

# NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

**January 26, 2015**

Nevada Department of Education  
Conference Room  
9890 South Meadows Parkway  
Las Vegas, Nevada

And

Nevada Department of Education  
700 East 5<sup>th</sup> Street  
Room 2135  
Carson City, Nevada

## **MINUTES OF THE MEETING**

### **BOARD MEMBERS PRESENT:**

#### **In Las Vegas:**

Kathleen Conaboy  
Michael Van  
Melissa Mackedon  
Elissa Wahl  
Nora Luna  
Robert McCord  
Marc Abelman

#### **In Carson City:**

None

### **BOARD MEMBERS ABSENT**

### **AUTHORITY STAFF PRESENT:**

#### **In Las Vegas:**

Patrick Gavin, Director, State Public Charter School Authority  
Traci House, Business Process Analyst, State Public Charter School Authority  
Jessica Hoban, Administrative Services Officer, State Public Charter School Authority  
Joan Jurgensen, Education Program Professional, State Public Charter School Authority

#### **In Carson City:**

Angela Blair, Education Program Professional, State Public Charter School Authority  
Kathy Robson, Education Program Professional, State Public Charter School Authority  
Katie Higday, Management Analyst, State Public Charter School Authority

Danny Peltier, Administrative Assistant, State Public Charter School Authority

**LEGAL STAFF PRESENT:**

**In Las Vegas:**

Shane Chesney, Senior Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

Joselyn Navas  
Tiecha Ashcroft  
Elisa Camacho  
Miriam Perez  
Kerry Roberts  
Angelica Jacobo  
Viviana Jorquera  
Jeff Keasler  
Jerry Salkowe  
Esmeralda Contreas  
Aracely Lumbreras  
Tara Marquardt  
Brenda Navas  
Cecilic Nunez  
Claudia Martes  
Adam Johnson  
Joshua Ford  
Ben Salkowe  
Jesse Camacho  
Laura Tapia  
Marisol Diaz  
Sarah Ter Avest  
Ercan Aydogdu  
Crystal Thiriot  
Robert Howell  
Sarah Ter Avest  
Jennifer Snider  
Eve Brier  
Ryan Reeves  
Nick Sarsahin  
Rebecca Fitzgerald  
Karen Gray

**In Carson City:**

Steve Werlein  
Joe Thomas  
Blaine Spires  
Tekin Tuncer  
Donna Wix  
Jim Endres  
Lauren Hulse  
Laura Granier

**CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA**

President Conaboy called the meeting to order at 9:05am with attendance as reflected above.

**Agenda Item 1 - Public Comment**

Many people spoke in support of the immediate approval for Equipo Academy. They said they either had attended, or knew someone who had attended, SWOT Academy in the Clark County School District. They said without the school, they would not be where they were now. The full public comment can be heard in the recording of the meeting.

Janay Arbiture also spoke about her public comment missing from the October 27, 2014 meeting minutes. Mr. Peltier said he correct the error.

**Agenda Item 2 - Approval of October 27, 2014 Meeting Minutes**

Chair Conaboy said she picked Member Abelman to do the full reading of the October 27, 2014 board meeting minutes. She then asked for a motion.

**Member McCord moved for the approval of the October 27, 2014 meeting minutes with the changes discussed. Member Mackedon seconded. There was no further discussion. The motion passed unanimously.**

**Agenda Item 3 – Authority Update**

Chair Conaboy spoke first about the ongoing meeting with the NIAA. The NIAA was interested in having a charter school representative sit on their board in order to give the charter schools a voice regarding athletics in the state.

Chair Conaboy also spoke about the meetings with legislators that her and Director Gavin already had. The 2015 Legislative session was beginning on February 2, 2015 and she was happy that they already had initiated some dialogue. She said a challenge would be to educate all the new legislators regarding charter issues and to get them up to speed about the SPCSA.

**Agenda Item 5 - Charter School Academic Performance Discussion**

Director Gavin asked Ms. Jurgensen to give a presentation to the Authority regarding the Academic Performance of SPCSA-sponsored charter schools. Ms. Jurgensen gave an overview of the Academic Framework and then discussed the data that was used in order to come up with the academic results. She said after running the data, SPCSA staff found two schools with serious academic concerns. Silver State Charter School and Nevada Virtual Academy had received Notices of Concern from the SPCSA. 14 schools fell in the middle, with a rating of “approaches” or “adequate.” She said there were 3 schools that fell into the “quality” rating which is the top rating a school can receive under the SPCSA performance framework.

Director Gavin also gave some other details regarding the financial and organizational frameworks too. He said the schools that had received Notices of Breach were in violation of the academic portion of the framework. He said if the schools were unable to increase their results they would then be sent Notices of Revocation for consistent underperformance. Two schools had also received Notices of Breach regarding the organizational framework. Those schools were Silver State and Quest Academy.

Member McCord asked what the populations of the schools were that had received Notices of Concern. Director Gavin said the population was around 2400, and the schools represented a large population of the students attending SPCSA-sponsored charter schools across the state.

Member Wahl asked if a school that served elementary, middle and high school would have its charter revoked for all grades or only the grades which were failing. Director Gavin said that from a legal perspective the

charter school is considered one school even if they serve multiple grades at multiple grades. The SPCSA framework does not disaggregate the grades into elementary, middle and high school like NDE does.

Member McCord cautioned the Authority and staff that ELL students may have the calculation changed from one year to two years in order to learn the language at grade level. If this change occurs, the data may change.

Chair Conaboy asked for more detail regarding the numbers used in the framework. Ms. Jurgensen said the differences in the schools and the data they reported made it more difficult to tabulate their score. Chair Conaboy asked what staff would be doing to help the low performing schools increase the framework rating. Director Gavin said staff was looking at some options, but didn't want to limit the school's autonomy. Chair Conaboy hoped that staff would be able to provide more detail regarding the data that was used in the framework in order for the Authority to understand what its results mean for the schools. Member McCord added that he would like to see more recognition for schools that were doing well. Member Mackedon said the results from this year's frameworks may have been different from previous years as schools were doing much better reporting their data which makes the results more accurate representation of what really is happening at the school sites.

#### **Agenda Item 6 – Director's Report**

Director Gavin said he had been working with the National Governor's Association in order to obtain grants that may help improve the SPCSA's charter application process. He also said he would be working with NDE and LCB and the NGA to reexamine Nevada's regulations governing charter schools to see if there are regulations that are not helpful and add bureaucratic layers that prevent charter schools from having success. He said some of the language in statute regarding Authorization responsibilities is something he would be interested in adjusting.

Chair Conaboy asked if there could be changes made in regulations that would make the Authority more streamlined. Director Gavin said he thought that was a great idea and would pursue it further. Member McCord asked if Director Gavin was going to completely rework the NAC, and if that change would affect the strength of the policies developed outside of the NAC. Senior Deputy Attorney General Chesney said he would recommend that NAC language be changed to represent the policies that the Authority had formulated.

#### **Agenda Item 7 - NDE Accountability Initiative and Legislative Affairs**

Director Gavin said the key things to consider for the upcoming legislative were NDE involvement in low performing schools. He says that NDE has taken on a much larger interest in intervening at schools that aren't having success. Director Gavin said one of the questions still lingering is how NDE's intervention in low performing schools affects schools the SPCSA currently sponsor. He said charter schools still fall under relevant law that governs public schools, and if the proposed interventions by NDE will require examining the SPCSA's current accountability system.

Chair Conaboy said she appreciated Member McCord's suggestion to better honor high-performing schools and she hoped that some of their success could be used to bring along other SPCSA-sponsored schools who may not be performing well. Director Gavin agreed with Chair Conaboy, but did point out there are differing views of what the legislative mandate was for the SPCSA. Member Luna hoped that SPCSA-sponsored schools would initiate more research based projects at their school sites. Director Gavin also showed the Bill Draft Request list that had relevant education bill drafts that may become Senate and Assembly bills.

#### **Agenda Item 8 - Discussion and possible action on the development of a government affairs subcommittee of the Authority empowered to speak on behalf of members at the legislature**

Chair Conaboy clarified the term "sub-committee" was not the correct term. She said this would be called a task force so it would not violate open meeting laws that govern sub-committee.

**Member Abelman moved for the development of the legislative task force. Member Abelman seconded. There was no further discussion. The motion carried unanimously.**

**Agenda Item 9 – Consideration regarding the Application Review Team’s recommendation of Athlos Academy of Clark County’s charter school application resubmission**

Director Gavin began with the recommendation report for Athlos Academy:

*Athlos Academy of Clark County empowers students to live fulfilling, responsible, and successful lives by building on the three foundational pillars of Prepared Mind, Healthy Body, and Performance Character. The applicant proposes a school with a three part emphasis on academics, physical education, and character education. To support the program, the applicant plans to use a variety of curricular resources including the Core Knowledge Sequence, Spalding Reading, Junior Great Books, Saxon Math, and the EMO’s Athlos Athletic and Character Curriculum. There are significant flaws to the academic plan. The applicant made several significant omissions, including the following required elements are not included in this application.*

- 1. A narrative describing the relevant instructional strategies that will be necessary for successful implementation of the curriculum; and*
- 2. A narrative providing a coherent framework for professional development that is likely to support effective implementation of the curriculum*
- 3. A narrative explaining the school’s policy regarding the transfer of credit to another comparable school (NRS 386.582; NAC 386.150(8));*

*While references to the first two areas, instructional strategies and professional development, are sprinkled throughout the application, these scattered references are not responsive to these requirements.*

***The applicant submitted a revised application which attempts to address this concern through a cursory overview. The revised application provides a brief narrative regarding instructional strategies. However, it makes a tangential reference to project-based learning and does not provide any examples, in the narrative or appendix, of project-based learning activities. The resubmitted professional development section is a description of activities, and potential professional development topics, rather than providing a thorough discussion of professional development theories and approaches. As currently depicted, the plan is neither comprehensive nor sustainable. The resubmitted narrative does not effectively demonstrate alignment between the school’s curriculum, pedagogy, and professional development plan. While the revised application does provide additional detail on the research and philosophical grounding of the management company’s performance character model, there is limited information provided on the research basis for selecting the proposed academic curriculum model and instructional strategies.***

*There is no one curriculum model. Rather, the curriculum appears to be a combination of textbooks supported by the EMO in multiple states, including some jurisdictions (e.g. Texas) which have not adopted standards which are aligned with the Nevada Academic Content Standards. This raises the risk that the content delivered will be based on the scope and sequence of decade-old textbooks and frameworks which purport alignment to the NACS; this is contrary to the more generally accepted and effective practice of textbook and overall content selection, where attention of NCSC alignment is of prime importance and resources are identified to explicitly and intentionally address standards instead of standards being crosswalked to previously existing texts to meet the commercial needs of publishers.*

***The applicant’s resubmitted narrative provides additional content which is intended to address this concern. While more information is provided, the narrative remains insufficient to meet the standard. The applicant states that, in order to better align with NACS standards, it has reduced the breadth and number of textbooks. However, Appendix A.3.11 indicates that the only textbook resource that was eliminated was the great books literacy supplement. This does not appear to be a significant change. Further, rather than the EMO verifying before the opening of the school that the chosen textbooks indeed meet NACS***

***requirements, the school will rely on local staff hired in Nevada to confirm that alignment following the opening of the school.***

***The application does not indicate what would happen were the selected curricula deemed to be substantially unaligned with NACS. Because this major alignment exercise is deferred to September, it appears that the school will not know if its chosen curriculum is aligned to NACS until after the beginning of school. Moreover, as the potential adoption of a new curriculum would necessitate a charter amendment prior to the purchase of textbooks or the delivery of content, it is unclear if this could be accomplished without significant operational and academic disruption. Regardless of the curriculum which is ultimately selected, it is likely that any commercial curriculum will require some degree of ongoing alignment as the NACS is a new set of standards. While the revised application specifies the end of the day every Thursday will be used, in part, for “curriculum alignment,” it does not explain the process, or frequency thereof, by which the Curriculum Committee will analyze, on an ongoing basis, the efficacy of the chosen curricula.***

*Using multiple curriculum models and instructional strategies (Core Knowledge, Spalding Reading, Junior Great Books, and Saxon Math) will create an extensive need for professional development and work sessions to ensure NACS alignment and teacher fidelity to multiple instructional models and strategies. There is no evidence of a strong connection between the school’s curriculum, pedagogy, and professional development. For example, staff is also expected to use multiple approaches to instruction including differentiated, whole group, small group, and individual instruction. There is no reference to professional development for these instruction strategies, other than some discussion of direct instruction.*

***The applicant’s instructional strategies discussion is a significant revision of the original application. The previous narrative is replaced by a discussion of direct instruction and a new instructional strategy, project-based learning. Significantly more information on the school’s use of project-based learning as an instructional strategy is necessary. It is unclear what themes might be used to focus learning or how the school will use project-based learning to promote the independent problem solving, higher levels of critical thinking, and collaborative learning as discussed in the narrative.***

*There is no evidence of ongoing professional development, professional learning communities, or other forms of accountability and assistance for staff essential to implementing such an ambitious and potentially conflicting set of curriculum tools. For example, the calendar and school schedule do not assign routine collaborative times to review the impact of instructional strategies (using data) and/or time or a method for administration or individual teachers to analyze and modify instruction. Given the myriad of instructional tools identified and the lack of information regarding a coherent framework for support and implementation, these omissions are particularly glaring.*

***The applicant furnished a more detailed list of pre-opening and ongoing professional development topics. There are no plans for professional development on ELL-related topics identified. While the student population cannot be predicted prior to the completion of the enrollment process, the linguistic diversity of Clark County and the presence of significant numbers of ELL students in the vast majority of CCSD schools argues strongly for professional development related to services to ELL students. The resubmitted application also provided a revised school schedule which includes a block of time to be used for professional development, professional learning communities, and some individual coaching. It is unclear how each of these activities will be structured and managed.***

