



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Mark Modrcin, Director of Authorizing
SUBJECT: Elko Institute for Academic Achievement - Charter Renewal Recommendation
DATE: December 11, 2020

1. Background and Summary

Elko Institute for Academic Achievement (EIAA) has submitted an application to renew its charter contract as the current charter contract expires on June 30, 2021. EIAA is a brick-and-mortar public charter school that currently serves 190 students in grades K – 8 and operates out of one campus in Elko.

After a thorough review of the historical data and charter renewal application, staff recommends that the Authority approve the charter renewal of EIAA for a five-year term, beginning July 1, 2021.

2. The Process Related to Renewal Applications and the Standards Under Which an Application for Renewal of a Charter Contract Will Be Granted

The first step in the renewal process is the submission of a renewal report by SPCSA staff to the charter school.¹ Specifically, on or before June 30 immediately preceding the final school year prior to expiration of a charter school's charter contract, the SPCSA submits to the governing body a report regarding renewal. The EIAA renewal report was sent to the board chair on June 25, 2020 and can be found within the supporting documentation for the item.

The renewal report summarizes the performance of the charter school under the terms of the charter contract, identifies any deficiencies related to performance of the charter school that might lead to non-renewal of the charter contract, sets forth the requirements for the renewal application, and identifies the criteria that the

¹ Charter school regulations provide for an expedited and streamlined renewal process for high-performing charter schools. Generally, charter schools qualifying for expedited renewal review are those charter schools that are consistently rated as four-and five-star schools under the NSPF and have received no notices of concern or notices of breach for academic, organizational or financial performance. See [NAC 388A.415\(2\)](#).

sponsor will apply in making a determination on the application for renewal. The charter school may submit a response to the renewal report. [See NRS 388A.285\(1\) and \(2\)](#).

Next, the governing body of the charter school must submit a written notice of intent to submit an application for renewal to the SPCSA 45 days prior to submitting a renewal application. See [NAC 388A.415\(1\)](#). EIAA submitted its notice of Intent to Renew its charter contract on July 29, 2020 and EIAA's notice of intent to renew can be found along with the supporting documents.

In regard to the renewal application, the window to submit the actual renewal application is October 1 through October 15. See [NRS 388A.285\(3\)](#) and [NAC 388A.415\(1\)](#). The application for renewal must include, without limitation:

- (a) The requirements for the application identified by the sponsor in the performance report prepared by the sponsor;
- (b) A description of the academic, financial and organizational vision and plans for the charter school for the next charter term;
- (c) Any information or data that the governing body of the charter school determines supports the renewal of the charter contract in addition to the information contained in the performance report prepared by the sponsor and any response submitted by the governing body; and
- (d) A description of any improvements to the charter school already undertaken or planned.

See [NRS 388A.285\(3\)](#). On October 8, 2020 EIAA submitted its renewal application, which can be found included with the supporting documents.

EIAA's renewal application includes a summary of the key design elements that are currently being implemented at the school. As noted in the application, the school is currently focused on closing all achievement gaps through the implementation of highly effective strategies so all students can achieve their maximum potential. The school has worked to implement data-driven instruction by creating student portfolios and meeting together once a month to discuss each student's strengths and areas of improvement. These meetings are detailed with staff focusing on which personalized strategies will best benefit each student and how best to implement them.

EIAA has also adopted Restorative Practices with the intent of proactively developing relationships and a sense of community, as well as repairing the community when harm is done. After conflict or harm, these practices provide a way of thinking about, talking about, and responding to issues and problems by involving all participants, and facilitating a conversation among all participants.

Decisions to renew a charter school contract or deny a renewal application are made and based upon the Nevada's charter school statutes and regulations related to charter school renewal (see [NRS 388A.285](#)) and the collective record of a school's academic, financial, organizational, findings from the site evaluation process, and all data and information provided by the Department of Education.

Note that no factor may be given more weight than the academic performance of pupils at the charter school, and the academic performance of the charter school is the touchstone of any renewal decision. See [NAC 388A.415\(10\)\(b\)](#).

