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**GUIDANCE RECOMMENDATION**

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**TO:** State Public Charter School Authority  
**FROM:** Rebecca Feiden, Executive Director  
**SUBJECT:** Updated and Revised Recommendation to COVID-19 In-Person Learning Guidance  
**DATE:** November 6, 2020

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**Recommendation**

Under the current COVID-19 In-Person Learning Guidance, which the Authority approved on August 14, 2020, a school located in a county that is subject to Mitigation Level I or II pursuant to the Governor's COVID-19 Mitigation and Management Task Force must operate under a distance education model with limited in-person instruction (up to 25% of the school's enrollment), unless the school has an exemption granted by the SPCSA's Executive Director. When the Authority adopted this guidance in August, I committed to using the best information available to support charter schools in their efforts to safely re-open schools and meet the needs of their students and families.

Over the last two months, SPCSA staff have closely monitored state and national data and have spoken weekly with each of our charter school leaders. In mid-October, I held several focus groups open to all SPCSA-sponsored school leaders and board chairs to hear about the challenges our schools were facing and the successes they were having. I also asked school leaders and board chairs to share information about the direction they would like to see in the coming months to meet the needs of their school communities.

Taking all of this information into account, and with a focus on safely returning students to in-person learning, SPCSA staff is recommending that the Authority update the COVID-19 In-Person Learning Guidance. Specifically, staff is recommending that the limit on in-person

learning for schools located in counties that are subject to Mitigation Level I or II be increased from 25% of enrollment to 40% of enrollment.

Based on the foregoing, I am recommending that the Authority adopt the following *COVID-19 In-Person Learning Guidance*:

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Effective November 9, 2020:

1. A charter school sponsored by the SPCSA *may, but is not required to*, operate under an in-person or hybrid model in accordance with all prevailing directives, including but not limited to Emergency Directives 022 and 028, when the county in which the school is located is subject to Baseline Mitigation, pursuant to the Governor's COVID-19 Mitigation and Management Task Force.
2. Except with written approval of an exemption from the SPCSA's Executive Director, a charter school sponsored by the SPCSA *shall* operate under a distance education or hybrid model, with the option to provide in-person instruction at a limited scale (less than 40% of the school's enrollment at any given time) and subject to all prevailing directives, including but not limited to Emergency Directives 022 and 028, when the county in which the school is located is subject to Mitigation Level 1 or 2, pursuant to the Governor's COVID-19 Mitigation and Management Task Force.
3. In addition, the Executive Director *may*, in unique circumstances require additional restrictions for specific schools and/or counties based on public health data and/or non-compliance with prevailing Emergency Directives.

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## Background

During the summer of 2020 and in accordance with [Emergency Directive 022](#) and the Nevada Department of Education's [Guidance for Path Forward Programs of Distance Education](#), SPCSA-sponsored charter schools developed and submitted reopening plans to the SPCSA. These were reviewed for compliance with prevailing directives and guidance and transmitted to the NDE. In accordance with NDE's direction, all of the reopening plans contemplated three scenarios for the 2020-21 schools year: (1) full in-person instruction, (2) a hybrid instructional model, and (3) a full distance education model. However, most, if not all of the SPCSA charter school reopening plans contemplated as its primary or preferred model the hybrid instructional model. These hybrid models contemplated a variety of approaches such as students coming into the school building for in-person instruction on an AM / PM schedule, or a Monday / Tuesday or Thursday / Friday cohort model.

On August 14, 2020, the SPCSA adopted the COVID-19 In-Person Learning Guidance which contemplates a distance education model, with limited in person instruction for any SPCSA-sponsored charter school located in a county that is subject to Mitigation Level I or II pursuant to the Governor's COVID-19 Mitigation and Management Task Force. The SPCSA In-Person

Learning Guidance allows for 25 percent of a school's enrollment to learn in-person, even for those schools in counties subject to Mitigation Level I or II, and enables the SPCSA Executive Director to grant additional exemptions. In the past two months, seven schools located in Churchill, Elko and Washoe counties have been granted exemptions. Generally, these have enabled schools to operate with up to approximately forty percent of a school's enrollment to learn in-person.

With the exception of those schools that were granted exemptions, all schools have complied with the In-Person Learning Guidance, with many schools located in counties subject to Mitigation Level I or II beginning the school year under full distance learning. In September and October, many schools that had not previously conducted any in-person learning began taking advantage of the 25 percent of enrollment provision, with limited numbers of students coming into school buildings.

In mid-October, I held focus groups that were open to SPCSA-sponsored charter school leaders and board chairs. These focus groups addressed three primary questions: (1) *What is working?* (2) *What are the challenges?* (3) *What direction would you like to go with your school?* Representatives from 32 of the 37 charter holders participated in the focus groups. School representatives identified numerous challenges such as low student attendance, ensuring high-quality virtual instruction, teacher burn out, concerns about student and teacher mental health, and technology challenges. Despite these challenges, there are also some bright spots. First, many schools indicated that they are seeing higher levels of parent engagement and communication. Second, some schools reported that the circumstances had forced them to come up with innovative solutions, many of which are working and may be beneficial in the future. Finally, many schools indicated that those students who have been on campus are benefiting from it and are by and large following health and safety protocols.