*There is also little evidence of any professional development and/or teacher accountability to innovative and effective instructional practices. There seems to be no ongoing professional development (other than summer scheduled workshops) to assist, modify, and ensure staff are using effective instructional strategies, especially those students with diverse linguistic and cultural backgrounds, as well as those students who are below grade level. Throughout the application there is reference to professional development that is offered by the*

*EMO or other contractors but no professional development days are scheduled on the school calendar, other than a note that some professional development will occur before school starts. There is also no attached list or schedule of professional development activities or timelines. There is also some reference to pre-opening professional development, which would be provided by publishers or other third parties instead of being developed and implemented by individuals knowledgeable of the school and its instructional models. This pre-opening professional development consists of exposure to the main sources of content: Core Knowledge, Saxon Math, and Spalding Reading.*

***The applicant provided revised content to address this concern by adding some additional information regarding the professional development program and instructional strategies. As noted above, the information provided is insufficient. The applicant has provided significant additional information regarding collaborative planning time and has identified specific times on the schedule when teachers will engage in professional development and PLC activities. As noted above, it is unclear how these activities will be structured or how they will be managed.***

*The bevy of content options offered highlights the lack of provision for curriculum mapping to align the Core Knowledge Sequence, Spalding Reading, Junior Great Books, Saxon Math, and the Athlos Athletic and Character Curriculum to the Nevada Academic Content Standards. This is particularly glaring in the area of language arts, where content would be pulling from four sets of content standards and resources: Nevada Academic Content Standards, Spalding, Core Knowledge, and Junior Great Books. There is no evidence curriculum mapping has already been accomplished or that there is a strong plan in place which would allow for teachers and administrators to learn how to develop their own curriculum maps to these content resources to ensure they are making the best possible choices (or even marginally effective choices) to meet the needs of their students and address the NACS expectations.*

***The revised application now contains references to an annual curriculum alignment activity. There are also references to teachers using professional development blocks for curriculum alignment. It remains unclear how teachers will be trained in curriculum alignment and how the school will manage that process to ensure fidelity to both the academic model approved in the charter and the achievement of NACS objectives.***

*The narrative makes several references to Direct Instruction. It is unclear from the narrative if the applicant is referring to Direct Instruction, aka DISTAR, a high scripted set of elementary reading and mathematics curricula which are rarely used school-wide due to known issues with the alignment of these programs to either previous state standards or to the Common Core, or to the instructional strategy of direct instruction, which is characterized by “teacher talk” and, when used as the primary method of instruction, often correlates with the mastery of only basic levels of content absent significant investment in teacher training and school-specific content and professional development.*

***The revised application addresses the emphasis on direct instruction by describing the approach as blended and introducing a new instructional strategy, project based learning. The narrative is not compelling in key respects. First, in describing its instructional model as blended there is no narrative to explain in what sense it is blended. It seems more a segregated model: math and language arts, direct instruction; Core Knowledge with some opportunities for PBL “when students begin to develop executive functioning skills” but with no guidance on when that might happen or how it will be determined they’ve reached that stage. It seems less a commitment to PBL or a blended, best practice approach and more an accommodation to the conflicting realities of their core curriculum choices being direct instruction programs and the more rigorous expectations around Common Core standards. In other words, rather than using this section to develop and advance the reader’s understanding of the educational philosophy behind its choices the applicant settled for just additional description of the pieces but not the whole or how it will work together. The revised professional development schedule and calendar do reserve time for project based learning***

***topics, but it is unclear whether the time allotted is sufficient. Project based learning is a highly complex set of instructional strategies that has significant curricular implications.***

***With a management structure that appears to defer significant discretion to an as-yet unidentified school leader and staff, it is unclear who will design the projects and how the school will ensure that they are sufficiently rigorous and aligned to NACS.***

*The information provided on the proposed physical education program is insufficient. Based on the level of detail provided, it does not appear that the physical education plan is fully aligned to the appropriate Nevada standards. This is one-third of the foundation of this charter school but the narrative pays insufficient attention to the implementation of this program. This program and the character education program are at the core of the EMO's academic value proposition to the school, but there is no clear plan for implementation (e.g. timelines, benchmark reviews, assessment reviews, responsible parties, criteria for success). Such elements should be clearly identified to allow for the administration and the board to hold the EMO accountable for implementation and support.*

***While the applicant provides some additional information on assessment, the revised narrative provides very little additional information on how the school will hold the EMO accountable. The most relevant additional information provided relates to a quarterly report on academics by administration to the board.***

***However, as the school director and the business manager will be employees of the EMO versus the board, it is unclear what governance, management structures and processes will be in place to avoid perceived or real conflicts of interest due to this division of loyalties. It is unclear how the board will ensure that this vendor-generated report contains sufficient, independently verifiable information for it to oversee the academic program and the general performance of either the administration or the EMO. Even in the program areas which represent the EMO's core competencies, the application does not indicate how analysis of the interim athletic and character development assessments would be used to modify athletic and character development instruction and instructional planning.***

*The academic model is unproven. Consequently, the contemplated enrollment and grade span is excessive for a startup school. The applicant is encouraged to revise the enrollment and grade span request to a number which is more manageable and appropriate to a startup school.*

***The applicant does not directly address this concern, providing general research citations for the programmatic choices and pointing to the track record of schools which implemented non-academic elements of the program without declines in academic performance. Despite the fact that there is no track record of success in implementing this academic model, the applicant has made no revisions to the enrollment configuration or grade span.***

*The school would hire an EMO, Athlos, to provide financial management services and to support the board in the implementation of the academic program. The EMO would also be responsible for employing the school leader and for supporting the board with a variety of other operational and academic activities. There are numerous problems with the proposed management and operating plan.*

*The EMO proposes to charge a management fee of 12 percent of local, state, and federal revenues. Due to state and federal restrictions on the use of Title dollars and the authority's role as the LEA for schools, the provision for a 12 percent fee on federal revenues is problematic.*

***The revised application addresses this concern.***

*The proposed bylaws of the school are prefaced by a letter from an attorney referencing another Nevada charter school.*



***The revised application addresses this concern.***

*The discipline policy and code of conduct provide the opportunity for a well-rounded and reasonably safe and orderly learning environment. The school mission is based on the teaching of Performance Character and its integration throughout all content areas.*

*Staff, students, and parents are all involved in a variety of levels from minor infractions to serious criminal offenses. Legally sound policies for student discipline, suspension, dismissal and expulsion NRS 392.4655 through NRS 392.4675 are established. The Student Launch Report and Athlos Report Card, which requires parents to set goals with and assess their student, can provide the opportunity for intervention at the most basic level.*

*There is a clear strategy for engaging parents and guardians in the life and culture of the school using a multiple of approaches. Student Launch Reports and Athlos Report Cards require parents to set goals with and assess their student on each of these traits at various times throughout the year.*

*Parent/student/teacher conferences, open houses, email and phone communication, parent and student surveys, parent participation on committees, and parent participation on the Board are additional strategies. Parent and student satisfaction surveys will give parents and students an opportunity to impact their school.*

*In the narrative A.8.6, the school identified guidelines but failed to provide a clear explanation of the proposed school's process and/or plans for their Special Education Program. Instead they gave the rationale for including the guidelines. Multiple required elements related to special education and gifted and talented processes and procedures (e.g. flowcharts), were not included.*

***The resubmitted application attempts to address this concern, but the applicant did not fully remedy the omissions. For example, the applicant's Plan for Evaluation of the Special Education and RtI Programs was omitted from the revised narrative. More broadly, while the applicant provided headings which align to many of the requested special education topics, the narratives beneath the headings were typically vague assurances which failed to provide clear, detailed plans and processes which were responsive to the application criteria. There are also instances where unresponsive material is provided. For example, in the place of the requested flowchart which describing the proposed school's Special Education Continuum of Services for Least Restrictive Environment, the Committee to Form submitted a flow chart that describes the Special Education referral to intervention process.***

***Similarly, in lieu of the detailed discussion of gifted and talented education requested, the Committee to Form provided a brief paragraph which fails to provide a clear set of plans, processes, and procedures related to key elements of the Gifted and Talented program, including:***

- a. Referral Process***
- b. Identification***
- c. Screening Process***
- d. Assessment***
- e. Parent Notifications***
- f. Education/Academic content (research on effective strategies and support materials)***
- g. Monitoring Plan***
- h. Progress Reporting***
- i. Budget for allocation for resources, staffing, and training needed to serve qualified GT students***
- j. Plan for Evaluation of the GT program***

**Similarly, the resubmitted application omitted a narrative describing the school's specific Gifted and Talented continuum of service delivery model.**

*Contrary to Nevada Administrative Code (which limits the initial term of management contracts to two years) and to best authorizing practice nationally, the management agreement term is longer than the maximum six year charter term. The management agreement provides that the contract term will extend until such time as the charter is revoked, surrendered, or not renewed. "Organization agrees that so long it holds a Charter for a School, Organization shall engage Provider for the Services (defined in Section 5 below), pursuant to the terms and conditions of this Agreement." There is no provision for evaluation of the contract as part of the charter renewal process.*

*Projected enrollment for FY16 is 965 students and FY17 is 1250 students, yielding ending cash flow statement cash balances of \$30,272 (FY16) and \$451,201 (FY17). While there are some omissions which preclude full analysis, there is sufficient data in the budget to raise serious concerns about the financial sustainability of the project.*

~~*In some cases budget forms with the logo of the EMO were provided. These forms are not structured in the same way as the mandated templates and appear to have been missing some information. In some cases the form provided is only marginally legible, making review difficult. The budget narrative does not provide sufficient detail to vet expense assumptions.*~~

**The revised application addresses this concern. The revised application includes legible, compliant forms.**

~~*While the applicant submitted a budget, it included a variety of highly aggressive revenue and financing assumptions. A responsive worst-case scenario budget detailing at what point the school can break even was not provided.*~~

**The revised application partially addresses this concern by reducing the revenue assumptions to basic public sources. The budget assumes 6.5 percent management fee to break even; this is inconsistent with the draft management agreement.**

~~*The costs associated with the facility appear excessive and unreasonable as a percentage of revenue (26%). Consequently, [T]he project is only able to meet its rent, management fee, and general expense obligations if it achieves its ambitious enrollment targets and there are no unanticipated expenses.*~~

**The revised application attempts to address this concern. It is unclear what the new management services fee will be due to inconsistencies in the resubmitted application. On page 13, the application states the percentage is 6.5%. On page 304, the stated service fee in the management agreement is 9%. Despite reducing the lease rate from the original application, the new lease rate remains high when compared to other schools.**

*While the applicant indicated in the interview that there is a possibility of management fees being reduced, deferred, or forgiven in the event of a revenue shortfall or cost overrun, there is insufficient information provided in the budget or in other attachments to permit thorough evaluation of this scenario and determine whether the school would be able to remain a going concern under such circumstances.*

**The revised application attempts to address this concern. The inconsistencies in the resubmitted application preclude full analysis.**

*Given the EMO's lack of connections to Nevada, its limited operating history in other states, and the small size and composition of the current board, there is also substantial risk of an enrollment miss and concomitant*

revenue shortfall. If the applicant adjusts the enrollment and grade span, the budget and finance plan will also need to be modified.

**The revised application attempts to address this concern. The applicant has made some adjustments to the composition of the Committee to Form. The lack of an academic track record for the EMO and the lack of documentation regarding the organization's ability to effectively manage public funds continue to raise serious concerns about granting a charter for such a large number of students and public funds to a board contracting with an organization which has not yet demonstrated the capacity to do this incredibly challenging work at such a large scale.**

The applicant proposes to partner with an education management organization, Athlos Academies, and with several affiliate companies for management, curriculum, and facility construction and finance services. The limited operating history of and lack of transparency from the EMO argue against this partnership as currently envisioned.

~~The name of the EMO listed on the cover page of the application (Athlos Academies) and the name of the EMO as listed in the management agreement (School Model Support LLC) do not match.~~

**The revised application addresses this concern.**

The applicant and its EMO declined to provide financial performance data on the entity, the affiliated non-profit and LLCs referenced throughout the document, or any schools for which it provides services. This is an unacceptable omission which does not permit the Authority to evaluate the capacity or effectiveness of the EMO in managing school business operations, a key component of its management services. Moreover, given the central importance that the applicant group placed on the facility construction and financing capacity of the entity's development arm in their selection of the EMO and the network of overlapping entities which would support the school in some capacity or another, the decision to not provide any supporting evidence regarding the operating history or capacity of that affiliated LLC (e.g. track record of successful facilities development) in the application raises troubling concerns about the degree of transparency the board can expect from its EMO and that the Authority can expect from either party.

