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RECOMMENDATION MEMORANDUM

TO: SPCSA Board
FROM: Mike Dang, Management Analyst
Mark Modrcin, Director of Authorizing
SUBJECT: Doral Academy of Northern Nevada
Request for Good Cause Exemption and Amendment to approve school having exceeded its agreed upon year over year enrollment growth cap
DATE: September 13, 2019

Summary of Request:

Doral Academy of Northern Nevada (DANN) is seeking SPCSA Board approval “to amend its current charter to allow the expansion of its enrollment in existing grade levels from 636 (during the 2018-19 school year) to 834 students during the 2019-20 school year.”

This request is to amend its charter contract to approve its after-the-fact enrollment expansion by over 30%. This is well beyond the standard 10% contractual enrollment expansion limit.

DANN is also requesting the SPCSA grant a good cause exemption to submit this RFA after the fact and outside of the established amendment windows and to make a determination regarding this RFA.

SPCSA staff recommends, with reluctance, that the Authority grant a good cause exemption and approve the request of DANN to allow an enrollment of 760 students for the 2019 – 2020 school year only. SPCSA staff discovered this potential problem in early August without notice from the school that it had exceeded its contractual enrollment cap.

This recommendation is largely based on two factors: 1) to date, the school has demonstrated strong academic performance 2) the staff does not believe it is appropriate at this juncture to require DANN to un-enroll students who have already started the school year. This will be conditioned on DANN agreeing to abide by its contracted enrollment level for the remainder of its contract unless it seeks and receives a separate approved RFA for a larger enrollment in any future year.

Approved Enrollment						
Fall	2017	2018	2019	2020	2021	2022
Spring	2018	2019	2020	2021	2022	2023
	168	545	660	690	720	720

Proposed Enrollment by DANN							
Fall	2017	2018	2019	2020	2021	2022	2023
Spring	2018	2019	2020	2021	2022	2023	2024
	168	545	834	900	930	960	960

Background

Doral Academy of Northern Nevada (DANN) is a K-8 art integrated school replication of the Doral Academy Inc. (Doral Inc.) schools in Florida and the Las Vegas area. It is located in Reno, Nevada, at 3725 Butch Cassidy Drive in the South Reno, South Valleys area on the south side of the Mt. Rose Hwy and west of the I-580. This K-8 school had a SY 18-19 enrollment of 631 students in a 53,431 square foot facility space with capacity for approximately 1,000 students). DANN is currently making lease payments on the facility with the intent to ultimately acquire it.

This is DANN’s first contract term. Its contract term began July 1, 2017 and is scheduled to expire on June 30, 2023.

The DANN board is made up of 7 members who meet all of the requirements under state law and are leaders in the community. Several board members are involved in the arts community in Northern Nevada, including the founding Board President of Sierra Nevada Ballet, Steven Porter. Board Member Leslie Hermann was the K-12 Principal of all three public schools in Incline Village and now serves as a consultant with the Dave & Cheryl Duffield Foundation. Doral’s onsite leadership includes Angela Orr as the principal and Jamie Curtis as the assistant principal.

Vision: DANN will promote students to be participating citizens in the societal enrichment of the communities in which they live and serve. DANN will foster lifelong skills including: critical and analytical learning, confident decision making, problem solving, working collaboratively, and imaginative and creative thinking.

Mission: DANN is dedicated to creating an enhanced and engaging educational experience. DANN will provide an academically challenging learning environment with a strong emphasis on arts integration teaching strategies, which will increase literacy, as well as cognitive, social, and emotional development. Teachers, parents, students, and staff will establish and achieve individual student goals to build a foundation for all DANN students to be college and career ready.