In making its recommendation to the Authority regarding a renewal application, SPCSA staff considers the past performance of the charter school, including information contained in the application for renewal, any site evaluations, academic achievement of pupils, and any other information that is determined to be relevant to whether the charter contract should be renewed, including financial and organizational performance. See [NAC 388A.415\(9\)](#).

When determining whether to grant an application for renewal of a charter contract, the Authority Board considers the foregoing factors, any other information that the Authority Board determines is relevant to whether the charter contract should be renewed. The Authority Board will consider the "totality of the

evidence” presented to it when making a renewal decision. See [NAC 388A.415\(9\)](#). Again, as stated above, no factor is to be given more weight than the academic performance of pupils at the charter school.² See [NAC 388A.415\(10\)\(b\)](#).

At its sole discretion, the Authority Board may renew a charter contract for a term of three (3) to ten (10) years, or, alternatively, deny the renewal application. See [NRS 388A.285\(6\)](#) and [NAC 388A.415\(11\)](#). Note that a variable term length upon renewal was discretion afforded to the Authority under Senate Bill 451 during the 2019 Legislative Session and is now codified in [NRS 388A.285\(6\)](#).

The Authority Board may accept or reject, in whole or part, the recommendation of the Executive Director. See [NAC 388A.415\(10\)\(a\)](#). If a charter contract is renewed, that Authority Board may include a provision for a high stakes review during the term of the renewed charter contract which may result in the termination of the renewed charter contract prior to its expiration, or renew the charter contract and include any additional provisions, requirements or restrictions which the State Public Charter School Authority determines are appropriate. See [NAC 388A.415\(11\)\(b\) and \(c\)](#).

Alternatively, the Authority Board may deny the renewal application for the purpose of reconstituting the governing body of the charter school pursuant to [NRS 388A.330](#) and assigning the charter contract to a charter management organization or a new governing body which may include, without limitation, the governing body of another charter school or a governing body assembled by the Executive Director; deny the renewal application for the purpose of restarting the charter school and issuing a new charter contract pursuant to [NRS 388A.300](#) to a charter management organization or a new governing body, including, without limitation, the governing body of another charter school, which will inherit any assets of the charter school which remain following dissolution; or deny the renewal of a charter contract for the purpose of closing the charter school. See [NAC 388A.415\(11\)\(d\),\(e\) and \(f\)](#).

3. Analysis

Academics

Elko Institute for Academic Achievement (EIAA) is currently rated as a 2-star elementary school program and a 5-star middle school program according to the 2018 – 19 NSPF ratings. As the Authority is aware, NSPF school ratings and accountability for the 2019 – 2020 school year have been carried over from the 2018 – 2019 reporting year. Currently, the elementary program is operating under a Notice of Concern due to academic underperformance. It is noteworthy that the middle school has not earned less than a 4-star rating during the current charter term according to the NSPF.

The EIAA elementary school program earned a 2-star rating according to the most recent NSPF ratings. As noted in the NSPF guidance document, a 2-star rating identifies a school that has partially met the state’s standard for performance. Students and subgroups often meet expectations for academic performance or growth but may have multiple areas that requirement improvement. Additionally, areas requiring significant improvement are uncommon.

The EIAA middle school program has earned a 5-star rating each year since the 2017 – 2018 school year. As noted in the NSPF guidance document, a 5-star school rating recognizes a superior school that exceeds expectations for all students and subgroups on every indicator category with little or no exception. Additionally, a 5-star school demonstrates superior academic performance and growth with no opportunity gaps. Prior to the 2017 – 2018 school year, the middle school at EIAA earned a 4-star rating. The guidance document provided by NDE categorizes a school earning this rating as commendable, performing well for all students and subgroups. A 4-star school demonstrates satisfactory to strong academic performance for all students, and recognizes a school that is successfully promoting academic progress for all student groups as reflected in closing opportunity gaps.

² See [NAC 388A.415\(10\)](#). With regard to a second renewal, the Authority is required to place an even greater weight on academic performance than was assigned to it on the first renewal.