**The resubmission attempts to address this concern. The limited narrative provided regarding Athlos Academies' track record contains no information regarding financial performance. Consequently, the revised application does not speak to the EMO's fiscal management and viability. The applicant is encouraged to provide far more information in this area in the event it submits a new application. In the event that concerns about even basic proprietary information being shared publicly through the application process, there are statutory provisions balancing confidentiality with transparency which may be applicable to this context. The applicant is encouraged to seek guidance from an attorney and broach this subject with the Authority well in advance of any future deadlines.**

No evidence is provided to support the contention that this school and its EMO provider will be academically successful implementing this program. The applicant notes that this is the first year the EMO has provided academic services to any schools, so there is no track record of success from which to judge its effectiveness in this area. The applicant notes that many elements of its model have strong track records but provides no evidence to support the contention that the off-the-shelf core academic curricula mentioned in the application can be supported by the EMO in question. The applicant also fails to disclose that there are multiple examples of EMO-affiliated schools with similar operating structures using similarly celebrated curricula where the academic results have been poor enough to necessitate closure or restructuring of entire networks of schools. The applicant provides no evidence of lessons learned from such implementations and

*lacks a compelling rationale for why this EMO will have a better track record. This lack of an academic track record raises grave concerns, as the Authority is being asked to approve the replication to Nevada of an unproven school model.*

***The resubmitted application attempts to address this concern. Athlos Academies' academic program has not been used at its other schools; therefore, there is no track record to determine the likelihood of success of the proposed school.***

*Based on due diligence on the operation of Athlos Academies in other states where the EMO currently operates, it is important to note that the company has primarily partnered with existing high-performing schools; any future analysis of the EMO's track record will necessitate taking into account historic baseline data to determine whether the EMO can be effective in contexts where there is not already a high-performing school in operation. Moreover, it is important to note that other authorizers have elected to deny applications from groups proposing to partner with Athlos based on concerns similar to those raised in this review.*

***The resubmitted application attempts to address this concern. A review of the charter school literature points to the idea that sustaining and building upon academic success requires different behaviors and skills than starting a successful school from the ground up—particularly at scale. While the applicant notes that the organization does not have any low-performing schools as clients, its limited history as a provider of academic services would argue that this distinction is more a function of effective selection of high performing existing school clients than a particular skill at selecting new clients who have the capacity to oversee a large high performing startup.***

***The revised application addresses this concern. The revised management agreement in the resubmitted application addresses the initial contract term concern and does not provide for automatic renewal. It is silent on management contract renewal or on the evaluation of the contract as a part of charter renewal.***

*The management agreement limits, to some degree, the board's ability to inspect the books and records of the school. The management company commits to "provide the back-office and accounting services, including payroll, accounts receivable, accounts payable, and other necessary accounting functions; provided, however, Provider shall provide full disclosure and access to such records as Organization may reasonably require." The provider cannot place its judgment [or, indeed, a general legal definition of reasonableness] regarding the reasonableness of a request for the school to inspect its own books and records above that of either the school board or the authority. Such a provision is contrary to public policy and state and federal law.*

***The revised application addresses this concern.***

*The termination provisions of the agreement unreasonably favor the provider and are not sufficiently mutual. Moreover, the loose definitions of the services provided in the agreement allow significant wiggle room for the EMO. Most services listed "assist" the board with various activities, e.g. staff recruitment, limited technology administration, professional development, expansion planning, etc. The only clear commitments relate to the provision of the company's athletic program and associated materials, clothing, and training. Additionally, the cure provisions listed are overly broad, allowing the contract to continue beyond a 90 day notice and cure period for "such longer period as may be necessary to cure the breach or default, if Provider has commenced and is pursuing a cure." Absent clear evaluative criteria and performance standards, this provision permits the EMO to continue to collect funds based on effort versus on effective delivery of services.*

*The revised application partially addresses this concern by adding significantly stronger language to the Termination section. In several instances the services to be provided are made slightly clearer through the elimination of “assist” or similar words and the substitution of more “active verbs.” In most cases, however, the deliverables and scope of work for service delivery remain quite broad, allowing a clever attorney to argue that no breach has occurred. The applicant also states that the draft management is subject to further negotiation, as the Committee to Form is continuing discussions with Athlos and is evaluating management agreements. The uncertain state of the management agreement is cause for concern. In the event that the applicant chooses to submit a new application at a later date, the Committee to Form is urged to provide a far more mature version of the management agreement to facilitate a thorough evaluation of the application. Moreover, the applicant is encouraged to align its deliverables under its performance agreement, e.g. the academic, financial, and organization framework criteria, with the appropriate services provided by the EMO. In order to effectively oversee and drive school performance and improvement, it is critical that the applicant fully demonstrate an understanding of what elements the board is accountable for delivering with EMO support, what elements are the responsibility of the EMO-employed school director, and what elements the board will need to deliver on its own or with the support of other outside entities.*

*The board’s relationship with the EMO and responsibility for two key roles remains unclear. The school director (elsewhere referred to as the principal—this is an additional inconsistency) reports to the Board “through the EMO”. The agreement and narrative is unclear on the details of this indirect reporting relationship. While it is now clear that the Administrative Manager reports directly to the principal, the Business Manager’s role and accountability is not clear in the narrative or organizational chart. Two lines in the org chart run from Business Manager, one to the Board and one to Athlos/Principal. The narrative states that the Business Manager provides reports to the principal and Board and that the Business Manager “is responsible for all business related decisions, including HR decisions in consultation with the principal.” Due to a lack of clarity and consistency in the narrative, the organizational chart, and the management agreement, is not clear to whom the Business Manager reports or who ultimately make business decisions: the Business Manager, the principal, the EMO, the Board.*

*The language of the management agreement provides that it is confidential and proprietary. This is contrary to Nevada’s public record requirements.*

***The revised application addresses this concern.***

*The agreement provides that the school may not operate a similar program if it terminates the management agreement: this provision, if interpreted broadly or in a risk-averse manner, effectively requires the school to amend its charter to remain in operation and might require a school to cease providing instruction in a core area such as athletics. This is impermissible: while a vendor may require a school to cease implementing a licensed program once the license term has ended, a vendor cannot dictate the terms of a charter agreement between a school and the Authority by preventing the school from purchasing a similar program from a competitor or developing its own program to meet the terms of its mission and vision.*

***The revised application addresses this concern.***

*The management agreement provided is a boilerplate agreement; there is no evidence the committee to form has taken the time to negotiate an agreement which neither is specific to the needs of this school and community nor is there any evidence of non-negotiable terms articulated by the committee to inform negotiations.*

***The revised application attempts to address this concern noting that the Committee to Form is evaluating proposed management agreement documents. It is unclear, however, whether any of the changes***

***incorporated into the current draft agreement were made based on negotiations between the Committee to Form and the EMO or if they were made by the EMO purely in response to sponsor feedback.***

*The facility will be owned by an EMO affiliate—there is no explicit provision allowing the school to stay in the facility if the management agreement is terminated. The negotiation and execution of the management agreement and the lease are listed as linked, simultaneous activities in the application.*

***The revised application addresses this concern.***

*The operating model appears to be configured to generate a particular economic return to investors instead of stellar academic outcomes for students and families. The contemplated enrollment and grade span is excessive for a startup school which is not a replication of a similar program serving a similar population. The applicant is encouraged to revise the enrollment and grade span request to a number which is more manageable and appropriate to a startup school.*

***The applicant does not fully address this concern, citing the vision, philosophy, and mission specific goals as evidence that the application is intended to generate a social return as well as a financial return. Despite the fact that there is no track record of success in implementing this academic model, the applicant has made no revisions to the enrollment configuration or grade span.***

*The Committee to Form the School consists of four five members. , two of whom are related (father and son). All members are identified as potential board members at this time. There are significant concerns around governance capacity.*

*The Committee to Form the school are highly respected professionals with significant accomplishments in business and education (including a CCSD administrator and a teacher who previously taught at a charter school out of state) well as senior executives at locally and nationally recognized health care organizations. Two of the members of the Committee to Form are related: J. Tod Bunker and Jon Bunker. Additionally, two members of the Committee hold past employment relationships: K. Lefevre worked in the school led by K. Singer. No strong rationale (e.g. rural school status) exists to justify why these relatives and other potentially conflicted individuals serve on the Committee to Form or would serve on the board together. Moreover, the proposed management agreement also provides for a non-profit affiliate of the EMO to appoint two additional board members; this arrangement, highly problematic in any charter school context, is even more unacceptable given the other overlap and conflict issues already in evidence.*

*The applicant attempts to address this concern. Two Committee members have exited and the applicant states that several new members have been added. There are inconsistencies in the application, however. The bylaws have not been amended to prevent the recurrence of similar conflicts. The list of members on page 258 indicates only one new member: J. Martin while the completed questionnaires reveal an additional member, R. Cadwallader. Mr. Cadwallader is a widely respected career CCSD educator who is well known to the staff and board of the Authority. A review of the full application reveals that he is not listed as an actual member of the committee and the application does not include his resume. Consequently, it is unclear what his status is in relation to the school and a conservative approach to evaluating the capacity of the prospective board must exclude his qualifications.*

*Unfortunately, it is far too common for a prospective board member to ultimately opt out of the process for a host of valid reasons for the review team to give weight to an incomplete addition to the prospective board, regardless of his or her qualifications. Moreover, there are additional inconsistencies with relation to the appointment of board members by the EMO affiliate which strongly argue against approval. While the applicant reports that the requirement that persons appointed by Complete Kids, Inc., serve on the board has been removed (on page 250), the contractual language is ambiguous. While this language is stricken from one section on page 250, the role of the two Complete Kids appointees is are referenced in part (3e) of the*

*management agreement. This discrepancy, however unintentional, strongly argues against approval during this application round. Moreover, given the multiple entity structure preferred by the EMO, full disclosure and additional scrutiny of the structure of any tangentially related entities is also warranted in future submissions to ensure an appropriate degree of transparency and accountability for public funds.*

*The provision permitting the appointment of board members by an EMO affiliate is unacceptable and must be removed from the contract and the bylaws. Absent a significant expansion and diversification of the Committee and the Board, the current size and overlap provides one family with far too much influence and voting power over the disposition of public funds and the welfare of Nevada children. In the event of significant expansion of the board, these conflicts of interest, if they continue to exist, must be managed and clearly discussed in the school's bylaws. Absent a revision which conforms with this expectation and an application narrative which presents a compelling case for such a structure, this conflict strongly argues against approval of the application. Moreover, in the event that the identified issues are addressed, e.g. the EMO affiliate appointment provision is removed and one of the conflicted members elects to withdraw from the Committee to Form, the bylaws and any performance agreement entered into by the Authority must include language which would explicitly forbid the re-emergence of these conflicts or similar arrangements following the approval of the charter.*

*The revised application attempts to address this concern. As noted previously, the language of the management agreement is ambiguous with regard to the appointment of EMO affiliate representatives. While some language in the revised application explicitly forbids the appointment of employees of the EMO, it leaves the door open to the appointment of individuals employed by, who have an ownership stake in, or are otherwise closely affiliated with the vendor or an affiliate. For example, there is no language in the bylaws prohibiting a close relative of an EMO shareholder/owner or employee from serving on the Board or in a leadership capacity at the school. In the event that an application from this group is ultimately approved, the final management agreement will require careful scrutiny to ensure that the combination of an inexperienced operator and a novice charter school board does not result in an agreement which does not set the new entity up for success.*

*Despite the records of professional and civic accomplishments evidenced by the Committee to Form, the boilerplate nature of the management agreement, the lack of knowledge of the Committee to Form regarding key provisions of the contract, and the Committee to Form's dismissal of Authority staff's concerns regarding problematic elements of the agreement, including overly generous compensation, renewal and termination terms that favor an entity with no operating history or academic track record, raise grave concerns around the capacity of the proposed board to oversee the EMO and hold it accountable for public funds and the academic achievement of the proposed school's students.*

*The resubmitted application attempts to address this concern, but the ambiguity regarding the proposed management fee, the lack of clarity regarding the membership of the prospective board, and the lack of directly applicable experience by the EMO strongly argue against approval at this time.*

*Given the EMO's lack of connections to Nevada, its limited operating history in other states, and the small size and composition of the current board, there is also substantial risk of an enrollment shortfall.*

*While the Authority has received some verbal assurances regarding the EMO's marketing capacity, significant additional information is essential to formulating a thoughtful evaluation of capacity in this area. The EMO is a new operator which has only worked one startup charter school to date. Moreover, the current proposed board, while composed of passionate and talented individuals, does not appear to have the diversity of experiences and perspectives necessary to support or directly manage a robust enrollment campaign for a sizeable school. The Authority strongly urges the applicant to consider articulating robust structures, tools, and strategies to ensure the achievement of its enrollment goals in any future submission.*

*The review team deeply appreciates the work that the applicant has done thus far and strongly urges the applicant to evaluate the feedback with an open mind and in a spirit of continuous improvement.*

*Nevada needs more high quality, reflective charter school operators who prioritize exemplary student achievement, high quality charter school operations, and thoughtful compliance with all of Nevada's laws and regulations. The Authority is uniquely positioned to approve applicants that show significant promise to deliver transformative outcomes for all of our children. We deeply appreciate the profound engagement exemplified by this proposal and look forward to receiving a carefully rethought application in the future.*

Director Gavin finished his presentation with a recommendation to deny Athlos Academy's charter application.

Chair Conaboy then called for the members of Athlos' Committee to Form to speak about their proposed school. Tod Bunker, CTF Liaison, said he had been introduced to Athlos and was impressed with the model they have. Christine Saigo was contacted by Mr. Bunker to be on the CTF. She had been employed in Florida at a charter school. She says she also believes in the model that Athlos employs. Mr. Bunker thanked SPCSA staff for all of their assistance during the process and his group was looking forward to resubmitting the application during the next submission window.

**Member McCord moved for denial of Athlos Academy's Charter Application. Member Van seconded. There was no further discussion. The motioned carried unanimously.**

**Agenda Item 10 – Consideration regarding the Application Review Team's recommendation of the Equipo Academy East Las Vegas College-Prep's charter school application resubmission**  
Prior to hearing the recommendation report from the SPCSA staff, Chair Conaboy asked for the remainder of the public comment. Multiple people spoke in support of the approval of Equipo Academy. The full public comment can be heard on the meeting recording.

