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ACTION MEMORANDUM

TO: SPCSA Authority Board
FROM: Mark Modrcin, Director of Authorizing, SPCSA
Danny Peltier, Management Analyst III, SPCSA
SUBJECT: **Explore Academy – Charter Amendment Request to Reduce Enrollment Cap**
DATE: March 3, 2023

Summary of Request and Recommendation

Explore Academy Las Vegas (Explore) is requesting that the State Public Charter School Authority (SPCSA) grant a Good Cause Exemption request and approve the school to reduce the enrollment cap for the 2022 – 23 school year from 355 to 275 students and to also reduce its enrollment cap for the 2023-24, and 2024-25

SPCSA staff has reviewed the application and recommends that the Authority grant the Good Cause Exemption and approve the amendment request. A proposed motion can be found on page of 4 this memo.

Background and Analysis

Explore Academy was conditionally approved by the SPCSA to open its doors to students for the 2020 – 21 school year. This approval occurred on July 26, 2019. On March 6, 2020, the Authority approved the school’s request to temporarily locate adjacent to and outside their originally approved zip codes. Additionally, on June 26, 2020, the Authority approved the school’s request to serve grades 6 – 9 in an effort to attract more families. On July 24, 2020, the Authority approved a reduction to the school’s enrollment cap for the 2020 – 2021 school year as a result of the COVID-19 pandemic. On June 25, 2021, the Authority approved an additional reduction to the school’s enrollment cap due to the ongoing pandemic and also approved the school to remain operating at their temporary facility at 4660 N. Rancho Drive Las Vegas, NV 89130. Finally, on June 27, 2022 the Authority approved a further reduction of the cap to 355

students for the 2022-23 school year.

Explore Academy's mission is to "provide each student with a personalized educational experience through the power of student choice, allowing each student to create a unique educational pathway in preparation for a college future." Explore Academy's vision is to be a college preparatory school which will serve grades 6 to 12. According to the amendment application, the school's core academic philosophy and overall vision are based on the idea of a differentiated curriculum in utilizing an expansive set of electives to provide students equal opportunity for choice in their learning, all the while empowering them with the freedom to create unique and individualized educational pathways.

Explore is a charter middle and high school that is approved to serve grades 6-12 at full-scale. Explore moved into its permanent facility, located at 3551 N Ferrell Street, North Las Vegas, to start the 22-23 school year. The current enrollment cap for the 2022 – 23 school year is 355 students. Validation Day numbers for the 2022 – 23 school year show that the school served 289 students in grades 6 – 11.

According to the amendment application, Explore is seeking an amendment in order to reduce its enrollment cap and revise the plan for enrollment. Projections have been adjusted in part due to the following factors which were primarily related to the facility. First, the Explore noted it had to decrease its enrollment goals in 2020-2021 in accordance with the challenges faced when opening a brand new school during a pandemic. Additionally, according to the application, the delay in securing and preparing the school's permanent facility, also in large part due to the pandemic, impacted enrollment during 2021-2022 when the school was temporarily co-located with another school at 4660 N Rancho Drive, Las Vegas, NV 89130. Explore originally proposed opening the permanent facility in January 2022, but ongoing pandemic-related issues with construction and supplies, delayed the relocation until immediately prior to the opening day of the 22-23 school year.

Explore continues to aggressively market the school and has seen increases in enrollment in each year of operation. According to the amendment application, Explore hired a Director of Outreach and Marketing to work to increase enrollment. The school principal (and newly-hired Assistant Principal) will be hosting meet and greet events, in-person at the school's permanent home and virtually. Explore explained that with two administrators, there will be additional time for the school leadership to contact potential families on a regular basis and work to promote the school in the local community.

Explore continues to modify its budget to account for lower than expected enrollment. According to the application, the school's budget relies almost exclusively on state funding with additional supplemental funding taken into account for Title programs and IDEA-B. The school is currently receiving an award for CSP grant from Opportunity 180. As student enrollment continues to increase to Explore stated that the staffing will be adjusted accordingly with an increase in three new teachers each year. Finally, according to the amendment, normal staff attrition resulted in a staff that is keeping pace with enrollment.

If approved, the remaining approved enrollment cap for Explore’s charter term would be as follow:

School Year	2022-23	2023-24	2024-25	2025-26
Grade Levels	6-11	6-12	6-12	6-12
Total Enrollment	275	450	545	570

Legal Authority and Requirements Related to Amendment Requests

Existing charter schools that are sponsored by the SPCSA may submit a charter school contract amendment application to the SPCSA – which is reviewed by SPCSA staff and presented for SPCSA Board action – in order to, among other things, increase enrollment, add grade levels above and beyond what the charter school is approved to serve, or add a new campus. When determining whether to approve an amendment request, the sponsor considers the 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. (See NAC 388A.400(8) and NRS 388A.276).