Target Community: DANN’s RFA indicates that its target community is the Greater Truckee Meadows area. DANN’s RFA further states that in this “region, public schools have traditionally struggled with double-digit achievement gaps for Hispanic/Latino populations. Additionally, middle schools have experienced a significant drop in academic performance – particularly for students with individualized education plans (IEP)s, English language learners (ELL), and students who qualify for free and reduced lunch (FRL). DANN reports student enrollment from 21 zip codes across 5 Northern Nevada counties (Washoe, Lyon, Storey, Douglas and Carson City), including 14 zip codes identified by the SPCSA as areas with identified academic needs.”

Despite articulating a local need to close achievement gaps for key subgroups, DANN’s most recent demographic data indicates that the school lags behind the Washoe County School District (WCSD) and the comprehensive high school (Galena HS) located less than a mile away in serving all four for those subgroups:

	DANN (18-19 SY)	WCSD (17-18 SY)	Galena HS (17-18 SY)
Hispanic/Latino	13%	41%	35%
IEP	9%	14%	10%
ELL	1%	17%	12%
FRL	7%	45%	23%

With regard to academic performance, DANN received a 5 Star Rating based on the 2017-2018 Nevada School Rating report and achieved a Total Index Score of 87.86. In terms of Academic Achievement, DANN received a 25/25 and 33/35 for Student Growth. DANN’s RFA states that “[I]ts model aligns with the SPSCA’s mission because Arts Integration is proven to prepare students for college and career success and is based on a model for best practices.” DANN adds that “[b]y providing an engaging, proven model for secondary education, DANN’s Art Integration framework will help to alleviate the middle school performance drop-off South Reno schools are currently experiencing.”

Facilitating demand: If approved, DANN’s expanded enrollment brings on the obvious challenge of serving additional students. DANN asserts it has demonstrated its ability to do this.

To facilitate this demand, DANN indicates it has successfully managed increased enrollment in the past, so, to ensure that all academic needs of all its students are met, DANN reports it has recruited and hired effective and quality teachers to lead students toward academic success. Additionally, DANN says that “through the leadership of Principal Orr and Assistant Principal Curtis, DANN will continue to provide professional development, coaching and to work collaboratively with their teachers in order to ensure the success continues.”

DANN indicates that since “the requested expansion of enrollment in existing grade levels and facility will not affect DANN’s current Academic Plan” that no response [adjustments] are needed to the Academic Plan section of the RFA.

DANN adds that, through the leadership of Principal Orr and Assistant Principal Curtis, DANN has outlined plans to provide professional development, coaching and to work collaboratively with their teachers in order to ensure the success continues.

Eligibility Requirements

To be eligible for consideration of approval of a contract amendment a school must timely submit a complete and accurate RFA, in accordance with the requirements and directions stated in the RFA application.

DANN requests a good-cause exemption to submit this after-the-fact RFA and outside of the established amendment application window.

Regarding its eligibility otherwise, the SPCSA and the Executive Director also consider “a charter school’s compliance with applicable local, state and federal laws and regulations and evidence relating to the academics, finance and organization of the charter school when determining whether to approve a request for an amendment to its charter contract,” pursuant to NAC 388A.400.

Staff reviewed the above factors and finds:

1. Academic performance: DANN meets standards with a five-star rating.
2. Financial performance: DANN meets standards, except for its Debt to Asset ratio. The funds from the increased enrollment discussed can, if managed properly, enable DANN to correct its 104% Does

Not Meet Standards Debt to Asset ratio which should be less than 90% for a Meets Standards rating.

3. Organizational performance: DANN meets standards, with no known material organizational issues except as to failing to file appropriate RFAs in advance of taking action to enroll additional students beyond the contractual enrollment cap.

Additional Considerations

DANN acted to increase the enrollment of the school without prior approval from the SPCSA as is required for any increase over 10%. In addition, DANN failed to bring this action to the attention of the SPCSA staff. Instead, SPCSA staff learned of DANN's increased enrollment and contacted DANN to confirm whether they had in fact expanded beyond what they agreed to in their charter contract. The school acknowledged it did. Staff then requested DANN submit a RFA, this one, regarding this matter.