Director Gavin then gave the staff recommendation report:

*The Equipo School Design revolves around five pillars drawn from a growing body of research into the key features of consistently high performing schools serving disadvantaged populations: high expectations for all, transformational teachers and leaders, innovation driven by data, a pathway to and through college, and the joy factor. Building on the work of the leadership team and faculty at El Dorado Prep and the Scholars Working OverTime program in East Las Vegas, the Committee to Form has set an ambitious goal for its students: 100% college acceptance for its first graduating class and the eventual return of an Equipo graduate to lead the campus.*

*Equipo Academy is a proposed college preparatory school which proposes to use a process called Understanding by Design, where the State Standards serve as the curriculum and teachers utilize backwards mapping to drive the planning and choice of curricular materials for each unit of instruction. The research base for this approach not provided; a compelling justification is required. The Understanding by Design process can create a serious compliance issue for charter schools due to the provisions of NAC 86.626 and related regulations, which require charter applicants to include a listing of textbooks by content area and grade level, including title, author, publisher, and copyright, to be used at the school. The applicant must include such a list in order to be granted a charter. The applicant may elect to provide an explanatory discussion of how the usage of such textbooks may differ within the context of an Understanding by Design implementation, e.g. as resources or supplements versus as the primary drivers of instruction. It is also unclear what support and guidance teachers will receive in selecting appropriate authentic texts to support Spanish and English courses—e.g. a list of high quality texts from which to draw. While teachers will be expected to plan lessons based on UbD curriculum maps, the proposal did not identify a clear plan and process to support the development of the maps or the school-wide benchmarks.*



***The resubmitted application adequately addressed this concern. Understanding by Design is a highly regarded methodology for developing exemplary, standards-based curricula which are targeted to meet the needs of a specific student population. It is generally considered to be one of the most challenging, and high-impact, strategies for developing curriculum. Recognizing the complexity of an Understanding by Design implementation and the very short lead time that the school will have between approval and opening at scale with 468 students versus the longer planning time associated with most high quality implementations, the reviewers recommend that Authority require the school to take a planning year following approval to refine its already strong academic plan, solidify its team, and develop a comprehensive curriculum for the school based on the principles of Understanding by Design. Submission of a well-developed curriculum will be added to the list of mandatory pre-opening requirements.***

*The instructional strategies section provides only a cursory discussion and does not meet the standards set forth in the evaluative criteria. The section referenced high-impact instructional strategies with high expectations and refers readers to an attachment which includes a description of the SIOP model. It does not appear that the attachment was included in the proposal. Additionally, the full listing of instructional strategies promised in the narrative is missing from Attachment A.3.12.*

***The resubmitted application adequately addressed this concern.***

*A typical daily schedule, including breaks and lunch, for each grade level must be provided an attachment. Only one schedule was provided and the grade level wasn't specified. There are discussions of scheduling practices elsewhere in the document, however. It is unclear how 6th grade students will have time for all required courses if they are placed in double blocks of math and language arts. The applicant must clarify whether students will receive double credits for core subjects or if the second block will count as electives.*

***The resubmitted application adequately addressed this concern. Submission of more detailed schedules will be added to the list of mandatory pre-opening requirements.***

*More robust content explaining the school policy on promoting students to the next grade level and for graduation from the school must be provided in the requisite locations. For example, the required promotion policies in Attachment A.3.7 were omitted. It is unclear what happens to students who do not achieve the 70% grade average or the 90% attendance policy required for promotion to the next grade. The applicant must explain what strategies the school will utilize to prevent the creation of credit deficient students. The applicant must provide a compelling rationale for the requirement that students receive prior written approval for summer school in any school system other than Equipo in order to be promoted to the next grade level. A justification is not provided for the requirement of enrolling in a 100 hour summer school.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The use of student data section references an attachment but the attachment is not included in the proposal. The data management plan outlined an incomplete system for participating in the statewide system of assessment and accountability. Specifically, mandated state assessments were not referenced. The applicant should revise this section to incorporate information that includes proficiency exams in the content areas and how the school will monitor data for credit deficiencies and who will be responsible for monitoring that information.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The applicant does not specify who will provide the necessary professional development. It is also unclear will observe and evaluate teachers. Specific materials are mentioned such as case studies of excellent teaching, but*

*they are unclear where these materials will come from and how teachers will access them. In the special populations section it states that all staff will be expected to participate in sheltered English instructional training using the SIOP protocol. This requirement is not mentioned in the general section regarding professional development. It is unclear what type of professional development and coaching will be available to teachers who are unfamiliar with the exit ticket/analysis of data process. The application specifies that staff will be required to attend pre-opening professional development but it is unclear how they will be paid for working two weeks before the start of school. There are also references to visits to high performing charter schools outside of southern Nevada but there is insufficient information to explain how those costs will be covered.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The school assessment plan must be included as an attachment, including a list of the instruments (tests, diagnostics, survey, or other) to be used. A comprehensive assessment plan clearly identifies the assessment(s) by grade level and a timetable as to when the assessment(s) is administered. Moreover, the applicant must fully demonstrate understanding of and commitment to compliance with assessment requirements applicable to all Nevada public schools consistent with state law and relevant policies of the State Public Charter School Authority. ( NAC 386.150(7), NRS 386.550(1)(g) and (h), NAC 389.048-.083; NAC 386.150(7), NRS 386.550(1)(g) and (h), and NAC 389.048 - .083).*

***The resubmitted application adequately addressed this concern.***

*The Committee to Form intends to found a new school housing the leadership, faculty, and many of the students of El Dorado Prep, the only five star middle school in East Las Vegas. While the applicant currently runs an excellent program, there are additional growth areas which must be addressed if the applicant is to operate a successful charter school.*

*The applicant has set ambitious enrollment targets and communicated a strong academic justification for such a large first year enrollment during the capacity interview. A compelling academic rationale for such a large first year enrollment and an operational plan to support it must be formally articulated in order for this request to be considered by the Board, particularly in light of evidence that argues persuasively for smaller schools serving narrow grade bands.*

*While the enrollment guidelines and procedures were clearly articulated, an attachment that included an explanation and evidence to support the enrollment projections was not included. The description of the lottery system was not provided as an attachment. The applicant must also provide narrative that describes the targeted population and the reasons why the school believes this population is under-served in the community could include statistics that supports their beliefs in an objective manner. The applicant must fully explain how the school will be publicized and marketed throughout the community to a broad cross- section of families and prospective students. Include strategies the school will use to reach families that are traditionally less informed about educational options. It is also unclear why the enrollment window is so short.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The applicant failed to provide enrollment data from schools currently operating in community and the 200 families' letters of interest were not included as evidence to support the school's enrollment targets. The applicant must clearly state whether the school will limit the enrollment of pupils to a specified number or ratio of teachers to pupils pursuant to NAC 386.353 and NAC 386.180(7). If so, the applicant must identify if that number is per grade, for the entire school; or a particular ratio. It is unclear if the school will have a teacher to student ratio limit.*

***The resubmitted application adequately addressed this concern.***

*The applicant provided an incomplete description of the organizational structure of the school and its day to day operation. Explain the management roles and responsibilities of key administrators with respect to instructional leadership, curriculum development and implementation, and personnel.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The applicant failed to describe how the charter school will carry out the provisions of NRS 386.490 to 386.649, inclusive. What is listed in the narrative is simply a regurgitation of the law instead of a specific plan of action for what compliance will look like for Equipo, its board and its leadership. It is essential that the applicant explain how the school will fully comply with key provisions of the law.*

***The resubmitted application adequately addressed this concern.***

*The applicant proposes an ambitious calendar but fails to provide a compelling rationale for the calendar that shows alignment with the proposed school's mission, vision, and goals. As an attachment, please provide the policy of the charter school regarding the retention of the records of pupils. See NAC 386.360 and NAC392.301 – 392.360. The insurance quote from the agent/broker is incomplete; it must explicitly address NAC 386.215.*

***The resubmitted application adequately addressed this concern.***

*While the school's philosophy regarding student behavior; discipline and code of conduct policy; truancy policy and absence policy were clearly articulated and student focused, the discipline and truancy policies are incomplete and must be revised to fully address the criteria. According to the discipline policy, students who arrive without their homework will be expected to call home at check-in and inform their family that they must stay for scholar hour at the end of the day. It is unclear how this will be enforced if the child is not able to stay at school or in cases where there are extenuating circumstances? It is also unclear who will be supervising scholar hour. The policy provides that any unprepared student will be expected to write a letter to their advisory explaining the mistake, its impact on the team, and their solution. It is unclear if this information be shared with other students and how the school will address cases where a student is uncomfortable or struggles with writing.*

***The resubmitted application adequately addressed this concern.***

*The area that the applicant is targeting has a high percentage of ELLs that will likely need additional support. It is unclear from this portion of the narrative if the school will have an ELL teacher who can support teachers and students. A signed and dated Title III Assurance Document with all boxes checked was omitted from the application. The attachment describing the applicant's plan to evaluate the school's ELL program is incomplete, as was the attachment which provides a clear, detailed explanation of the proposed school's ELL program. Similarly, the applicant must also revise the attachment describing the plan for monitoring exited ELL students for two years and providing supports as needed to ensure it is complete and meets all the criteria specified in the application. The applicant must develop a plan to identify students who may be coming from other schools that have tested them previously. It is important that students are not screened unnecessarily. The applicant should also specify that Federal law requires that testing occur within the first 30 days of the school year. Federal law also requires that parent notifications must be sent in a language the parents can understand. This provision is not included in the plan. Specific assessment tools for*

*evaluating the progress of ELL students towards English proficiency were not identified. There is no mention of the WiDA Access assessment for ELL students.*

***The resubmitted application adequately addressed this concern. The remaining concerns can be addressed via a more comprehensive plan which will be added to the pre-opening requirements for the school.***

*A signed and dated Special Education Policy Assurance Document with all boxes checked was not included as an attachment. The applicant must also furnish an attachment that provides a clear explanation of the proposed school's RtI referral packet and flowcharts. It is not sufficient to provide a boilerplate packet and flowcharts. Rather, these documents must be customized to reflect your school and its structure. Similarly, please provide an attachment with a clear graphical explanation of your proposed school's Special Education continuum of service delivery model (i.e., a flowchart of least restrictive to most restrictive environment that will be implemented in your proposed school). The applicant must provide a similar custom flowchart of the school's continuum of services for Gifted and Talented students.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*Essential elements of the required emergency drill and crisis response plans were not provided, as the applicant provided an unresponsive narrative. For example, the provision for emergency drills should be drafted with sample maps which can later be replaced by official maps of the facility. Similarly, the crisis response plan must be provided, less the campus specific materials (e.g. sample maps will suffice). Provisions for the transportation of special education students in emergency situations were unaddressed, nor were safety drills. The required Emergency Management Plan must be provided as an attachment. The current narrative references CCSD nurses; CCSD nurses are not employees of charter schools.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The applicant utilized budget templates from another source. While the inclusion of a five year operating budget provided additional context on the overall revenue and expense picture during a greater portion of the charter term, the decision to utilize a different format precluded thorough analysis of key areas of the budget. The FY '17 cash flow balance conflicts with an FY '17 ending budget balance of \$133,011.*

***The applicant resubmitted a budget which meets the general approval standards of the Authority. The FY '16 enrollment of 468 and the FY '17 enrollment of 576 correspond to end of year cash balances of \$36,180 and \$121,863 respectively.***

*Equipo Academy plans on raising \$300,000 in its first year of operation. Since the monies are not confirmed, it is not clear how the school will adjust its budget to meet the needs that would have been financed through the fund raiser if those donations do not come through. Due to the risks associated with assuming philanthropic donations, applicants are urged to be conservative and assume no charitable contributions will be received. Similar, the Authority's standard guidance directs applicants not to assume Title I funding will be available as such monies are only disbursed following an audit by Authority staff. Moreover, both local and national data indicates that it is far more difficult to secure lunch eligibility information from middle school and high school families.*

***The resubmitted application adequately addressed this concern.***

*The school's budget plan for students with IEP's, ELL, and Gifted and Talented was not discussed in detail. More information is needed regarding these critical areas.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The Committee to Form the School consists of seven nine members with notable qualifications.*

*During the capacity interview, the Committee to Form shared that according to the most recent NSPF data, El Dorado Prep, the current home of the proposed leadership, faculty, and many of the students who want to attend Equipo, was recognized as the only five star middle school serving East Las Vegas.*

*One committee member was a school leader at a KIPP school in Philadelphia, PA and now serves as a leadership coach for a prominent charter school support organization. The application identified committee members with accompanying resumes that described their educational experiences and described how they had been actively involved in planning the school. Key members include a fundraising professional with prior experience in human resources and a nonprofit executive. The resume of one proposed member, J. Ford, who is described as a finance professional, appears to have been omitted; similarly, the resume of the proposed parent member is not in evidence.*

***The resubmitted application addressed this concern.***

*The Committee to Form also includes two teachers who are identified in the application as being licensed in Nevada. However, a review of licensure records indicates that all of the committee members are licensed in the elementary grades. None hold licenses for the grades served in the charter. The committee must be expanded to include at least one teacher who is licensed to teach the grades proposed to be served by the school. In accordance with the guidelines set forth in the application, the licensure number must be provided.*

***The resubmitted application addressed this concern.***

*The signed assurances and requests for information were not attached for all members of the Committee to Form. This is a serious omission which must be remedied.*

***The resubmitted application addressed this concern.***

*Based on the capacity view, it is evident that the Committee to Form is composed of experienced educators and community leaders who are deeply committed to the mission and vision of the school. A thorough review of the strengths and weaknesses of the application argues for the expansion of the team to include not only a licensed secondary educator to ensure compliance with statute and regulation but also additional individuals with business and legal backgrounds to provide additional perspective and guidance during the planning phase and beyond.*

***The resubmitted application addressed this concern. A specific board training requirement will be added to the preopening requirements.***

Director Gavin finished his presentation with a recommendation to approve Equipo Academy's charter application with a one year delay for startup.

