

**NEVADA CONNECTIONS
ACADEMY EXHIBIT LIST**

**NEVADA CONNECTIONS ACADEMY'S
PROPOSED EXHIBITS**

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
A	10/16/2017 NCA Second Amended Proposed Cure	R1480- R1596	Chair Guinasso stated there would be opportunity for consideration of an amended cure – appropriate given Authority Board’s first feedback to NCA was 8/23 and highly relevant to resolution of this proceeding.	
B	Transcript of October 26, 2016 audio file from 2016 NACSA Leadership Conference	R1597- R1619	Demonstrates Staff’s political reasons for advocating for closure – without consideration of how the school is truly performing.	
C	CD containing October 26, 2016 audio file of NACSA Leadership Conference	R1620	Demonstrates Staff’s political reasons for advocating for closure – without considering of how the school is truly performing.	
D	Nevada Dept. of Education Consolidated State Plan Under the Every Student Succeeds Act (04/03/2017)	R1621- R1705	Demonstrates State policy relative to issues here – and students who are not in attendance for a full school year but are included in accountability calculations.	
E	Article entitled “ESSA brings new focus to homeless population” dated 08/21/2017 (from www.EducationDIVE.com)	R1706- R1710	Demonstrates State policy relative to issues here – and students who face significant challenges and schools that serve them should be given due consideration of those details.	
F	Article entitled “Key Takeaways: State Accountability Plans Under ESSA” dated 08/17/2017 (from www.ddweek.org)	R1711- R1717	Demonstrates State policy relative to issues here – and students who face significant challenges and schools that serve them should be given due consideration of those details.	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
G	Article entitled “WCSD students lag in math, English” dated 09/17/2017 (from the Reno Gazette-Journal)	R1718	Demonstrates NDE’s position that it is relevant to consider in looking at school performance – the impact of newly enrolled students – just as NCA has advocated here.	
H	Resume of Chris McBride, Ph.D.	R1719- R1721	New School Leader’s qualifications and experience to lead implementation of the school improvement plan and any other improvement/accountability measures the Authority might deem appropriate.	
I	Declaration of Jeanette Sparks, including index of documents Chair Guinasso reviewed, produced pursuant to Public Record Request Responses	R1722- R1731	Demonstrates that Chair Guinasso considered evidence outside of the record – lists what those documents were	
J	Notes produced by J. Guinasso pursuant to Discovery Order	R1732- R1764	Demonstrates basis and reasoning for Chair’s decision making and what he considers relevant and material to these proceedings.	
K	02/22/2016 Staff Briefing Memo re Nevada Virtual High Stakes Review (produced in response to 10/4/2016 PRR to SPCSA)	R1765- R1889	This demonstrates how NVVA, another virtual school, was handled relative to Staff’s threatened recommendation for closure – including Staff’s recommendation that if the schools’ governing body proposed dramatic governance, organizational, policy, and academic program changes, that the Board could determine merit ongoing operation, staff was “prepared to recommend the Board rescind the termination decision and amend the charter contract, continuing the High Stakes Review to the fall of the following school	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
			<p>year with identified targets for improvement. This is material to what is appropriate action for the Agency to take and the Agency’s statutory obligations and requirements under its own framework to provide a school reasonable feedback and opportunity to address issues of concern and what Staff believes is within the Board’s authority to do as an alternative to ordering closure or charter termination/revocation. It is material to evaluate other solutions Staff has provided to closure/reconstitution and what evidence/data were considered relative to those decisions. It is also relevant to a possible NRS 233B violation and to show ad hoc rulemaking and unequal treatment.</p>	
L	<p>09/28/2015 Staff Briefing Memo regarding Agenda Item 10 – Amendment Request from Silver State Charter School (produced in response to 10/4/2016 PRR to SPCSA)</p>	R1890- R1891	<p>This evidence is material to how Staff has handled and resolved these issues in the past – and whether NCA is being treated similarly or under the same rules/policies as other schools authorized by the Authority. It is further relevant to demonstrate Staff’s handling of a school in 2015 that had years of underperformance across many areas (according to Staff) and the continuing operation of this school under receivership – again relative to potential resolutions here.</p>	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
M	9/28/2017 Staff Briefing Memo regarding Staff Overview of Closure Process (produced in response to 10/4/2016 PRR to SPCSA)	R1892- R1906	This is material to what the appropriate outcome is here, what information should be considered relative to closure and student displacement, for example, and whether closure or reconstitution now is appropriate given the limited opportunities NCA has been provided to have substantive discussions or feedback from the agency – and whether NCA is being treated the same as other schools.	