The NSPF results for this current charter term are summarized and provided in the table below:

School Year	NSPF Rating
2019 – 2020 ³	Elementary: 2 stars Middle: 5 stars
2018 – 2019	Elementary: 2 stars Middle: 5 stars
2017 – 2018	Elementary: 3 stars Middle: 5 stars
2016 – 2017	Elementary: 3 stars Middle: 4 stars
2015 – 2016	No Star Ratings published by the Nevada Department of Education

Organizational

Until the Authority approved a more robust organizational framework in the summer of 2019, the previous version of the SPCSA Organizational Framework was a rolling evaluation of school organizational performance. Based on verified complaints and spot checks of school organizational performance, the Authority issues Notices of Concern or Notices of Breach for Organizational Performance. Schools which have not received such notices are presumed to be in Good Standing. EIAA has not received a Notice of Breach or Notice of Concern under this framework during the current charter term. The school earned 100 points under the 2020 Organizational Performance Framework as approved by the Authority on November 6, 2020.

SPCSA Organizational Framework Findings

2020	Meets the Standard (100/100 points)
2019	Good Standing
2018	Good Standing
2017	Good Standing
2016	Good Standing

Financial

In 2018, the Authority requested that the SPCSA Financial Framework be modified so as to be better assess the financial health of sponsored schools. The revised SPCSA Financial Framework was approved on January 18, 2019 and results for FY20 will be presented in January 2021. In the interim, SPCSA staff has continued to monitor a variety of indicators of financial health. EIAA has a history of clean audit findings, and staff finds the school to be in good standing against performance standards within the financial framework.

SPCSA Financial Framework Findings

2020	<i>Will be reported in January of 2021</i>
2019	Good Standing
2018	Good Standing
2017	Good Standing
2016	Good Standing
2015	Good Standing

³ NSPF school ratings and accountability for the 2019 – 2020 school year have been carried over from the 2018 – 2019 reporting year.

4. Recommendation: Renew EIAA for a 5-year term

Despite the issuance of a Notice of Concern due to academic underperformance at the elementary school in the 2018 – 19 school year, EIAA has maintained strong academic performance at the middle school level, earning at least a 4-star rating according to the NSPF results in each year during this charter term. Outside of the 2018 – 2019 school year, the elementary school earned a 3-star rating in both the 2016 – 2017 and 2017 – 2018 school years.

As previously stated, NSPF school ratings and accountability indicators have been carried over from the 2018 – 2019 reporting year for the 2019 – 2020 school year.

It is also noteworthy that the school has not been issued any financial or organizational notices.

SPCSA staff is confident the school will maintain strong performance at the middle school level, and will show demonstrable improvement at the elementary school level in the near term. Despite operating under a current notice, past performance supports staff’s recommendation that the Authority renew EIAA for a five-year term, beginning July 1, 2021. The new term would be subject to the enrollment caps outlined below.

	2021-2022	2022-2023	2023-24	2024-25	2025-26
Enrollment Cap	198	198	198	198	198
Grades Served	K-8	K-8	K-8	K-8	K-8

5. Proposed Motion

Approve the Elko Institute for Academic Achievement Renewal Application for renewal with a five-year term beginning July 1, 2021 and the enrollment caps as outlined above in the recommendation memo.

Appendix: School Demographics since 2015

Year	Total Enrollment⁴	A	B	C	H	I	M	P	IEP	ELL	FRL
15-16	178	2.2%	0.6%	74.7%	16.9%	3.9%	1.7%	0.0%	11.2%	1.1%	24.7%
16-17	172	4.7%	0.6%	69.2%	19.2%	4.7%	1.2%	0.6%	9.3%	1.2%	23.8%
17-18	173	4.0%	2.3%	69.9%	16.8%	4.6%	1.7%	0.6%	10.4%	0.0%	5.2%
18-19	189	3.2%	3.2%	68.8%	18.5%	3.7%	2.1%	0.5%	9.5%	0.0%	32.3%
19-20	198	3.5%	2.0%	65.7%	23.2%	0.5%	5.1%	0.0%	13.1%	0.0%	30.8%
20-21	190	3.1%	2.1%	65.7%	16.3%	0.5%	12.1%	0%	15.2%	n<10 ⁵	30.5%

A – Asian

B – Black

C – Caucasian

H – Hispanic

I – American Indian/Alaskan Native

M – Mixed/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

⁴ Enrollment as of Validation Day each year (October 1).

⁵ To protect student privacy, n-counts less than 10 and their corresponding rates are displayed as n<10.