Chair Conaboy then asked for the CTF of Equipo Academy to speak about their school. Ben Johnson, CTF and Teach for America representative, and Josh Ford, CTF member, also spoke about some of the awards SWOT had received, presented letters of support from the community, announced the acquisition of a facility, and the success stories the school continues to inspire.

**Member McCord motioned for approval of Equipo Academy without a delay in opening. Member Van seconded. Discussion continued.**

Member McCord began by explain with the Authority goes against a staff recommendation, it is meant as no disrespect to the staff. Member McCord explained that he felt the show of community support, the passion of the CTF, and the success of SWOT, compelled him to vote for the school to open in the fall of 2015. Member Wahl also agreed with Member McCord and added she was impressed the school had already acquired a facility.

Ben Salkowe, CTF liaison, said the application process was helpful because it forced his CTF to think through all aspects of the school. He said he appreciated concerns brought up by SPCSA staff, but also felt the school would be more successful in action as opposed to just an idea in an application. He pointed to the success of SWOT as evidence to back up his claim. He said the work that had gone into the curriculum development and other aspects of the school had been created through implementation and adjustment and he felt it was ready to be implemented in a full school. He said his team was ready for the financial and business side, of the charter operation and was confident that he was the proper people in place to ensure the school's success.

Member Van said he was impressed with the show of support and was looking forward to see the school open in the fall. Member Abelman said he tried to keep his emotions out of the decision, and even doing that he felt very comfortable this school would be able to succeed. Chair Conaboy asked if there was any further discussion, since a motion was already made by Member McCord. Seeing none she called for a vote:

**The motion to approve Equipo Academy for a fall 2015 open passed unanimously.**

**Agenda Item 11 - Consideration regarding the Application Review Team's recommendation of River Mountain Academy's charter school application resubmission**

Director Gavin presented the staff recommendation report for River Mountain to the Authority:

*The application proposes an academic program which focuses on environmental education and the preservation of the desert ecology as a lens for educating the whole child and instilling high standards of academic excellence and responsible citizenship.*

*The applicant provides an extensive list of **three** contemplated instructional strategies, including gradual release, independent learning, guided practice, peer teaching, cross curricular connections, and brain-based learning, but there is no evidence that these strategies are incorporated into a larger framework and theory of action which determines when a given strategy is most appropriate. Absent that higher level, research-based structure, the referenced instructional strategies appear to be incoherent and disjointed. Consequently, the applicant does not present a strong rationale or compelling, research-based evidence for selecting the proposed instructional strategies.*

*The applicants have narrowed their menu of instructional strategies to a more focused list but have not articulated a clear framework and theory of action. The applicant provides some citations of the research base for the three primary instructional strategies but fails to demonstrate how these strategies will work together. The application does not provide research to support how the combination of those three strategies will provide high quality learning opportunities for students. The elevation of differentiation from one strategy among many to one of the school's three primary strategies and the elimination of many key supporting strategies results in a narrative that does not provide any explicit instructional strategies (e.g. the eliminated gradual release, scaffolding, teacher modeling, small group instruction) which have a demonstrated effect on at risk or ELL students. A more coherent approach that has the potential to yield a strong framework and theory of action would identify primary methodologies and then explain how they are supported by relevant secondary methodologies.*

*The curriculum section is incomplete and there is insufficient evidence that the content selection was based on compelling, research-based evidence. The courses listed are not fully aligned with the Nevada Academic Content Standards.*

*The resubmitted application stated the school will use curricula aligned with the Nevada Academic Content Standards, the Common Core Standards and the Next Generation Science Standards. The course descriptions are included in the application. While the applicant furnished additional information which provides more insight into the contemplated curriculum, the current plan remains insufficient.*

- *As placed based education requires teachers to incorporate the community as a resource the curriculum must reflect how the teachers are expected to use the community as a resource for teaching and learning. Merely stating teachers will be encouraged to use the community as a resource does not reflect a cohesive curriculum. The Investigations curriculum is a common core standards curriculum. It relies heavily on teachers and administrators collecting evidence ensuring each standard is taught and gaps are filled as necessary. Based on the lack of alignment between the assessment program and the Investigations curriculum there is doubt this evidence could be collected effectively. A more effective approach would be to create an assessment program based on the Investigations curriculum since the school is relying so heavily on it and its alignment to Common Core.*
- *There are no textbooks or other curricular resources selected for social studies and science (page 7) but teachers will be expected to align the place based learning to the standards. The application states that the place-based education model does not require science or social studies text books, while possible free curriculum resources from various sources are indicated. The plan does not indicate how the school will ensure that the obtained resources are aligned to the NACS and Next Generation Science Standards. There is insufficient information about how the school will ensure that the standards are adequately taught in the event these free resources cannot be obtained.*
- *Art, Music, Health, Spanish, and Computer Technology also have no textbook selected (page 8). It is unclear how this curriculum would align to the standards. The applicant must provide a more focused description on what this piece of the academic program looks like. It is also unclear how the school would collect data on these subjects to ensure proficiency.*
- *The application states curriculum maps will be largely aligned to the curriculum, standards and students goals (page 9). Either they are aligned or they are not aligned. If they are not aligned there is no specific way to gauge proficiency.*

*The professional development narrative presents a cursory view of the kinds of training that the Committee to Form aspires to offer. The descriptions of contemplated professional development offerings are vague and insubstantial. There is no explicit provision for teachers to receive training in ELL and Special Education programs and protocols, for example. More broadly, professional development connected with the mission and vision of environmental education is not envisioned. There is no plan to develop teacher capacity to effectively manage elementary children and provide high quality instruction in experiential learning settings such as the garden and the turtle sanctuary envisioned elsewhere in the application.*

*The applicant presents a revised professional development program which remains insufficient. The applicant must provide a more detailed synopsis of teacher professional development.*

- *A.3.13 –The school will rely heavily on a train the trainer model. It does not take into consideration teachers leaving or possibly not being able to train each teacher effectively. Teachers are expected to be given professional development in a number of areas but there does not appear to be re-training provided for teachers on a yearly basis. The development model does not seem to allow for any gaps located in the curriculum based on the needs of the students. Place based education training is scheduled to take place in July, prior to the start of the school year, however it is unclear that there will be sufficient time to fully implement the program successfully. (p. 16)*

- ***It appears there is a lack of alignment in the professional development and the specified assessment program and curriculum. To ensure full alignment the applicant should first dissect the curriculum, create a professional development plan based on the needs of the programs that including the assessment program) and determine how the school will collect data on the chosen curriculum. The applicant should also consider the level of teachers (first year, second year etc.) and develop a professional development plan based on the needs of the teachers once they are hired.***
- ***The amount of professional development described is unrealistic in the amount of time indicated in the narrative. Applicant does not provide a professional development calendar or a very specific plan for training teachers and staff. (p. 16).***
- ***Merely stating that the leadership team will help teachers learn how to design interdisciplinary teaching and learning is not sufficient to ensure robust interdisciplinary teaching and learning actually occurs. (13)***

*In short, there is insufficient evidence that there is alignment and coherence to the school's curriculum, pedagogy, and professional development plans. The education program would benefit from greater focus and specificity.*

***In most cases, the applicant did not provide, in the resubmitted document, thoughtful and complete responses to the Reasons for Denial. Changes were made but many were cursory and did not fully address the issues presented. Given the deep and systemic flaws in the initial plan, a more wholesale reworking of the proposal is essential in the event the applicant wishes to submit a new application next year.***

*For example, the application's discussion of student data provides a general list of assessments and a series of factually correct but ultimately uninformative statements around the applications of assessment data. A more responsive answer would explicitly identify key assessments, describe their utility and frequency, and explain the data points which can be gathered from them. A thoughtful, research-based approach would also identify potential weaknesses and deficiencies to particular assessments and would articulate strategies for addressing these limitations to the instruments. There is no discussion of data analysis protocols and processes and no evidence that the general practices identified within the narrative are adequate to develop a data-driven culture that is focused on student achievement.*

***The revised narrative continues to reflect a fragmented and nonstrategic use of data and assessments and does not adequately address the concerns raised during the review of the previous submission.***

- ***A.2.2 –The applicant has selected one data source from which all quantitative data will be collected for analysis and progress monitoring of student progress toward mastery of NACS. This is a concern for the reviewer. It is unclear as to the rationale for selecting only one data source, Study Island. While the applicant states that this commercial product contains test items that have a format similar to those on the SBAC, it is unclear whether this assessment is adequately aligned to the CCSS/NACS. Standards alignment is ultimately a more important predictor of the relevance of an assessment than the particular format of the assessment. While it would no doubt be helpful for students to be familiar with the SBAC item format, the primary purpose of deploying such systems is not to ensure student comfort with a particular examination. Rather, assessment tools should be selected due to both their predictive and diagnostic value relative to the state standards.***
- ***The application is vague as to whether the data will be available for all grade levels served, or will only be collected for those grade levels participating in high stakes testing. (p. 3). The assessment narrative and plan also does not include any formal way to collect and use student data.***
- ***A.2.2 – The application states that qualitative and quantitative data will be used during PLC meetings to drive further instruction. Much more thought is given, and presented, to the administration of various assessments rather than to the analysis thereof. The plan does not outline a process for***



*analyzing the data and utilizing the results to make instructional decisions for all students. It is unclear as to how the analysis of data will be reflected in lesson planning and delivery. (p. 3)*

- *The applicant has provided no information on how the school/teachers will collect data on the place-based program. If students are expected to do field work for educational purposes, the applicant must show how teachers will effectively gauge progress and effectiveness of the program. The applicant must consider how the school will align its assessments with place based learning.*
- *On page 21, the applicant states intervention plans are created by teachers. However, without standards and a basic assessment plan in place, creating an intervention plan would be difficult. The school must set specific goals and assessments must be created to incorporate those goals.*
- *As a whole there is a lack of specificity with the entire assessment program. There are no measurable goals. The applicant must reevaluate the program and create measurable goals based on the programs they have chosen if the applicant wishes to submit a new application next year.*

*The proposed school would not contract with an EMO. The school leadership would include a principal, a business leader, and an operations leader. There are significant discrepancies in the operating plan.*

*While the narrative implies that the principal will oversee all staff, the organizational chart provided indicates that that the principal, business leader and operations leader will all report to the board. This discrepancy must be addressed. Moreover, the provision of both a business leader and an operations leader in such a small school may or may not be advisable. The application would be improved by clearer delineation between the roles both to assist the reviewer and to ensure that there is clarity during the implementation phase.*

***The applicant addressed this concern by eliminating the business leader position.***

*Absent a complete budget, it is difficult to fact-check key elements of the operating plan, such as staffing. Multiple elements that inform the operating plan are incomplete or only partially responsive.*

***The applicant did not provide a budget in the resubmission.***

*For example, the enrollment projects requested at various points in the application are reported inconsistently. The requested information on the size of the school at full capacity is not provided.*

***The cover sheet containing the requested enrollment projections was not included in the resubmission.***

*The school calendar is not clear and does not address multiple statutory and regulatory criteria.*

***The resubmission did not contain a yearly calendar with all required elements. While the applicant has removed the previous calendar, no new calendar replacing that document is evident in the resubmission.***

*The discipline policy will need to be revised to provide more appropriate investment strategies and consequences for truancy and other discipline issues as they do not reflect the charter school context. For example, the truancy policy includes the possibility of referral to school district police. This appears to be one of several references to Clark County policies and practices which do not reflect the realities of charter school operations, such as recruiting staff via postings on the Clark County School District website. A comprehensive review of the application for similar language would improve the application.*

***While the applicant has included a discipline policy/code of conduct which is intended to be responsive to the feedback, it remains insufficient to clearly outline policies and procedures that address the day to day needs of maintaining a safe school. (p. 65)***

*There are several areas of concern with the proposed program for English Language Learners. For example, there were references to placing small groups of minority language speakers in classrooms with little or no*

*structure or support during the capacity interview. This is inconsistent with the more thoughtful approach outlined in the application, raising concerns about whether the interview commentary or the application's text more accurately reflects the philosophy of the Committee to Form regarding services for English Language Learners. In light of that discrepancy, clarification is in order. Moreover, there are some areas of weakness and omissions in the proposed program. The applicant should be aware that any student whose home language survey is completed in a language other than English must be screened unless there is clear evidence they have been screened or tested previously at another school site. Additionally, Federal law requires that students be screened within 30 days of the start of school. The applicant should also review the criteria for being designated ELL and should differentiate between instruments used for one-time and annual screenings. A full review of state and federal requirements would provide insights which would further strengthen this section of the applicant.*

***The applicant made a number of changes to the program for ELL students, but the narrative remains insufficient.***

- ***The revised plan includes a laudable goal of an ELL professional development plan that includes all teachers. This would greatly benefit not only ELL students, but also (ultimately) all students. It does not appear that the resources or timeline are sufficient to support such an ambitious program. It would require extensive training far beyond that envisioned in the application. (p. 74)***

*Projected enrollment for FY '16 is 360 students and FY '17 is 480 students. The applicant utilized budget templates from another state, precluding thorough analysis of the budget.*

*The applicant must submit a revised budget using the required budget template and providing a responsive narrative.*

***The applicant did not provide a budget in the resubmission. While there is a revised narrative, the omission of a budget precludes evaluation.***

*Based on a cursory review of the budget that was submitted, the school's finances appear to be quite constrained, e.g. the end of year cash position in FY '16 is projected to be a \$1,818,844 deficit. The applicant should carefully review all underlying assumptions to address this weakness.*

