Nevada State Public Charter School Authority

Organizational Performance Framework Technical Guide

Adopted July 2024

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Notes on the SPCSA Organizational Performance Framework

In 2024, Opportunity 180 worked in partnership with the Nevada State Public Charter Authority (SPCSA) to provide technical assistance to support updates and revisions to the SPCSA Academic, Financial, and Organizational Frameworks to align with national best practices and Nevada's educational landscape through their 2020 State Entity Charter School Program Grant from the U.S. Department of Education. WestEd was solicited as third-party subject matter experts and supported this revision process.

Overview of the Nevada State Public Charter School Authority

Created in 2011, the Nevada State Public Charter School Authority (SPCSA) is a governmental agency of the State of Nevada and the statewide charter school sponsor. The SPCSA authorizes public charter schools across the state and is responsible for overseeing and monitoring them, ensuring positive academic outcomes for students and strong stewardship of public dollars.

The SPCSA Organizational Performance Framework

The Organizational Performance Framework defines the operational standards to which a charter school should be accountable to its authorizer and the public. It is designed to treat all schools as though they are the same, but only in terms of meeting minimum legal and ethical requirements. This enables schools to retain the flexibility and autonomy to be different in the ways that matter most for a school's mission, vision, and educational program.

The expectations set out in the organizational framework derive from state and federal law and the operating terms proposed by the school in the charter application. Of the three frameworks, the organizational framework is most closely aligned with the charter contract to document operational expectations such as special education, reporting requirements, and the like.

One of the authorizer's core responsibilities concerning charter schools is to protect the public interest. The organizational framework is the primary lever for carrying out this responsibility. It enables the authorizer to ensure that charter schools respect the rights of students, staff, and families within the schools as well as the interests of the public in ensuring that charter schools meet the legal obligations that state and federal legislatures have determined should apply.

Autonomy and Accountability

"It is widely recognized that school autonomy was never intended to free charter operators from the following fundamental obligations, which serve to promote both students' wellbeing and societal interests.

1. State assessments of student achievement and consequences for poor performance;

2. Health and safety regulations;

3. Background checks;

4. Open enrollment policies;

5. Zero tuition policies;

6. Civil rights protections;

7. Open meeting laws;

8. Anti-nepotism rules for governing boards

9. Financial accountability rules; and

10. Federal, state, and local law, regulations, ordinances, and contract terms (SPCSA).[1]

The organizational framework borders most closely against the school autonomy of the three frameworks. The central premise of charter school autonomy is that the authorizer will articulate the expected outcomes, and the school will have maximum flexibility to determine the best way to achieve those outcomes. In other words, the authorizer articulates the ends, and the school decides how to get there.

Whereas the academic and financial frameworks focus almost exclusively on results, such as educational results, the organizational framework inevitably focuses on processes, such as the course and operations of running the school. Whether meeting requirements for minimum instructional days and minutes or ensuring that the facility meets applicable health and safety codes, the organizational framework is where the school becomes externally accountable for how it operates.

However, process-focused accountability should be limited to processes mandated by law, rules, regulations, or policies and the quality of those processes.

It is in this spirit that the SPCSA is operating.

Compliance Checklist

Compliance Checklist Categories and Standards

The framework includes four compliance categories to evaluate the school's organizational performance and compliance. The compliance checklist can be found here.

Compliance Categories
1. Charter Contract
2. Governance
3. Federal and State Statute, Administrative Code, and Regulation
4. Operations

The categories take the form of questions about each school's performance. For example: *Is the school compliant with the charter contract?* For each of the compliance categories, the framework provides several standards by which to evaluate schools. Standards are the

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[1] "Charter School Autonomy: A Half-Broken Promise," by Dana Brinson and Jacob Rosch, April 2010, Updated May 2010, The Thomas B. Fordham Institute (first 9; SPCSA #10)

expectations outlined for assessing a compliance category. For example, to evaluate the question above, the standard is "there is no evidence of breach of the charter contract."

