

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Executive Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

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

---

---

**BRIEFING MEMORANDUM**

---

---

**TO:** SPCSA Board  
**FROM:** Patrick Gavin, Executive Director  
Mark Modrcin, Director of Authorizing  
**SUBJECT:** Agenda Item No. 8: Recommendations for Nevada Connections Academy Based on the 2017 – 2018 Nevada School Performance Framework Results and Participation Rates  
**DATE:** September 28, 2018

---

---

As the Authority is aware, the Nevada Department of Education recently released the Nevada School Performance Framework results for the 2017 – 2018 school year. All public schools in the state of Nevada are issued a star rating when all data points are available. The 2017 – 2018 school year is also the first year that high school ratings will be released after the ratings freeze during the 2014 – 2015 school year.

Additionally, the State of Nevada is required to “annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students who are enrolled in public schools...” (ESSA 1177-35(E)). These subgroups are as follows:

| <b><u>State of Nevada ESSA Subgroups</u></b> |                                 |
|--|---------------------------------|
| American Indian/Alaska Native                | Two or More Races               |
| Asian  | White/Caucasian                 |
| Black/African American                       | IEP                             |
| Hispanic/Latino                              | Economically Disadvantaged (ED) |
| Pacific Islander                             | English Learner (ED)            |

Specifically, ESSA requires 95 percent participation on the state Mathematics and English Language Arts (ELA) assessments. Given the requirement to measure ELA and Mathematics participation for all students and each of the ten subgroups over two content areas, there are twenty-two (22) distinct participation measures (11 Mathematics and 11 ELA) determined for each school. Schools must meet participation requirements for all measures.

Participation on the State assessments is important because it helps ensure equal access to educational opportunity as well as enable meaningful measurement of academic performance. To ensure that this high standard continues, Nevada has established three levels of participation rate penalties for schools that test fewer than 95% of its eligible student population:

| <b><u>Participation Penalties and Impact</u></b> |  |
|--|--|
| Participation Warning                            | Schools failing to meet the overall and subgroup participation rate of 95 percent and failing to meet the average calculated participation rate of 95 percent over the most recent two or three years for the first year will be identified as failing this important metric. No points are deducted for a participation warning.  |
| Participation Penalty                            | If the school fails to meet overall and subgroup participation rate of 95 percent and fails to meet the average calculated participation rate of 95% over the most recent two or three years <u>for a second consecutive year</u> , the Academic Achievement Indicator will be reduced by 9 index points, up to the maximum possible points for the Indicator. The subgroup(s) identified as not meeting the 95% requirement in the year the Participation Penalty is determined do not have to be the same subgroup identified in the previous year.  |
| Continuing Participation Penalty                 | If a school fails to meet the overall and subgroup participation rate of 95 percent and fails to meet the average calculated participation rate of 95 percent over the most recent two or three years <u>for a third consecutive year</u> , the school will be identified as and subjected to a “Continuing Participation Penalty.” Schools designated as such will earn zero points for the Academic Achievement Indicator. The subgroup(s) identified as not meeting the 95% requirement in the year the school is determined to have a Continuing Participation Penalty do not have to be the same subgroup identified in the previous years. |

Lastly, Nevada Connections Academy (NCA) has appeared before the Authority Board on a number of occasions in regard to both NCA’s elementary and high schools.

Most recently, NCA appeared before the Authority in regard to its elementary school, due to NCA’s elementary school receiving a one-star rating for the 2016 – 2017 school year. Last month the Authority accepted NCA’s elementary school academic improvement plan in response to the Notice of Breach that the Authority Board unanimously issued at the February 16, 2018 SPCSA Board meeting.

Previously, NCA’s high school entered into an agreement with the Authority in regard to its historically low-performing high school. The agreement with NCA limited enrollment in the high school to 1,500 students and froze enrollment in the 11<sup>th</sup> and 12<sup>th</sup> grades. Under the agreement, NCA was required to increase its high school graduation rate from 41% to 49%.

The elementary program (grades K-5) was ranked as a 1-star school under the Department of Education’s Nevada School Performance Framework (NSPF) for the 2016 – 2017 school year. The elementary school program has historically earned low marks according to the NSPF and has been on a downward trajectory. After earning a 3-star rating in both 2012 and 2013, the school subsequently earned 2-stars in 2014 and 2015 prior to earning a 1-star last year. The school has attempted to resolve performance issues multiple times, most recently with the above-referenced elementary academic improvement plan. SPCSA staff is monitoring the implementation of this plan and the conditions attached to the Board’s approval.