***A revised budget was not submitted.***

*The applicant is not planning to contract with an Education Management Organization or replicate an existing school design.*

*Five members of the Committee to Form are identified in the application, including two licensed Nevada teachers, an accountant, an attorney, and a parent of a prospective student. Due to the close ties between many members of the founding team, significant diversification of the proposed Board is advisable.*

*There are no clear conflicts of interest apparent in the composition of the Committee to Form, although it is evident that the project's founding team has significant personal connections. Two members of the Committee to Form report they are friends who previously worked together at Pinecrest Academy. There is no indication of a supervisory relationship. They co-wrote the application and recruited other friends to join the founding board. The questionnaire of one Committee to Form member, the attorney, was omitted from the application. A review of the resumes supplied with the application reveals that she is employed by the same law firm as the parent of a prospective student. In the capacity interview this individual indicated she was providing pro bono legal services to the Committee to Form and she or a member of her firm would become the attorney of record for the school upon charter approval. After further discussion, she later indicated that that arrangement could change if it was viewed as a conflict of interest.*

***This concern was addressed in the resubmission. The missing questionnaire was provided in the resubmission. The questionnaire clarifies that she will not serve as the attorney of record for the school and offers two options: engaging another attorney at her firm to fill this role or, in the event the SPCSA views this as a conflict, engaging another firm to provide legal services.***

*As noted earlier, one member of the Committee to Form is a CPA. Despite multiple questions related to the proposed budget and expense assumptions, he did not actively participate in the discussion except when asked direct questions. There is little evidence that he has been actively engaged in planning efforts for the school. A review of his resume and questionnaire reveals that there has been some discussion regarding hiring his former employer to conduct the independent audit of the school. As there is no longer an employment relationship, this does not appear to constitute a conflict.*

***The resubmission attempts to address this concern. The resubmitted application states that Mr. Howard joined the Committee to Form only two weeks prior to the Capacity Interview. This is inconsistent with the timeline. The school's Capacity Interview occurred in Las Vegas on September 29, 2014. Mr. Howard was listed as a member of the Committee to Form in the applicant's original August 29, 2014 submission. The application was submitted a full month prior to the capacity interview. It is unclear if Mr. Howard misstated the length of time he has been actively engaged in planning for the school or if he agreed to sign onto the project and provided materials in support of the initial submission without reviewing the draft application or participating in other planning activities. Both scenarios raise serious concerns about the capacity of the Committee to Form to be accountable for the performance of the school and the use of public funds.***

*Based on a review of the questionnaires and resumes, only one member of the Committee to Form has any experience serving on a board.*

***This concern remains unaddressed. Moreover, the resubmitted application omits the resumes of the members of the Committee to Form. As a result, this section of the application remains incomplete.***

*Based on the capacity interview and a review of the questionnaires filed by committee members, there is some evidence of capacity and commitment to support the development, governance, and operations of this school. The Committee to Form would benefit from expanding its membership to include a majority of members who are not close personal or professional associates both to inform the development and refinement of the application and to ensure that governance decisions are evaluated from a broader diversity of perspectives.*

***The resubmission attempts to address this issue by expanding the board from five to seven members. No new members have been identified at this time. Given the fact that only three operating board members have been identified, there not evidence of sufficient capacity or diversity of experience to oversee the school at this time.***

Director Gavin finished his presentation by recommending denial of River Mountain Academy's charter application.

Chair Conaboy then asked for the members of River Mountain's CTF to speak about the school. Sarah Ter Avest, CTF liaison, and Jennifer Snyder, CTM member, spoke on behalf of the school. Ms. Ter Avest began by thanking the Authority and SPCSA staff for the assistance they provided throughout the process. She is was a difficult task but her team learned a lot and would not be giving up their dream. She explained the process her CTF had gone through and the decisions made based on those experiences. She said they still did not plan on contracting with an EMO. She also stated that there was confusion during the resubmission period regarding missing components f the application. She said she had worked with Mr. Peltier during that time and

assumed the application was fully submitted. They finished by stating they would not give up and they were looking forward to eventually opening a charter school in the Las Vegas area.

**Member Mackedon moved for the denial of River Mountain Academy's charter application. Member Van seconded. There was no further discussion. The motion was unanimous**

**Agenda Item 12 - Consideration regarding the Application Review Team's recommendation of Sports Leadership and Management Academy's charter school application resubmission**

*The Committee to Form has articulated a vision where all students will be college and career ready and intends to leverage three high-interest themes: sports medicine, sports marketing and media, and sports management, to invest students, including those who may previously have been disengaged from academic content. The intent is to teach students core content by integrating sports themes into mathematics, literature, social studies, science, and other content areas, offering a sports based curriculum without requiring that students actually participate in sports.*

*While the school plans to support the professional development needs of all professional staff by subsidizing college classes, facilitating the attainment of continuing education credits, and offering trainings, there is no plan for pre-opening professional development identified in the narrative. During the applicant interview it was noted that the school will leverage collaborative trainings with other campuses in Nevada as well as in Florida. While the school intends to employ a sheltered content model for ELL students, there are no references to training in this set of strategies and practices in the discussion of professional development. There is also insufficient information on how teachers will build the capacity to effectively use the technology tools referenced in the application and in the capacity interview, including Springboard and Achieve 3000.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The application and the capacity interview also include references to multiple technology interventions and supports for students, but it is unclear how students will be selected for particular interventions and how the school will determine which interventions are most effective and with which students. Due to the high number of students who are likely to enter the school requiring remediation, it is critical that a coherent, data-driven framework for academic intervention and remediation be developed and implemented at this school to ensure academic success in core subject areas and support students in their progress towards college and career readiness.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*Given the academic needs of the target population, it is advisable that the program start with a smaller enrollment and with a narrower grade span to ensure that there is sufficient time to build a strong college and career oriented culture, invest students in their own learning, and build the capacity of the faculty and leadership to implement the model. There is abundant evidence in the charter school literature that startup charter schools serving high need populations, including disconnected or at risk teens, achieve at higher levels when they open with smaller enrollments and narrower grade spans than schools which open with larger enrollments and broader spans of grades.*

***The applicant declined to act upon this recommendation, though it has indicated that it is open to adjusting its grade span in the event that first year facility constraints preclude full enrollment. Consequently, the reviewers recommend a delayed opening to permit more detailed planning than is permitted in a charter school application and ensure a high quality implementation of the academic program.***

*The application does not present a coherent vision of what the school will look like in 5-10 years if it is achieving its mission.*

***The resubmitted application adequately addressed this concern. The board will be required to participate in a strategic visioning session and attend board training as part of the pre-opening requirements for the school.***

*The school would contract with an EMO, Academica Nevada, LLC for the provision of business management services and for a menu of other support and advisory functions. The school would also contract with another entity, SLAM, Inc. to license that entity's intellectual property in order to replicate the SLAM campus of Mater Academy in Miami, Florida. The Principal would be an employee of the school's board, not an EMO.*

*The applicant presents a strong operating program which builds on the track record of other Nevada schools which contract with Academica Nevada, LLC. The applicant has a strong grasp of Nevada law and regulation and has articulated processes and procedures which are broadly compliant with the Authority's expectations. The applicant is encouraged to consider how addressing the feedback provided in other sections of the application will impact the operating plan for the school, including staffing, which may have a ripple effect on other elements of the overall systems of the school. For example, if a position is eliminated due to budget reasons as a result of a smaller enrollment, the applicant may need to assign duties laid out in the operating plans to other personnel.*

*The school should also give particular thought to the likelihood that middle and high school students who have previously been underserved are more likely to have other needs than the basic gamut of programs typically found in other charter schools which have affiliated with Academica Nevada LLC. It would be advisable to demonstrate capacity to anticipate more acute versions of typical adolescent challenges and display a more diverse set of behaviors. For example, support structures for students who are pregnant and parenting, students with identity issues, and students who have experienced substance abuse issues may be necessary to ensure that these students make better choices and are able to participate fully in the academic and social life of the school.*

***The resubmitted application adequately addressed this concern. A more comprehensive plan will be added to the pre-opening requirements for the school.***

*The school's mission references the provision of internships for students as a key part of the program in later years. It would be advisable to develop a more formal, structured approach to such programs and any currently contemplated or future partnerships with businesses or other entities, including potential commitments on number of internships provided, scheduling, supervision of students, background checks for staff, and appropriate means of evaluating both student performance in the program and the performance of the entity providing the internship. The Committee to Form should also research how high performing charter high schools and other organizations with robust, effective internship components provide resources to this work and what lessons can be learned from their experience.*

***The resubmitted application adequately addressed this concern, providing a significantly more responsive set of resources and documentation of its plans. The Authority looks forward to an even more comprehensive and structured plan developed by the school leader as part of the pre-opening requirements for the school.***

*The FY '16 enrollment of 480 and the FY '17 enrollment of 600 correspond to end of year cash balances of \$78,801 and \$54,210 respectively. ). The FY '17 cash flow balance conflicts with an FY '17 ending budget balance of \$133,011.*

*The discrepancy between the ending budget balance and the cash flow end balance for FY '17 must be addressed.*

***The applicant has addressed this discrepancy.***

*As the Committee to Form considers the programmatic and structural recommendations noted elsewhere in this report, it will be necessary to revisit some key budget assumptions. The applicant is encouraged to review its budgets and cash flow statements to determine what impacts any programmatic or structural adjustments may have on the financial plan. Failure to make appropriate changes to this section to align it with changes made in other areas of the application could result in a lower rating in the event the applicant elects to resubmit following recommended board action to deny the initial application.*

***The applicant declined to act upon recommendations for programmatic or structural changes, though it has indicated that it is open to adjusting its grade span in the event that first year facility constraints preclude full enrollment. Consequently, the reviewers recommend a delayed opening to permit more detailed planning than is permitted in a charter school application and ensure a high quality implementation of the academic program.***

*The Committee to Form Sports Leadership And Management Academy of Nevada (SLAM NV) proposes to enter into two contracts: Academica Nevada, LLC and SLAM, Inc. SLAM NV proposes to engage Academica Nevada to provide administrative services and support to the school for an initial term of two years. SLAM NV will pay Academica Nevada \$450 per FTE student. SLAM NV of Nevada proposes to enter into a trademark license and affiliation agreement with SLAM, Inc. for a fee of 1% of the basic per pupil funding that the school receives. In addition to the use of the trademark, SLAM NV is entitled to receive affiliation services such as training and materials for use.*

*The proposed contracts submitted with the application appeared free from any of the prohibited provisions specified by NRS 386.562.*

*Academica Nevada, LLC currently has active contracts with three existing Nevada charter schools: Pinecrest Academy, Somerset Academy, and Mater Academy. Somerset Academy became operational in fall 2011 while Pinecrest opened in fall 2012 and Mater Academy opened in 2014. In terms of operational performance the Authority's experience with the three schools has been positive. Under the new performance framework Somerset and Pinecrest are high-performing schools. In addition, a review of the audited financials furnished for both schools with more than a year of operating history reveal no compliance or financial management issues. There is strong evidence of the EMO's management success.*

*According to the application, SLAM currently works with one charter school in Florida. Authority staff conducted due diligence on SLAM's school performance in Florida. The SLAM campus is similar in make-up as SLAM NV in serving a middle/high school student populations. That school serves a demographic similar to that envisioned for SLAM NV and received a C grade in Florida's accountability system. Overall, the academic performance of the SLAM model in its home state is not overly compelling, though it is important to note that the SLAM campus in Florida is actually affiliated with the higher achieving Mater Academy schools, which include top tier high schools serving similar populations. Members of the Authority board had the opportunity to visit SLAM's Miami campus and a Mater campus in South Florida to evaluate the strength of the model being replicated. Based on that review, it is evident that while SLAM Miami has a clearly defined, well-structured school culture and high level of investment based on the charisma of the principal, there is a significant differential between the level of focused, intentional instructional leadership modeled at SLAM Miami and at higher achieving schools served by the management company both in Nevada and at schools using related models (i.e. the Mater Academy East High School) under the same board as the SLAM Miami campus. Given the critical role of exemplary instructional leadership in high quality implementations of these*

*academic models, this is an area of concern which the Committee to Form will want to address in any resubmission. The Committee to Form is strongly encouraged to consider the recommendations in the Education Program and Evidence of Capacity sections as it makes revisions in response to this concern regarding the track record of the school which will be replicated.*

***The applicant provided additional data and context regarding Florida's statewide accountability system and provided data regarding its current graduation cohort—a critical variable in determining school ratings under Florida's A-F system. Due to Nevada's own struggles with its graduation rate in both its traditional public and charter schools, the reviewers recommend that Authority require the school to take a planning year following approval to refine its already strong academic plan, solidify its team, and develop a comprehensive plan to manage, monitor, and support student progress towards Nevada's graduation requirements. Submission of a complete and well-developed plan will be added to the list of mandatory pre-opening requirements.***

*The Committee to Form the School consists of six members with notable qualifications.*

*The Committee to Form the school are accomplished professionals with backgrounds in key areas such as business, law, and education, and mission-relevant areas such as high school athletics. A review of the Committee to Form's questionnaires reveals some community associations, but no business or familial ties are evident.*

*One member of the Committee to Form, N. Thompson, noted that she is a current employee of an individual who is a candidate for the Principal position, although this person is not listed as a formal member of the committee. Should this individual join the committee, it would be a potential conflict. Moreover, should that individual be interviewed as the principal, N. Thompson should consult the state's ethics committee to get an opinion as to whether that current supervisory relationship necessitates recusal or other steps.*