That said, Staff is aware that the school has a facility designed to handle over 1,000 students and that its first-year enrollment of 161 was not near its physical capacity.

Legal Authority and Requirements Related to Amendment Requests

[NRS 388A.279](#) requires that:

1. The State Public Charter School Authority, the board of trustees of the school district or a college or university within the Nevada System of Higher Education, as applicable, which sponsors a charter school may hold a public hearing concerning any request to amend a written charter or a charter contract of the charter school it sponsors, including, without limitation, a request to amend a written charter or charter contract for the purpose of:
 - a. Expanding the charter school to offer instruction in grade levels for which the charter school does not already offer instruction.
 - b. Increasing the total enrollment of a charter school or the enrollment of pupils in a particular grade level in the charter school for a school year to more than 120 percent of the enrollment prescribed in the written charter or charter contract for that school year....

DANN Charter Contract terms

2.3.1 The Charter School shall provide instruction to pupils in such grades and numbers in each year of operation under the Charter Contract as identified in the Charter Application appearing in Exhibit #3.

2.3.3 ...an annual increase ...in total enrollment by more than 10% from the enrollment of October 1 of preceding year shall be a material amendment of this Charter Contract and shall not become effective and the Charter School shall not take action or implement the change requested in the amendment until the amendment is approved, in writing, by the Authority. Authorization to expand may require the Charter School to demonstrate satisfactory academic and financial performance, and organizational compliance.

Staff Recommendation: Approve for the 2019-20 school year with Conditions

SPCSA staff recommends the board:

- 1) Approve the Good Cause exemption
- 2) Approve an enrollment cap of 760 (with the standard 10% flexibility) for the 19-20 SY and then a return to the Approved Enrollment levels (see chart below) absent a separate RFA to be approved by the SPCSA Board at a later date and subject to the conditions further below.

Approved Enrollment						
Fall	2017	2018	2019	2020	2021	2022
Spring	2018	2019	2020	2021	2022	2023
	168	545	660	690	720	720

SPCSA Recommended Enrollment Cap						
Fall	2017	2018	2019	2020	2021	2022
Spring	2018	2019	2020	2021	2022	2023
	168	545	760	690	720	720

The above approval would be subject to the below conditions:

1. DANN agrees to provide SPCSA a monthly report of the average daily enrollment for the immediately preceding month showing the number of students and the number of teachers for that month for the 19-20 school year.
2. DANN agrees to cap its enrollment at no more than 760 students for the 19-20 school year, plus the normal additional cap of no more than 10%. DANN further agrees to hold to its previously approved enrollment cap (690 students for 20-21, then 720 students for the following two school years) for the remainder of its current contract term through 2023, unless a subsequent amendment is approved.
3. DANN may submit a RFA for additional enrollment in advance of conducting their lottery and subject to the typical review and approval process.

I. School Performance (NSPF Star) Ratings

Year	2018	2019	2020	2021	2022	2023
Stars (ES)	5	-	-	-	-	-
Stars (MS)	N/A	-	-	-	-	-

II. Enrollments by % Ethnicity and Special Populations

Year	Ethnicity							Special Population		
	A	B	C	H	I	M	P	FRL	IEP	ELL
17-18	5%		72%	16%		6%	1%		6%	1%
18-19	5%	1%	74%	13%	0%	6%	1%	7%	9%	1%
19-20										
20-21										
21-22										
22-23										

- A – Asian
- B – Black
- C – Caucasian
- H – Hispanic
- I – American Indian/Alaskan Native
- M – Two or more races
- P – Pacific Islander
- IEP – Individualized Education Plan – A student with a disability/special education student
- ELL – English Language Learner
- FRL – A student who qualifies for Free or Reduced-Price Lunch

III. Enrollment by Grade Level

Year:	17-18	18-19
Grade		
Pre-K	-	-
K	63	100
1	21	104
2	24	74
3	32	77
4	21	78
5	-	76
6	-	58
7	-	59
Total	161	626