N	2016-03-24 Email from Gavin to Board with attached 03-22-2016 Staff Briefing Memo regarding Notices of Closure Pursuant to NRS 386.535 (produced in response to 10/4/2016 PRR to SPCSA)	R1907- R1949	This is material to the March 2016 proceedings before this Agency where this closure issue first was considered; it also shows the star ratings of NCA which are very good – given that the Board sees fit to go back several years with grad rate and data/information Staff considered relevant to consideration of closure of three virtual schools – NVVA, Beacon and NCA – important to these proceedings and to ensure all schools authorized by SPCSA are being treated equally and under the same policies/rules. This material also shows that the two other schools had multiple performance issues that rendered them eligible for closure but Staff found alternative resolutions for those schools – and with NVVA did not require the same judicial of waiver review requested of NCA.	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
O	2016-03-23 Email from Peltier to Board re Follow Up Litigation Call with Ott (produced in response to 10/4/2016 PRR to SPCSA)	R1950- R1952	Attachment is material to show alternatives the Staff found acceptable for another charter school that avoided closure – including a milestone of 45% or greater graduation rate after three years of improvement efforts, along with other concerns this school faced. This demonstrates alternatives to closure/reconstitution and also what Staff has considered adequate for progress over a three-year period to avoid closure.	
P	2016/10/20 Email from Kern to Gavin transmitting Quest Audit dated 10/20/2016 (produced in response to 10/4/2016 PRR to SPCSA)	R1953- R1987	Given the amount of Nevada education dollars that have gone to Mr. Kern, his chosen method of reviewing academic performance of Quest once he took over must have some implicit acceptance (at a minimum) from Staff. These are important material considerations to evaluation of how NCA's proposed performance review is and should be handled. This evidence also demonstrates what the Authority Staff has considered appropriate to evaluate school performance.	
Q	Letters in Support of Connections' Proposed Alternative Framework School	R1988- R1989	Demonstrates the importance of NCA for school choice, the effectiveness and demand for NCA and the viability of establishing an alternative framework school as NCA proposes.	
R	Application re: Charter School Receivers Submitted to Authority for receiver appointed	R1990- R2072	Demonstrates the performance review/indicators the Authority found	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
	and recommended by the Authority		appropriate relative to appointment of a receiver and how he/she would evaluate and improve student performance – by multiple measures. This is indicative of the information/data/measures Staff thought appropriate to consider relative to school performance and should be considered her relative to NCA’s offer to do the same and a solution short of closure/reconstitution that would provide accountability.	
S	Emails from Authority Board members to P. Gavin dated 6/24/16 expressing concern of student displacement from closure and notification for other schools to prepare to serve	R2073- R2076	This is material to considering displacement of more than 3,000 students if NCA is closed and the consequences to those families and other schools. It also demonstrates one reason NCA may have received an influx of credit deficient students recently.	
T	Email from then Chair Adam Johnson to P. Gavin dated June 7, 2016, regarding receivership proposal for another school.	R2077- R2078	This demonstrates concerns with displaced families and also consideration of how a receiver will be held accountable – measures applicable for the receiver should similarly be offered to a school governing board as options for resolution short of receivership.	
U	Email and attachments from P. Gavin dated Feb. 22, 2016 related to another school subject to closure, Beacon Academy.	R2079- R2080	Demonstrates whether schools are being treated under same policies/rules and if so what those are; demonstrates high stakes review as requirement for alternative resolution to closure or revocation – and that the same option must be afforded to another school,	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
			NVVA – acknowledges all of these schools must be given the same opportunities to avoid closure/revocation.	