***The resubmitted application addressed this concern.***

*No other conflicts of interest have been identified at this time, though it is important to note that one member, R. Fairless, is the spouse of the principal of another Academica client school campus. As this committee member's spouse is an employee of the client school and not the management company and is hired and evaluated by the school's board and not the management company, there does not appear to be a conflict. In the interest of transparency, the board should consider putting in place standard disclosures on any matter involving the management company to avoid the appearance of a conflict which could undermine the public trust.*

***The resubmitted application adequately addressed this concern. A specific board training requirement and other transparency commitments will be added to the preopening requirements.***

*There is evidence of due diligence conducted by members of the Committee to Form on the quality of Academica Nevada, LLC's services to its client schools, including conversations with school leaders at other campuses who do not have ties to the Committee and conversations with board members of client schools. Members of the Committee were also able to speak knowledgeably about the terms of the management agreement and discuss its provisions without prompting. While they noted that Academica Nevada, LLC has not been terminated by any client to date, they were able to address the termination provisions in detail while expressing conviction that there was no reason to believe that the school would need to invoke those terms based on the evidence they had reviewed thus far from other client schools.*

***The resubmitted application adequately addressed this concern. A specific board training requirement and other transparency commitments will be added to the preopening requirements.***

*During the capacity interview, the Committee to Form spoke passionately about the need for an option like SLAM and several described visits to observe an the program's flagship campus in Miami. Given the disconnect between their enthusiasm for the model and the previously stated mixed performance of that school, it is unclear how carefully members of the committee evaluated the strengths and weaknesses of the model in their adaptation of the design to the Nevada context. As discussed previously, one key difference observed during recent site visits to SLAM and other campuses governed by the same board in Florida involves the need for extremely high quality instructional leadership. As the Committee to Form continues to evaluate the contemplated school leader candidate, it will be critical to identify both strengths and opportunities for growth related to this individual's capacity for instructional leadership and determine what additional supports this candidate will need and what adjustments to the model are required to ensure that the school achieves 4 or 5 star status consistently. As discussed previously, opening the school with a smaller enrollment and with a narrower grade span is more likely to result in high academic achievement. Moreover, it will also provide greater opportunity for a school leader who is developing his or her instructional leadership capacity to focus more attention on teaching and learning and less time on the building management and academic operations tasks which typically consume administrators in Nevada's comprehensive high schools.*

***The resubmitted application adequately addressed the track record concern, though, as previously noted, the applicant declined to reconfigure the enrollment and grade configuration.***

Chair Conaboy called upon SLAM's CTF to speak about their school. Matt Durham spoke about his team's agreement with SPCSA staff. There was some confusion regarding the proposed enrollment in the application and he clarified the actual number for the Authority. Mr. Durham said he hoped the Authority would approve their school with the delayed start date so they could have an easier time entering into agreements with community partners including, but not limited to Major League Baseball, Cirque de Solei, and Ultimate Fighting Championship. Mr. Durham reiterated some of the points that were discussed during the original submission hearing including the data about SLAM Miami and how some of the results were somewhat misleading due to the data that was collected and analyzed. Mr. Durham asked Dan Triano, proposed Principal of SLAM Las Vegas, to discuss how SLAM Las Vegas would operate on a day-to-day basis, and what the pupils would come away with after they had completed their schooling. Mr. Triano said that sports will be used as a tool to engage students in the core subjects in their education. He also explained some of the internship programs SLAM hoped to implement with various colleges and universities in the Las Vegas area.

Member Mackedon asked how the internships would be implemented. She was unclear if all of the students would have internships or if only select students would be chosen. Mr. Triano said it would not be a mandatory requirement to graduate, but he hoped the majority of SLAM's students would be able to take part in some sort of internship and professional development during their junior or senior year. Mr. Durham added that SLAM would constantly keep students thinking about what they were going to do after they completed high school. Alex Tamargo, Principal SLAM Miami, explained what they do in their school and how they would work with SLAM Las Vegas to help them as they started their school. He also explained how the internship program works in Miami and how that may be translated to Las Vegas.

**Member Wahl motioned to approve SLAM Academy's charter application with the delay of start until 2016. Member McCord seconded. Discussion continued.**

Member Abelman said he was troubled by the lack of a coherent vision by SLAM and said he didn't know if that would be clarified over the course of the next year. Member Van also agreed there was a lack of vision, but also was concerned about the promises SLAM would make to students and if it could live up to the pupils expectations. Member Van also expressed concern that SLAM would not have athletic programs for students to participate in, not because the school was unwilling, but because the SPCSA and the NIAA had not worked out all details about membership of charter schools. Member Mackedon wondered how SLAM Las Vegas



would be able to provide the same lessons as SLAM Miami due to the lack of major professional athletics in Las Vegas.

Member Wahl asked SPCSA staff what type of requirements SLAM would have to complete in order to commence operation. Director Gavin explained schools have to show verification of a facility, enrollment, advertising and other tasks that must be completed in order to open. Director Gavin said all schools have pre-opening requirements, but those requirements vary based on each school. Chair Conaboy added she would like to see a more defined vision during the pre-opening requirements phase in order for her to feel comfortable with them opening in the fall of 2016. Chair Conaboy then asked if there was further discussions. Seeing none, she called for the vote.

The motion carried unanimously for approval of SLAM Academy's charter application with a start date of fall 2016.

**Agenda Item – 13 Consideration regarding the Application Review Team's recommendation of Y.E.S. Academy of Performing and Fine Arts' charter school application resubmission**

Director Gavin presented the staff recommendation report, seen below:

*YES proposes to improve academic achievement for students in grades 7-12 with a program that focuses on the fine and performing arts as a core element of the instructional day. The school also plans to focus on college and career readiness.*

*The Education Program did not meet criteria for approval due to a number of reasons, the most prominent of which are discussed below. The application does not meet standard due to a number of unmet evaluation criteria.*

*The applicant presents compelling vision, mission, and purpose statements which are grounded in the shared beliefs and philosophy of the Committee to Form. It is clearly evident that the founding group is deeply committed to improving pupil outcomes for underserved populations in Washoe County. Based on a thorough review of the application, it is not clear that the Education Program outlined in the application will be sufficient to meet the needs of such students.*

*The revised application attempts to address this concern. It is unclear how the school model of performing and fine arts connects to the outcomes of independent, cooperative, responsible, and creative young adults. The application does not provide a clear understanding of how these outcomes will be monitored and measured to ensure the mission is being achieved through arts electives. No tangible philosophy is described other than parents should have school choice. How one arts course a year will yield the preparation for a skilled career or result in 'long hours of practice' that develops discipline and grit is not explained. The school does not appear to offer a compelling option for families it appears to be standard in its approach with simply an increased number of electives available in a specific discipline, in this case the arts. Similarly, the Expeditionary Learning discussion is problematic since the EL model is not integrated into the curriculum, instruction, culture, or professional development responses in the application. It remains unclear if the applicant intends to be an EL school without a cohesive treatment of the model or a letter of commitment from EL. Broadly, while the applicant purports to offer a unique and transformative alternative; it is unclear how this proposal offers either feature.*

*In some areas of the application, there are references to staff with experience in the Expeditionary Learning academic model, but these appear to be isolated artifacts instead of evidence that Expeditionary Learning will drive the academic program. The discussion of the school's proposed curriculum cites NRS guidelines and provides only a cursory discussion of this key component of the program. Specifically, the application lacks specificity and sufficient detail for reviewers to evaluate the proposed program or its strength in targeting special student populations. The application submitted contained significant omissions, including an*

*incomplete course schedule which does not include specific classes that satisfied the requirements for any of the core subjects. The application also did not include the standard requirements of physical education. Taken together, these omissions and oversights raise significant concerns about the suitability of this academic program, at this phase of its development, to improve pupil learning and raise student achievement to levels reflecting 4 or 5 star status.*

*The applicant attempts to address this concern. There is no letter of support/commitment from Expeditionary Learning (an external vendor). EL is a robust program that requires significant commitment to professional development for staff but also the cultivation of school culture in a mindful manner. The application's narrative provides only the vaguest references to the EL model and does not appear to fully understand how this model would be integrated into a comprehensive educational program. The list of instructional methods does not adequately reflect EL model or PBL. It is unclear if the budget accurately reflects the costs associated with this model.*

*The information about each course is relatively limited in scope and does not provide an understanding of the arts integration that is described in the mission. The courses are standard in nature and do not reflect the intersection of the arts in content area disciplines. The narrative is generalized and uninformative regarding the proposed curriculum model, merely reiterating intent to align with state standards. The reference to a charter school in another state (CA) and a single visit by members of the team does not support a comprehensive plan for curriculum development or professional development nor alignment with state standards. It is not clear what the nature of the relationship with the California school would be if chartered or how 'similar' the programs are since the narrative regarding this proposed program is generalized and vague (pages 18-19).*

*The description of instructional methodology does not explain why teachers will 'enjoy academic freedom' to deliver instruction 'in the best way they choose' (page 21). It is unclear how such freedom would ensure instruction is delivered to support student success rather than teacher preferences. The varieties of instructional methods are not connected to the student population or the proposed academic program in a meaningful manner.*

*The assessment plan is similarly vague, lacking a rigorous approach to assessment. For example, the applicant's statement that "during the first few weeks of school, certain data is collected on students" could be better supported by identifying exactly what instruments will be utilized, when the data will be collected, and how the data will be utilized. In total, the narrative does not reflect a formalized assessment plan which would permit the school or its board to determine individual student and school-wide needs or evaluate the effectiveness of interventions.*

*The applicant attempts to respond to these concerns. In the assessment section, the applicant speaks about artifacts of college readiness (page 26), identifying students' strengths and weaknesses, and their academic, social, and personal responsibility levels. The plan lacks specificity. It is unclear what metrics the school will use. Similarly, the discussion of assessments provides no sense of what those artifacts would be or how the school would collect, monitor, and use student data. There is a reference to an intervention process that is not described in the curriculum and instruction section in any manner. The applicant is using buzzwords and jargon but does not flesh out the meaning of what will be assessed, how it will be assessed, and what will be done with that data to support student learning. This section appears to assume the arts, social studies/history, and science are not assessed. It is unclear how the integration of the arts into the academic program will impact student achievement. Participation, while laudable, is not a robust assessment of student performance. It perpetuates a worldview where merely showing up is a guarantee of recognition versus a precondition for learning. In the attachment, the applicant provides a summary of the various standard types of assessments – formative, summative, interim – but does not provide a clear sense of how the school will monitor student performance meaningfully or in practice. There are also references to*

***optional interim assessments, although it is entirely unclear why these key tools would be subject to teacher or student discretion. The applicant group provides no rationale for its heavy reliance on computer adaptive assessments for this student population. As described by the applicant, there is no assessment system proposed that would provide meaningful feedback to stakeholders regarding the performance of the school.***

*The school's professional development plan and strategies presented a menu of options without sufficient evidence of alignment to the academic and school culture elements of the plan. The professional development opportunities outlined in the narrative are broad enough to reflect the professional development plan of virtually any school; there is no evidence strategic, targeted professional development which is relevant to the projected needs of this school or its faculty, staff, and students. Of particular concern was the reliance on Washoe County as a primary source of professional development for school leaders. No evidence was provided to confirm such plans (e.g. a letter of commitment from the Washoe County School Board) nor is there a strong history of the provision of such services to SPCSA-sponsored charter schools.*

***The applicant attempts to address this concern. There continue to be significant discrepancies between the content, strategies, and training identified throughout the narrative, representing systemic disconnects between the laudable intentions of the founding group and the plan as it is currently envisioned. For example, the discussion of the professional development program begins with a reference to a core instructional approach, problem based learning, which was not discussed in the previous narrative regarding instructional strategies. The professional development discussion is woefully inadequate for administration and faculty – the strategies are not specifically connected to the model proposed or the student population. Absent deep, intentional professional development which is wholly aligned to the school's content and strategies and meets the needs of both teachers and students, it is unlikely that this school model will prove successful.***

*The review team's overarching concern was that elements of the Education Program lacked detail, coordination, and frequently were not aligned with other aspects of the proposal. For example, the proposed school's name and mission implies that the arts and performing arts are critical components to the school's theory of action; however, the applicants intend to rely upon unlicensed instructors from unnamed partner organizations to provide content and instruction—a significant delegation of the core instructional program referenced in the application and a violation of NRS 386.590, which explicitly requires that charter schools focused on the arts and humanities must employ licensed teachers to provide instruction in those subjects, as they are considered to be core parts of the academic program.*

***The applicant's response addresses the immediate compliance issue by speaking to the concerns around teacher certification without recognizing the fundamental disconnect within the proposed model. The academic program continues to present a fragmented approach. It is unclear how the stated and under-resourced school model of performing and fine arts connects to the outcomes of independent, cooperative, responsible, and creative young adults. The application does not provide a clear understanding of how these outcomes will be monitored and measured to ensure the mission is being achieved through arts electives. As stated previously, no tangible philosophy is described other than parents should have school choice. How one arts course a year will yield the preparation for a skilled career or result in 'long hours of practice' that develops discipline and grit is not explained. The school does not appear to offer a compelling option for families – it appears to be standard in its approach with an increased number of opportunistic electives available in a specific discipline depending on the licensure status of the individuals who happen to be employed by the school.***

*It is unclear how this deficiency can be remedied without such significant, material changes to the proposed academic program outlined in the application which would constitute a new, ineligible submission instead of a revision of the original application. The Committee is strongly encouraged to research other charter schools which have effectively served high needs populations, including, as appropriate, Expeditionary Learning*

*schools, and develop a new academic program which reflects their beliefs and values while offering far greater likelihood that the school will be an academically successful institution.*

