory authority: NRS 388A.199; SB 509, Sec. 15-16.

Accountant (Accounting assistant II – Grover). Audits and reconciles accounts using the Budget Expense Tracking System (BETS). Audits payables/receivables processes, general ledger account and fund source coding. Responsible for travel desk management for both SPCSA staff members and SPCSA board members.

Data analyst—(Administrative assistant II – House). Supports the SPCSA’s Infinite Campus student information system and provides help desk support for school staff. Provides training as necessary.

TRANSITION PLAN

NACSA understands that increasing staff from 13 to 21 will take significant time and planning. NACSA proposes adding staff in the following phases:

Phase 1—Building the SPCSA's leadership capacity

- Director of charter school authorizing
- Supervisor, school academic quality
- Legal counsel

Phase 2—Building authorizing capacity

- Public liaison
- Supervisor, data systems
- Academic quality analyst

Phase 3—Building authorizing depth

- Finance analyst
- Organizational quality analyst

Recruitment Plan

Two of the new positions merit a national search for strong candidates with authorizing experience:

- Director of charter school authorizing
- Supervisor, school academic quality

All SPCSA staff except the executive director and deputy director are classified civil service positions that fall under the state personnel system. Civil service position descriptions are generic and do not describe the specific skills and experience needed for the work. The classified staff pay scale may not be adequate to attract candidates with the skills and experience required for the positions. As noted above in the Current State Analysis, the positions should not be classified.

NACSA can help the SPCSA recruit candidates for these two positions through the alumni of its leaders and fellows programs. The SPCSA should also consider using a nationally recognized education search firm like Bellwether Education Partners, and should include funds for such costs in its budget request. Bellwether was used in the recent Nevada Achievement School District executive director search.

In order to recruit high quality candidates, the SPCSA should attempt to offer a competitive compensation package for these two positions. It may also help to be flexible on whether the positions are located in Las Vegas or Carson City.

For the other positions, authorizing experience is less important than experience working with schools, the right mindset and a capacity and willingness to learn. The SPCSA should post all positions on the NACSA and National Alliance for Charter Schools' job postings sites and other education reform job forums such as the PIE Network, On-ramps, and the Exchange Job Board.

For the long term, the SPCSA should partner with other Nevada education organizations to encourage Education Pioneers to place its fellows in Las Vegas. Education Pioneers is a national

nonprofit that recruits and develops talented students and professionals from diverse backgrounds to work for K-12 school districts, charter schools and other education organizations. As of now, Education Pioneers does not place fellows in Nevada. This would also require an additional appropriation to pay for an Education Pioneer fellow with SPCSA. In addition, the SPCSA should explore becoming a Broad residency partner, which would allow it to host a broad resident for a two-year period. Broad residents are highly capable individuals with advanced degrees, a minimum of four years' work experience, and a strong interest in urban public education. Broad residents go through a rigorous selection process and Broad subsidizes the salaries of the residents.

HUMAN CAPITAL ACTION PLAN

Staff Training and Professional Development

Both new and incumbent staff need substantial training about charter school authorizing. While there is no “turnkey” training program for authorizers, NACSA’s Knowledge Core is an online learning platform free to NACSA members that offers courses, tools and templates for authorizers at every level. From the basics of authorizing to advanced topics, the Knowledge Core provides a rich array of resources. They include learning modules with discussion and reinforcement of best practices and succinct topical interviews with leaders in the field.

In addition, as part of this project, NACSA representatives will travel to Nevada later this year to provide new and existing SPCSA staff with a full day of authorizer training, customized to SPCSA’s needs. NACSA will provide any materials used in this training to the SPCSA. The new director of charter school authorizing will be responsible for staff training and professional development and will need to develop and adopt a structured orientation program for new staff that provides information on charter schools, charter school authorizing and the Nevada authorizing context.

The SPCSA should also send two or three staff members to the NACSA and National Alliance for Public Charter Schools conferences. Both meetings provide unique opportunities to learn about charter school and authorizing issues from other practitioners. Specifically, the NACSA conference is a conference for authorizers by authorizers where SPCSA staff can join peers from across the country and participate in 2-3 days of targeted and customized professional development.

The SPCSA should also encourage its staff to apply to the NACSA leaders program, a program designed to provide a hands-on learning environment where participants can explore best practices with their peers for use in their own offices and learn skills for leading in a dynamic public education environment. NACSA invites current and emerging leaders in authorizing offices around the country to apply for opportunity. NACSA covers all costs associated with this program.

Lastly, the executive director would benefit from executive coaching from someone with experience overseeing a large portfolio of charter schools and managing relationships with state government. NACSA could provide suggestions for coaches with authorizing experience or organizations that specialize leadership development and training, such as New Ventures West.

RECOMMENDED PRIORITIES FOR AUTHORIZER PRACTICE TOOL DEVELOPMENT

NACSA 2015 Formative Authorizer Evaluation Report

The NACSA Authorizer Evaluation Report, conducted in fall, 2015, provided the SPCSA with formative, practical guidance on strengths and priorities for improvement in the SPCSA' authorizing practices. Consistent with NACSA's *Principles and Standards for Quality Charter School Authorizing*, the evaluation focused on the SPCSA's primary authorizing responsibilities – application decision-making, performance contracting and monitoring, accountability decisions, school autonomy, and organizational capacity. Based on the findings and recommendation of the evaluation report, NACSA will provide the following tools and guidance documents:

- Recommendation from evaluation report: Develop and distribute evaluation criteria to applicants that describes what a quality response and application looks like.
 - Action since evaluation. The SPCSA developed an application rubric, containing criteria, for new applicants, but is planning to further customize for different application tracks.
 - Resource: NACSA core replication application and corresponding evaluation criteria. This document can also be used to develop a form expansion amendment request and corresponding criteria.
- Recommendation from evaluation report: Conduct training or orientation with evaluators who participate in the interview process to prepare them for an interview focused on assessing capacity.
 - Resource: NACSA applicant capacity interview guide.
- Recommendation from evaluation report: Issue a guidance document, similar to the performance framework guidance document, which explains the new renewal process.
 - Resource: NACSA core renewal application and guidance.
- Recommendation from evaluation report: Develop an annual performance report template, which incorporates the SPCSA's performance frameworks, and provide annual reports to schools and the public by posting on the Authority's website.
 - Resource: Forthcoming NACSA annual performance report guide and sample annual reports and scorecards from other authorizers.

While the SPCSA does need to develop or further develop the tools referenced above, the SPCSA's primary focus should be on developing authorizing capacity and implementing its existing tools, especially SPCSA's performance framework.