Relatively speaking, the middle school program has performed better than the elementary and high school. In 2012, the school earned a 2-star rating. Since that time, the school has trended upward, earning a 4-star rating in 2013, 2014 and 2015, and a 3-star rating in 2017. However, NCA’s middle school received a one-star rating for the 2017 – 2018 school year.

The high school program has also historically underperformed, earning a two-star rating in 2012, 2014 and 2015, and a 3-star rating in 2013. Like NCA’s elementary and middle schools, NCA’s high school earned a one-star rating for the 2017 – 2018 school year. This means that NCA’s elementary, middle, and high schools all received one-star ratings for the 2017 – 2018 school year. A chart on page four of this memo summarizes NCA’s ratings for the 2017 – 2018 school year.

The high school program has also struggled to maintain an adequate four-year adjusted cohort graduation rate. More specifically, the four-year adjusted cohort graduation rate was as follows:

| <b>Year</b> | <b>Graduation Rate</b> |
|-------------|------------------------|
| 2014 - 2015 | 35.6%                  |
| 2015 - 2016 | 40.1%                  |
| 2016 - 2017 | 45.0%                  |

| <u>Nevada Connections Program/School</u> | <u>2017 – 2018 Index Score</u> | <u>2017 – 2018 Star Rating</u> | <u>Participation Warning/Penalty</u> |
|--|--------------------------------|--------------------------------|--------------------------------------|
| Elementary                               | 18.89                          | 1-star                         | Yes                                  |
| Middle                                   | 25                             | 1-star                         | Yes                                  |
| High School                              | 12.78                          | 1-star                         | No                                   |

Given the past performance of the Nevada Connections Academy programs, SPCSA staff recommends that the Authority Board take the following action:

- Issue a Notice of Ongoing Breach for the Elementary school, noting the elementary school has earned a 1-star rating for the 2017 – 2018 school year according to the NSPF. Staff recommends this course of action despite the school qualifying for a Notice of Intent to Terminate NCA’s charter school contract. This recommendation is a result of the Authority Board’s approval of the Elementary Academic Improvement plan on August 6, 2018, which is in its first full-year of implementation in 2018 – 2019, as well as the fact that NCA is eligible to apply for renewal of its charter school contract during the Fall of 2019. The notice should also state that the school has failed to meet its performance target as described within its Elementary Academic Improvement plan as the school earned an index score of 18.89. The performance target proposed by the school for the 2017 – 2018 school year was an index score of 29.32.
- Issue a Notice of Concern for the Elementary school, as NCA incurred a participation penalty due to failing to meet the overall and all subgroup participation thresholds of 95% as stated above.
- Issue a Notice of Concern for the Middle school, noting that the school earned a 1-star rating for the 2017 – 2018 school year according to the NSPF.
- Issue a Notice of Concern for the Middle school, as NCA received a participation penalty due to failing to meet the overall and all subgroup participation thresholds of 95% as stated above.
- Issue a Notice of Concern in regard to NCA’s high school due to it also earning a 1-star rating for the 2017 – 2018 school year. It is noteworthy that the agreement related to NCA’s high school also mandates certain action in regard to the high school enrollment caps. SPCSA staff anticipates bringing this issue before the Authority following the release of the final high school graduation rates in December, 2018.

SPCSA staff also strongly cautions NCA that absent significant and drastic improvement in the academic performance of NCA’s elementary, middle and/or high school, it is unlikely that SPCSA staff will recommend renewal of the NCA charter school contract next fall.

Lastly, per [NRS 388A.367](#), low performing schools are required to notify the parent or guardian of each pupil enrolled in a qualifying public charter school. Additionally, qualifying schools are required to post written notification of this performance according to the statewide system of accountability on their website, as well as the scores of neighboring zone traditional public schools. Finally, [NRS 388A.367](#) requires the governing body of qualifying public charter schools to hold a public hearing within 30 days of sending out the required notice so as to provide all stakeholders and opportunity to discuss actions and solicit feedback for continued growth and improvement based on the statewide accountability rating system.

Given the above performance deficiencies and the requirements of [NRS 388A.367](#), staff recommends that the SPCSA Board delegate to Staff the authority to monitor the requirements of [NRS 388A.367](#). This includes ensuring that all parents and guardians are notified, notice is posted on the school's website, and a public hearing is held by the school within 30 days of the required notice being sent.

*Recommendation: Approve SPCSA Staff Recommendation to issue a Notice of Ongoing Breach to the Elementary school, a Notice of Concern to the Elementary school, two Notices of Concern to the Middle school, and one Notice of Concern to the High school reminding them of their performance and graduation targets and their 1-star rating.*