***The applicant attempts to address this concern. The discussion of both Expeditionary Learning and Problem Based Learning is far too vague to determine which elements are delivered in which contexts and whether the models will be implemented with fidelity. It is not clear whether the school cited as an exemplar represents a transferable model which is applicable to the target population in Washoe County. Moreover, while the narrative makes reference to a California-based school model, it is unclear if the relationship represents a true, albeit unarticulated and material change-worthy replication or if the discussion is simply an attempt to state an emotional affinity with a particularly charismatic school leader regardless of actual subscription to her model. Absent far more detailed data and an evaluation of the capacity and track record of this new entity, it is impossible to evaluate the appropriateness of the model to an entirely different context and set of student needs. There is no discussion of any research basis for the limited information provided by the applicant. Based on the attachments and the limited narrative, it is unclear if the applicant was involved in the development of the attachments or simply borrowed this information from a currently operating charter school with a similar arts focus.***

***The school is described as non-traditional, challenging, and unique – it remains unclear how the school is any of those things. The curriculum, instruction, and assessment are not innovative or unique in any way.***

*An Executive Director/ would serve as the overall leader of the school. A Principal would supervise day to day operations and serve as the overall leader of the school. Candidates for both positions are identified in the application. While the school would use neither an EMO nor distance education, the school anticipates numerous partnerships with the arts community.*

*Based on the application and the interview the review team has significant concerns around the operating and staffing plan for the proposed school. In the capacity interview the applicant indicated that they were planning to partner extensively with local community organizations, including the arts community, to provide many of the services outlined in the school's program. There is no evidence that such partnerships have been negotiated to date, e.g. term sheets or contractual documentation. Moreover, the applicant communicated an assumption that these programs would be funded via grants to these partners from third parties. It is unadvisable for core academic programs to be operated by third party volunteers who would be funded via donations, as this could result in the school being unable to offer essential elements of its school model due to the behavior of unaccountable partners and the unpredictability of external funders. Organizations which rely on philanthropy to fund core elements of the program must dedicate substantial resources to fundraising and to constant development and cultivation of the entity's political and social capital. As a budget was not provided and the capacity interview indicated that little analysis of the costs and resources necessary to raise significant amounts of private philanthropy, there is no evidence that the Committee to Form or the proposed leadership has the capacity or track record necessary to attract funds sufficient to cover the costs of these partnerships in the event the partners were unable to fundraise on their own.*

***The revised submission addresses some of these concerns. While the newly submitted budget does not rely upon significant grant funding, an unsubstantiated \$40,000 in grant monies is included.***

*At numerous points in the application, the applicant states an intention to comply with statutory or regulatory provisions related to school operations without presenting a coherent, school-based plan to meet these requirements. For example, citing NAC 386.360 and NAC 392.301-392.360 as the retention policy of the charter school instead of developing a clear plan, including policies and procedures which reflect the academic, operating, and governance context of the school is insufficient, as it does not specifically tell how the school will adhere to those guidelines.*

*While stating it will adhere to legal requirements, the applicant does not clarify the legal requirements of the school leader and provides a limited sense of the actual knowledge of the group in this area. The methods used to remain informed of requirements are vague.*

*The applicant does not address the following core criteria:*

- 1. Clearly delineate the roles and responsibilities for administering the day to day activities of the school.*
- 2. Demonstrate understanding of management needs and priorities.*
- 3. Include a staffing plan that appears viable and adequate for effective implementation of the proposed educational program. (See budget.)*

*There are a number of instances when the applicant switched students with disabilities and ELLs in a manner that confuses the delivery of services and the intent of the processes associated with special education and ESL programming. For example, WIDA is related to ESL programming not special education. The applicant also does not provide a description of how the ESL program will be evaluated for effectiveness. It is unclear if the applicant understands the role of an IEP – it is inconsistently described as goals for the students and also goals for the adults to achieve (page 38). It is unclear whether the expertise of the proposed Executive Director/Principal is sufficient to oversee the effective implementation of either program based on his resume and supporting documentation.*

*The narrative is jumbled in such a manner that the knowledge and capacity of the group to implement high quality programming for students with disabilities and English Language learners is strongly in question. The applicant inadequately addressed the majority of criteria in this section.*

*If the academic program requires a strong commitment and work ethic on behalf of the student to succeed, the writer does not adequately describe in this section or others the supports and staffing to ensure all students are successful within the proposed program. The applicant does not describe a clear student behavior philosophy. It is unclear what the whole person developmental approach (page 30) entails. It appears that the student code of conduct is cut and pasted from an unknown source and the alignment of that approach with the mission, vision, and philosophy of the school is unclear. Other key attachments seem to be lifted from the policies of other schools or districts without sufficient scrutiny. For example, one document contains boilerplate text which specifically admonishes application writers to avoid quoting it in its entirety. Unfortunately, the applicant failed to pay close attention to that expectation and furnished an incomplete and ultimately unresponsive narrative. The special education documentation provided in the resubmission appears to have been borrowed from a set of Clark County documents. It contains numerous references to district level offices and positions. Contrary to other sections of the application, this special education policy assumes a full continuum of special education services. There is also no clear plan for the creation and maintenance of school culture, representing a missed opportunity to change the mindset of schooling from compliance to outcomes. The parent engagement strategies outlined in the narrative are also standard in nature and do not reflect a meaningful plan to engage parents in their child's education nor an understanding of the targeted communities. It is unclear how the school will assess parent engagement and satisfaction – no response is provided. While the applicant claims that the school model is unique and different, the collection of documents that has been amassed speaks to a one-size-fits-all mindset which is unlikely to result in a transformative approach to student achievement.*

*The applicant did not submit a budget, precluding analysis of the applicant's financial plan. The applicant*

*The applicant did not provide a budget; this is a significant omission which raises concerns about the ability of the organization both to effectively manage its operations and to meet the numerous stringent reporting requirements with which schools must comply.*

*The applicant submitted a budget which contains a number of questionable assumptions. The revised enrollment plan assumes that the seventh grade class plummets from 150 in year 1 to 75 in year 2 before finally rising to 90 students in year 6. The model, if implemented, would squander significant capital resources for no demonstrable reason.*

*The budget provides a limited sense of the group's knowledge regarding the necessary expenditures in the operation of a school. The budget also appears to be for 150 students instead of the 300 students in areas of the narrative (e.g. food service expense assumptions).*

*It is unclear what assumptions were made regarding the level of need for students with disabilities to justify hiring only one special education teacher. Absent further detail, the budgeted amount for special education supplies (\$10,000) does not appear adequate.*

*The applicant group underestimates the costs for supplies for the content area classrooms and the performing arts classrooms. The budget assumptions related to expenditures for implementation of the arts program appear quite low.*

*The budget assumes donations, contrary to SPCSA guidance.*

*The contingency planning described in the application would provide limited savings to the school. It is unclear what assumptions the group has made in terms of expenses and how they arrived at those determinations based on the proposed educational program.*

*The cash flow reveals a deep misunderstanding of the timing of DSA payments. Instead of assuming quarterly or monthly payments per SPCSA guidance (the timing varies based on school size/gross revenue), the applicant assumes a single lump sum payment in July, prior to the opening of school. Absent a complaint cash flow, it is unclear whether the school is sustainable.*

*The Committee to Form the School consists of eleven members, two of whom are related. One related individual is the proposed board chair; the second is the proposed Executive Director **application writer**. A third individual on the Committee to Form has been identified as the proposed principal/executive director and another individual is a prospective history teacher.*

*The Committee to Form the school are professionals with a clear interest and desire in charter schools and evident enthusiasm to provide a quality choice for Washoe County families. The Committee is commended for bringing forth the idea of Y.E.S. Academy; however, questions and concerns exist regarding the composition of the Committee (and future board) that largely stem from the lack of clarity found within the application and interview.*

*Two of the members of the Committee to Form are related: J. Wynn and E. Wynn, who are married. J. Wynn was identified as the likely board president. E. Wynn was identified as the proposed executive Director. No strong rationale (e.g. rural school status) exists to justify why these relatives serve on the Committee to Form or why the entity charged with overseeing school leadership would be led by someone married to the Executive Director. Such conflicts of interest, if they continue to exist, must be managed and clearly discussed in the school's bylaws. Absent a revision which conforms with this expectation and an application narrative which presents a compelling case for such a structure, this conflict strongly argues against approval of the application. Moreover, in the event that one or the other conflicted members elects to withdraw from the Committee to Form, the bylaws and any performance agreement entered into by the Authority must include language which would explicitly forbid the re-emergence of that conflict or a similar arrangement following the approval of the charter.*

*The applicant attempted to address this concern. While the immediate conflict has been removed, the bylaws have not been altered to prevent its recurrence or the recurrence of similar conflicts of interest. This discrepancy must be addressed in future applications. The applicant also overlooks language in the bylaws that permits the parents association to nominate a parent to the board. In the narrative response, the recruitment of board members is isolated to members of the board. This inconsistency highlights a potential borrowing of resources without reviewing for alignment with their proposed model of governance.*

*The proposed principal is a veteran Washoe County administrator with clear ties to the community. The capacity interview provided compelling evidence of his passion for the model and his desire to serve this student population. It is unclear whether these community connections and obvious commitment to the mission and vision of the school make him the most qualified person to provide the level of transformative instructional leadership essential to ensuring that the school's high-need population graduates college and career ready and the school consistently achieves 4 or 5 star status. He is an accomplished professional, but a review of his resume reveals that his achievements reside more in the domains of school operations, discipline, and community and governmental partnerships. Absent significant revisions to address how the school will fund and implement strategies to either develop these capacities within the candidate principal or support him by attracting and retaining an instructional leader to oversee all areas of academics and school culture, [T]there is not sufficient evidence that the proposed charter school has the capacity to be academically successful.*

*The applicant attempted to address this concern. The previous proposed school leader was removed and a new school leader has been put forth. It is unclear why this individual was selected to be the proposed executive director/principal. There is limited information provided on the ideal qualifications of the school leader, making it difficult to determine why the proposed candidate is the best person for the job. Leading an urban school to high levels of academic achievement requires unique skills and experience, and quality candidates are typically found among graduates of highly selective programs which place a premium on student achievement and only allow their top performing graduates to receive a credential. It is unclear how this candidate was identified and what skills and experience will support his ability to found and operate the proposed school. Moreover, the proposed hybrid role begs the question of what the plan is for this candidate as the school grows. Based on the awkward title, a reviewer or reasonably thoughtful citizen might be led to believe that the position will eventually be divided, but it is unclear whether this is the case. It is clear based upon the narrative provided that the group will defer to the Principal/Executive Director on the specific traits and qualifications of the individuals to be hired by the proposed school as well as the evaluation system. It is unclear how the school leader and other staff will be selected or evaluated. The applicant does not articulate expectations around how to assess the fit of proposed employees with the model of the school. The expectations are limited to the standard requirements for employment at any school. It is concerning that the group has yet to formulate an understanding of the skills necessary for proposed positions at the school.*

*When discussing the building of board capacity, it is clear the applicant group has only a rudimentary understanding of how to assess their own effectiveness and grow as an effective board. Experience with an enrichment program is not the same as a full educational program yielding a high school diploma. Married with the lack of narrative regarding measurable outcomes and a robust assessment system, it remains unclear how the group would oversee the development of a successful educational program. The members appear to have been identified primarily through their affiliations with one or two committee members. While it is unclear if this is indeed the case, the creation of a potentially insular group known to each other through professional and personal affiliations may result in limited accountability without rigorous training and additional board development to include stakeholders outside of the original team. The applicant provides no summative narrative in this section – only attachments. The questionnaires do not provide sufficient evidence of the group's collective capacity to found and sustain a quality school.*

*The applicant provides generalized answers that do not provide any specific understanding of the capacity of the individuals involved or their understanding of the role and responsibility of members. The limited responses provide evidence of only a basic conceptual understanding of the level of commitment required. The review team deeply appreciates the work that the applicant has done thus far and strongly urges the applicant to evaluate the feedback with an open mind and in a spirit of continuous improvement. Nevada needs more high quality, reflective charter school operators who prioritize exemplary student achievement, high quality charter school operations, and thoughtful compliance with all of Nevada's laws and regulations. The Authority is uniquely positioned to approve applicants that show significant promise to deliver transformative outcomes for all of our children. We deeply appreciate the profound engagement exemplified by this proposal and look forward to receiving a carefully rethought application in the future.*

Director Gavin finished his presentation by recommending denial of YES Academy's charter application.

No representatives attended from YES Academy's CTF. Member Wahl said she was concerned the with letter that SPCSA staff had received from YES Academy and felt it was unfair to staff and the work they had done. She said that SPCSA staff follows national best practices and for that to be called into question was unacceptable to her.

**Member Mackedon motioned for denial of YES Academy's charter application. Member Van seconded. There was no further discussion. The motion was unanimous.**

#### **Agenda Item 14 – Member Comment**

Member Wahl asked Director Gavin to introduce Jessica Hoban, ASO SPCSA, to the Authority. Jessica said she was excited to be with the SPCSA and looked forward to working with the Authority too. Member Wahl informed the Authority about the upcoming National School Choice week and encouraged members to attend any events they can.

Member McCord said he hoped a discussion would take place at an upcoming meeting regarding the policy and procedures with regard to closing a charter school. Member Conaboy also added that she would like to see board members become liaisons to SPCSA-sponsored schools in order to better know the people who work at the school site and the individuals who serve on their boards. Member Mackedon said she would like to see the Authority members take a more active role in the charter application process in hopes each member could better understand the process and work that goes into each application cycle.

#### **Agenda Item 15 - Next meeting date: March 16, 2015**

**Member Van motioned to adjourn. Member Abelman seconded. There was no further discussion. The motion carried unanimously.**