Of the 32 charter holders that were represented in focus groups, 22 indicated that they would like to continue to increase the number of students learning in-person, six indicated that they weren't yet sure of the directions they would like to pursue, and four indicated that they do not intend to increase in-person learning any time soon. The primary reasons cited for interest in increasing in-person instruction included concern about the educational and mental health impacts to students, as well as the fact that schools have gained experience and are now prepared to increase the number of people on their campuses.

## Appendix A: Summary of Proposed In-Person Learning Guidance

Established by Governor’s Emergency Directive 030 and <a href="#">Road to Recovery: Moving to a New Normal</a>			Recommended to SPCSA on November 6, 2020
Mitigation Level	County Restrictions	What causes a County to be at this level?	SPCSA COVID-19 In-Person Learning Guidance
Baseline Level	Current Directives	<ul style="list-style-type: none"> <li>• Default Level</li> <li>• “Warning week” – one week of meeting 2 or more criteria</li> </ul>	A charter school sponsored by the SPCSA <i>may, but are not required to</i> , operate under <b>an in-person or hybrid model</b> in accordance with all prevailing directives, including but not limited to Emergency Directives 022 and 028.
Mitigation Level 1	Targeted approach or reduced capacity and gatherings	<ul style="list-style-type: none"> <li>• 2 or more weeks of 2 or more criteria met</li> <li>• Level determined by degree of severity and the duration at the level</li> <li>• The speed at which mitigation levels may increase is implemented at a shorter duration than relaxing mitigation levels. Therefore, increases in mitigation measure may occur within a week or two if the trend is showing increased spread but lessening or relaxing of those mitigation levels will be reviewed at longer intervals</li> </ul>	Except with written approval of an exemption from the Executive Director, all charter schools sponsored by the SPCSA <i>shall</i> operate under a <b>distance education or hybrid model</b> , with the option to provide in-person instruction at a limited scale (less than 40% of the school’s enrollment at any given time) and subject to all prevailing directives, including but not limited to Emergency Directives 022 and 028.
Mitigation Level 2	Potential return to Phase 1 Compliance Requirements		
			In addition, <ul style="list-style-type: none"> <li>• The Executive Director <i>must</i>, open a fast response process to consider appeals by schools for exemptions and <i>may</i> approve and enact individual plans informed by consultation with schools.</li> <li>• The Executive Director <i>may</i>, in unique circumstances require additional restrictions for specific schools and/or counties based on public health data and/or non-compliance with prevailing Emergency Directives.</li> </ul>

Increased Restrictions  
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## Appendix B: Background

Below is a summary of major events related to schools over the last six months.

March 15, 2020	Governor Sisolak announced that all school must close to students, effective March 16, 2020 and open no earlier than April 6, 2020.
March 20, 2020	Governor Sisolak signs <a href="#">Emergency Directive 005</a> , extending the school building closure through April 16, 2020 and establishing requirements related to Emergency Programs of Distance Education.
April 14, 2020	Governor Sisolak signs <a href="#">Emergency Directive 014</a> , extending the school building closure through April 30, 2020.
April 28, 2020	Governor Sisolak signs <a href="#">Emergency Directive 015</a> , extending the school building closure through the end of the 2019-20 school year
June 9, 2020	Governor Sisolak signs <a href="#">Emergency Directive 022</a> , allowing school buildings to open for certain purposes during the summer and setting forth requirements for schools to develop re-opening plans for the 2020-21 school year. This directive established the requirements for social distancing and maximum capacity for school facilities.
June 24, 2020	Governor Sisolak signs <a href="#">Emergency Directive 024</a> , requiring face coverings for most individual over 9 years old. The Department of Education issues <a href="#">Guidance</a> for Path Forward Programs of Distance Education.
June 26, 2020	The Authority approved a motion prescribing the <a href="#">process for SPCSA-sponsored schools</a> to approve and submit their re-opening plans.
July 28, 2020	Governor Sisolak signs <a href="#">Emergency Directive 028</a> , reducing the social distancing requirement for elementary and middle schools to three feet and requiring face coverings for all students in grades K-12 while on school buses, in school buildings and on school campuses.
August 3, 2020	Governor Sisolak outlines the <a href="#">Road to Recovery: Moving to a New Normal</a> , a county-level mitigation approach based on weekly evaluation of three criteria.
August 5, 2020	Executive Director Feiden make <a href="#">recommendation</a> that SPCSA-sponsored charter schools located in Clark, Elko and Washoe counties scheduled to open prior to Monday, August 24, 2020 should open under a distance education model, with a possible limited exception for students significantly impacted by loss of in-person instruction, and continue to operate under a distance education model through at least Friday, August 21, 2020.
August 14, 2020	Authority adopts <a href="#">COVID-19 In-Person Learning Guidance</a> .