V	Email from P. Gavin to D. Peltier/SPSCA Board dated 9/24/2015 and attachments.	R2081- R2088	Includes Staff’s proposal that a micro-school could be issued a separate school code by the Director “to provide for separate tracking of performance data” – and providing for ways to review the same. These are alternative solutions to closure and also should be considered relative to NCA’s proposal to serve the credit deficient population at the HS and provide for tracking and student performance/growth as Staff proposed here – and specifically identifies dropouts.	
W	Emails from C. Mattice to SPSCA board dated 6/23/2016 and from P. Gavin to K. Conaboy dated 9/22/15; email from P. Gavin to J. Kern dated 6/20/16; email from P. Gavin to R. Giodano dated May 14, 2016	R2089- R2095	These emails reflect concerns with the receiver, Joshua Kern, and with alternatives to that receiver. When Staff negotiations with NCA broke down in August/Sept. 2016 Staff was pushing for receivership as resolution and continues to do so recently under the latest proposed contract (which already is in evidence). NCA should be entitled to explore evidence of Mr. Gavin’s potential alternative motives for pushing for a receiver and possibly Mr. Kern as well as the effectiveness of that as a resolution – and why NCA had concerns with Staff’s approach presented for NCA to avoid these closure	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
			proceedings. This is material also because Staff threatened and pursued that if NCA did not agree to Staff's proposal, it would pursue closure. If NCA had agreed to the automatic appointment of receiver in the event of a missed benchmark under the contract, the record is clear we would not be in these closure proceedings.	
X	Series of invoices from receiver approved by P. Gavin for J. Kern	R2096- R2122	This is material to show the cost of receivership which would become necessary for board reconstitution – and that P. Gavin has had oversight to approve those costs and, therefore, presumably has knowledge and oversight of the effectiveness of the receiver in improving academic outcomes – which is material to this Board's consideration here of an appropriation solution for the thousands of families and school affected.	
Y	12/19/2016 Guidance Memo #16-06 from Steve Canavero to SPCSA Governing Board re: Charter School Sponsor Letter (produced in response to 9/25/2017 PRR to SPCSA)	R2123- R2124	Demonstrates there are other options – less draconian than closure or reconstitution – what those options are - and also that Staff has never shared these options with NCA.	
Z	4/5/2017 Guidance Memo #17-10 from Steve Canavero to SPCSA Board regarding the Board's response to Guidance Memo #16-06 (produced in response to 9/25/2017 PRR to SPCSA)	R2125- R2142	Demonstrates there are other options – less draconian than closure or reconstitution – and also that Staff has never shared these options with NCA.	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
AA	2017-10-12 SBE Meeting Agenda Item 15 supporting document regarding the Nevada Achievement School District	R2143- R2158	Demonstrates there are other options and the State of Nevada considers a number of metrics and factors in evaluating school performance, especially in these types of high stakes proceedings.	
BB	NCA 2013-2014 Performance Summary	R0189- R0202	Staff has raised graduation rate for several years back, including 2013-14 as has Chair Guinasso. This is relevant to consider performance during those years.	
CC	3/24/2016 L. Granier Letter to Authority <ul style="list-style-type: none"> ➤ Ex 1 – NCA evaluation ➤ Ex 2 – 1/4/2016 SPCSA Minutes (excerpt) ➤ Ex 3 – 4/3/2015 Senate Education Committee Minutes (excerpt) ➤ Ex 4 – NACSA Report (excerpt) ➤ Ex 5 – 5/27/2015 SPCSA Minutes (excerpt) ➤ Ex 6 – NCA Tiered Plan to improve grad rate 	R0245- R0275	This is relevant to provide the Board the history of what has occurred – no notice or intervention ladder and no opportunities provided to other schools (NVVA, Beacon and others) to work with Staff to address area of concern. The attachments to this letter are relevant to show the Legislature’s intent. The NACSA report also speaks to the importance of an authorizer providing schools the opportunity to meet with staff and discuss underlying data and how the data is used/considered.	