Analysis and Staff Recommendation

When reviewing an amendment application, SPCSA staff reviews the academic, financial and organizational performance of the applicant charter school. Since the onset of the COVID-19 pandemic, SPCSA staff has waived the requirement that schools maintain enrollment levels at or above 90% of their contractual cap due to the many extenuating circumstances impacting students and families. Staff believes schools are now better positioned to adhere to this requirement for the 2022 – 23 school year, necessitating this amendment. Explore has yet to be rated under the Nevada School Performance Framework. Following the two-year gap in new star ratings due to the impacts of COVID-19 and a waiver from the U.S. Department of Education, the 2021 – 2022 NSPS index score for the Explore MS was 18.8 and 31.2 under the SPCSA’s Academic Framework score. Explore’s MS was recommended to receive additional monitoring at the SPCSA’s November 18, 2022, board meeting, and that monitoring continues. Explore’s HS was not rated as part of the 2021-2022 Academic Performance Framework and did not receive an NSPF index score.

Additionally, the school earned 93.70 points (out of 100) under the SPCSA Organizational Performance Framework for the 2021 – 22 school year as approved by the Authority on December 16, 2022. As such, SPCSA staff finds the school to be ‘Meeting Standards.’ Explore has also been found to ‘Meet the Standards’ on the most recent 2021 SPCSA Financial Performance Framework, although the school has not yet submitted its FY22 financial audit.

Overall, SPCSA staff will still continue to monitor Explore with regard to academic performance, but SPCSA staff believes that ongoing monitoring should not negatively impact this request to reduce the schools year enrollment cap. Explore continues to make the necessary adjustments to its budgets and has finally been able to operate out of its permanent facility, which should allow the school to be on more stable ground entering the 2023-2024

school year. SPCSA staff is supportive of this amendment request and recommends the Authority approve Explore Academy’s request for a Good Cause Exemption and reduction to the 2022-23, 2023-24, and 2024-25 enrollment caps.

Proposed Motion:

Grant Explore Academy a Good Cause Exemption and approve the request of the school to reduce the enrollment cap for the 2022 – 23 school year from 355 students to 275 and additionally reduce the enrollment cap for the 2023-24 and 2024-25 school years as detailed in this recommendation memo.

If approved, the enrollment cap for Explore Academy will be:

School Year	2022-23	2023-24	2024-25	2025-26
Grade Levels	6-11	6-12	6-12	6-12
Total Enrollment	275	450	545	570

The currently approved enrollment cap for Explore Academy is:

School Year	2022-23	2023-24	2024-25	2025-26
Grade Levels	6-11	6-12	6-12	6-12
Total Enrollment	355	530	550	570

Historical Performance and Demographic Information – Explore Academy

School Total Enrollment and Demographics since 2020

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
20-21	136	2.2%	19.8%	50%	24.2%	0%	0.7%	2.9%	13.9%	*	41.1%
21-22	192	4.1%	19.2%	39%	29.6%	1%	6.7%	0%	14.5%	5.2%	46.3%
22-23	289	2.4%	23.15	26.6%	37.0%	0.3%	10.3%	0.0%	15.9%	<5%	54.6%

- 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

Explore Academy Charter School Financial Performance

Year	Rating
2020 – 2021	Meets the Standard

Explore Academy Charter School Organizational Performance

Year	Rating
2021 – 2022	Meets the Standard
2020 – 2021	Meets the Standard

Explore Academy Academic Performance

Year	Rating
2021 – 2022 Index Scores	Explore MS: 18.8 <i>Explore HS: Not Rated</i>
2020 - 2021 ¹	N/A
2019 – 2020 ²	N/A

Explore Academy 2021-22 SPCSA Academic Performance Framework Results³

Campus	2021-22 SPCSA Academic Framework Score	2021-22 SPCSA Academic Framework Rating
Explore Acad MS	31.2	DOES NOT MEET STANDARD
Explore Acad HS	Not Rated	Not Rated

¹ Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2020 – 21 school year waiver from the US Department of Education for certain requirements established by the Every Student Succeeds Act (ESSA). Nevada statewide assessments were administered in the 2020 – 21 school year, but the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings for the 2020 – 21 school year.

² Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2019 – 20 school year waiver from the US Department of Education for certain assessment, accountability, school identification, and reporting requirements established by the Every Student Succeeds Act (ESSA). Accordingly, for the 2019 – 20 school year, Nevada statewide assessments were not administered and the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings

³ The Nevada Department of Education (NDE) calculated NSPF index scores for the 2021-22 school year but did not calculate corresponding star ratings (shown as N/A). 2021-22 NSPF details and rules can be found at: <http://nevadareportcard.nv.gov/DI/MoreDownload?filename=Nevada%20School%20Performance%20Framework%20Manual%202021-22%20School%20Year.pdf>