

EXHIBIT KK

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF JAY W. RAGLEY
IN SUPPORT OF MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

I, JAY W. RAGLEY, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

1 Injunction.

2 2. I am the Senior Vice President, State Relations, for Connections Education. I have
3 worked at Connections Education since September 2013, first as the Senior Director, State
4 Relations, and then as a Vice President, State Relations. Connections Education provides
5 educational services, materials, and, support to Connections Academy of Nevada which, in turn,
6 serves Nevada Connections Academy.
7

8 3. Patrick Gavin was a panelist at The National Association of Charter School
9 Authorizers (NACSA) conference in Atlanta on October 26, 2016. I was in attendance at the
10 conference, where Mr. Gavin made several statements in a presentation he made to a large group
11 of people. Mr. Gavin represented the following during that session:

- 12 a. Access to funding in Nevada is curtailed by the graduation rate of the Authority-
13 authorized schools.
- 14 b. The State Public Charter School Authority is the lowest performing local
15 education agency (LEA) in Nevada in terms of graduation rate which Mr. Gavin
16 stated is “directly attributable to the performance of 4 online schools.”
- 17 c. There is a great deal of impatience on the policy-making and appropriations side,
18 and a significant amount of pressure to simply wipe the slate clean – no more
19 virtuals in your portfolio. Mr. Gavin stated “[m]yself and my board struggle with
20 that because this is a choice parents clearly want.”
- 21 d. That one of the virtual schools changed its model to improve graduation rate, and
22 according to Mr. Gavin it’s seeing improvement from going below the statutory
23 minimum of 60% to above it.
- 24 e. While talking about schools that are not changing models or making improvement
25 in graduation rate, Gavin says there are schools trying to avoid accountability that
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is being put on the Authority, which is then put on schools.

- f. While comparing the Authority to non-profit authorizer in Ohio and a state agency authorizer in Georgia, Gavin says subject to a “significant amount of political and regulatory capture.” Followed up by mention of a lawsuit.
- 4. I understood Mr. Gavin to be referencing the four-year cohort graduation rate.

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I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 31 day of OCTOBER, 2016, in COLUMBIA, SOUTH CAROLINA

JAY W. RAGLEY 