## Appendix C: Summary of School Planned Opening Model

Model as of 11/2/20	Number of Schools
<b>Distance Education</b>	<b>60</b>
Full Distance Education	17
Distance Education with Limited In-Person (up to 25%)	43
<b>Hybrid</b>	<b>7</b>
Hybrid (alternative days)	6
Hybrid (certain grade levels in person)	1

Full List of SPCSA-Sponsored Charter Schools			
Return to Summary	County	Start of School	Current Status
<b>Alpine Academy</b>	Washoe	Full Distance Education	Hybrid (alternative days)
<b>Amplus Academy - Durango</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Amplus Academy - Rainbow</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Beacon Academy</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Coral Academy - Centennial</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Coral Academy - Eastgate</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Coral Academy - Nellis AFB</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Coral Academy - Sandy Ridge</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Coral Academy - Tamarus</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Coral Academy - Windmill</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Democracy Prep</b>	Clark	Full Distance Education	Full Distance Education
<b>Discovery - Hillpointe</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Discovery - Sandhill</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Doral Academy - Cactus</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Doral Academy - Fire Mesa</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Doral Academy - Pebble</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Doral Academy - Red Rock</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Doral Academy - Saddle</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>DANN</b>	Washoe	Hybrid (alternative days)	Hybrid (alternative days)
<b>Elko Institute</b>	Elko	Distance Education with Limited In-Person (up to 25%)	Distance Education with Limited In-Person (up to 25%)

**Full List of SPCSA-Sponsored Charter Schools**

<a href="#">Return to Summary</a>	County	Start of School	Current Status
<b>Equipo Academy</b>	Clark	Distance Education with Limited In-Person (up to 25%)	Distance Education with Limited In-Person (up to 25%)
<b>Explore Academy</b>	Clark	Full Distance Education	Full Distance Education
<b>Founders Academy</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Freedom Classical Academy</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Futuro Academy</b>	Clark	Full Distance Education	Full Distance Education
<b>GALS</b>	Clark	Distance Education with Limited In-Person (up to 25%)	Distance Education with Limited In-Person (up to 25%)
<b>Honors Academy of Literature</b>	Washoe	Hybrid (alternative days)	Hybrid (alternative days)
<b>Imagine School at Mountain View</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Leadership Academy of Nevada</b>	Clark (Statewide Virtual)	Full Distance Education	Full Distance Education
<b>Learning Bridge Charter School</b>	White Pine	Hybrid (alternative days)	Hybrid (alternative days)
<b>Legacy Traditional - Cadence</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Legacy Traditional - North</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Legacy Traditional - Southwest</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Mater Academy - Bonanza</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Mater Academy - East</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Mater Academy - Mountain Vista</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>MANN</b>	Washoe	Hybrid (alternative days)	Hybrid (alternative days)
<b>Nevada Connections Academy</b>	Washoe (Statewide Virtual)	Full Distance Education	Full Distance Education
<b>NSHS - Downtown</b>	Clark	Full Distance Education	Full Distance Education
<b>NSHS - Henderson</b>	Clark	Full Distance Education	Full Distance Education
<b>NSHS - Henderson 2</b>	Clark	Full Distance Education	Full Distance Education
<b>NSHS - Meadowood</b>	Washoe	Full Distance Education	Full Distance Education
<b>NSHS - Northwest</b>	Clark	Full Distance Education	Full Distance Education
<b>NSHS - Southwest</b>	Clark	Full Distance Education	Full Distance Education
<b>NSHS - Summerlin</b>	Clark	Full Distance Education	Full Distance Education
<b>NSHS - Sunrise</b>	Clark	Full Distance Education	Full Distance Education
<b>Nevada Virtual Academy</b>	Clark (Statewide Virtual)	Full Distance Education	Full Distance Education
<b>Nevada Prep</b>	Clark	Full Distance Education	Full Distance Education
<b>Nevada Rise</b>	Clark	Full Distance Education	Full Distance Education

**Full List of SPCSA-Sponsored Charter Schools**

<a href="#">Return to Summary</a>	County	Start of School	Current Status
<b>Oasis Academy</b>	Churchill	Hybrid (certain grade levels in person)	Hybrid (certain grade levels in person)
<b>PANN</b>	Washoe	Hybrid (alternative days)	Hybrid (alternative days)
<b>Pinecrest Academy - Cadence</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Pinecrest Academy - Horizon</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Pinecrest Academy - Inspirada</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Pinecrest Academy - Sloan Canyon</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Pinecrest Academy - St. Rose</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Quest Academy</b>	Clark	Distance Education with Limited In-Person (up to 25%)	Distance Education with Limited In-Person (up to 25%)
<b>Signature Prep</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Silver Sands Montessori</b>	Clark	Full Distance Education	Full Distance Education
<b>Somerset Academy - Aliante</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Somerset Academy - Lone Mount</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Somerset Academy - Losee</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Somerset Academy - North LV</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Somerset Academy - Sky Pointe</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Somerset Academy - Skye Canyon</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>Somerset Academy - Stephanie</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)
<b>SLAM</b>	Clark	Full Distance Education	Distance Education with Limited In-Person (up to 25%)