DD	3/25/2016 Minutes of SPCSA Meeting	R0379- R0390	The history of what this Board has done on these proceedings is relevant especially to new members who were not on the board at the time – and to show what opportunity NCA has had to address the concern raised as compared to the policies adopted by this Authority and applied to other schools.	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
EE	2016-17 Every Student Succeeds Academy Success Coach Guide	R0391- R0440	This is important evidence as to the changes NCA has implemented to address the graduation rate and improve it.	
FF	10/27/2016 Las Vegas Review Journal article	R0550- R0553	Evidence of the need for NCA for Nevada families.	
GG	Excerpts from transcripts of SPCSA meetings dated: May 20, 2016, July 29, 2016, and September 23, 2016	R2159- R2162	Evidence of the history of these proceedings – prior Authority Board’s acceptance and praise of the graduation rate improvement plan it required NCA prepare to avoid closure. Evidence of history of these proceedings – especially important to new board members to see how NCA ended up in closure proceedings based solely on declining to waive its rights to judicial review of certain issues. Important to new board members to see how NCA ended up in closure proceedings based solely on declining to waive its rights to judicial review of certain issues	
HH	Director Gavin’s testimony regarding AB 49 from Minutes of the Assembly Committee meeting on Education, held March 1, 2017	R2163- R2166	Director Gavin’s testimony is relevant to demonstrate that, in rejecting the proposed language in AB 49, the Nevada Legislature did not intend for NRS 388A.330(1)(e) to be used to close an entire K-12 charter school based solely on the	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
			graduation rate of its high school, and to demonstrate that Director Gavin has recognized the validity of NCA's argument regarding the same.	
II	Nevada Report Card Data Interaction Reports	R1010- R1053	Data relevant to school performance at the heart of these proceedings	
JJ	Peter Robertson Declaration	R0644- R0646	Material to show Staff's motivation in advocating closure.	
KK	Jay Ragley Declaration	R0647- R0650	Material to show Staff's motivation in advocating closure and authenticates another exhibit (video/audio recording)	
LL	Declarations of: N. Benjelloun N. Benjelloun D. Benjelloun Z. Benjelloun Pauline Carey Sheila Flores Beverly Cather	R0663- R0665 R0666- R0668 R0669- R0672 R0673- R0675 R0682- R0683 R0687- R0689 R0690- R0691	Testimony of why NCA should be open and the importance of this option/choice for Nevada families. This will save time as Chair Guinasso has indicated NCA will be limited in the time it is allowed to present its case. In a high stakes decision such as this, Nevada families voices should be heard.	
MM	9/28/2015 Memo from Concerned Parents and Educators of Nevada to Elected and Appointed Government Officials	R0700- R0705	Evidence of Director Gavin operating a business in conflict with his position as Director – goes to character of material witness.	
NN	Every Student Succeeds Act High School Graduation Rate Non-Regulatory Guidance, January 2017	R0706- R0737	Relevant to policy issues on ESSA and use of high school graduation rates with consideration to mobility and credit-deficiency and amount of time student was enrolled at school being rated.	

Phase II Ex. No.	Description	Bates	Relevance	Agreed or Objected
OO	SPCSA 2016-2017 Overview Presentation	R0793- R0818	Explanation by Staff to Nevada Legislature of how accountability measures are implemented – opportunities for schools to improve, work with Staff and find solutions – as should be the case here.	
PP	5/20/2016 SPCSA Meeting Transcript	R0819- R0889	Relevant to show this Authority Board’s consideration and comments on NCA’s graduation rate improvement plan prepared at Authority Board’s request to avoid closure – of particular importance to new board members.	
QQ	Silver State Settlement Framework 2016-03-22	R0907- R0908	Demonstrates how other schools are being treated, what is acceptable, rate allowed for time of improvement and standards applied	
RR	10/26/2015 Receivership Appointment for Quest Preparatory Academy	R0992- R1004	Shows receiver appointed for another school – cost of same (relevant to reconstitution) – and contract provisions required of receiver contrasted to those required of NCA – relevant to acceptable alternative solutions here and whether closure is appropriate	
SS	5/3/2017 G. Ott Email with confidentiality agreement	R1007- R1009	Demonstrates course of conduct between staff and NCA – different treatment than other schools – and refusal to discuss options and alternatives to closure without gagging the school and precluding it from proper defense	