Information specific to each category and the standards is provided below.

Charter Contract
The charter contract category asks the question*: Is the school compliant with the charter contract?* Schools must meet one standard to be in compliance.

Governance
The governance category asks the question: *Does the board comply with basic governance requirements?* Schools must meet six standards to be in compliance.

Federal and State Statutes, Administrative Code, and Regulation
The federal and state statutes, administrative codes, and regulation category asks several questions, each with their own standards, as described below:

- Education Personnel: *Does the school comply with basic staffing requirements?* Schools must meet five standards to be in compliance.

- Language and Culture: *Does the school comply with requirements for students who qualify as English learners?* Schools must meet three standards to be in compliance.

- Special Education: *Does the school comply with applicable requirements for students with disabilities?* Schools must meet six standards to be in compliance.

- Safe and Healthy Schools: *Does the school comply with health and safety requirements for all students?* Schools must meet four standards to be in compliance.

- Education Requirements: *Does the school comply with applicable education requirements?* Schools must meet five standards to be in compliance.

- Charter or Education Management: *Does the school comply with accountability and reporting requirements?* Applicable schools must meet three standards to be in compliance.

Operations
The operations category asks the question: *Does the school submit epicenter tasks on time and accurately?* Compliance in this category depends on the percentage and accuracy of Epicenter tasks: 90% of on-time, accurate submissions are considered Meets Standard; 80-89% Approaches Standard; and less than 80% Does Not Meet Standard.

Compliance Checklist Rating

Schools will be evaluated on each standard using one of the following three ratings for each category.

Meets Standard

The "Meets Standard" rating is defined by the threshold of success for the standard the school is expected to meet. If the school meets the standard, then the SPCSA does not need to follow up with the school or require corrective action. Schools do not meet the standard if failures are material, meaning they are relevant to the SPCSA's accountability decisions.

Approaches Standard

The "Approaches Standard" rating is defined as a school not quite meeting the threshold of success for the standard. If the school submits documentation past the due date or errors are found in the submitted documentation, then the SPCSA will follow up with the school to correct it. Schools do not meet the standard if failures are material, meaning they are relevant to the SPCSA's accountability decisions.

Does Not Meet Standard

The "Does Not Meet Standard" rating remains consistent for each standard in the organizational framework and reads: "The school failed to comply in the manner described materially." This means the school has materially failed to meet the target during the evaluation period.

Key Submissions

The compliance checklist includes several key submissions, as indicated by an asterisk (*). These key submissions are imperative for the functioning and compliance of a school's operations.

Considerations

As with the academic and financial performance frameworks, the SPCSA will use the organizational performance framework to collect evidence of performance and to evaluate schools at least annually, to monitor schools throughout their charter terms, to report to schools and the public annually, to intervene in schools that do not meet expectations, and to make high-stakes decisions, including renewal, non-renewal, possible revocation, expansion or replication.

Assurance of compliance by the charter board

The organizational framework provides a space for the SPCSA to report any credible cases of noncompliance in areas where it may not routinely evaluate the school. Documentation by the charter school's governing board provides an assurance to the SPCSA that the board is aware of and is compliant with its legal obligations.

Certification

The SPCSA requires assurance from the charter school board, including a certification of compliance. This certification means that the board has reviewed and attested that the school is in compliance with federal, state, and local laws, regulations, and ordinances, as well as with conditions of and amendments to its charter contract with the SPCA.

The SPCSA will follow up if complaints or reports from the Nevada Department of Education and other relevant agencies indicate noncompliance. A follow-up review could include requests for data to verify compliance, such as school calendars, student records, or reports the school may submit to the state education agency (e.g., reports to verify state assessment compliance).

Data Sources

The Data Sources sections below list the sources of the documentation the SPCSA will look to in reviewing the school's organizational performance and compliance levels. Schools provide most of the information used to make compliance determinations and ratings regarding any Organizational Performance Framework (OPF) measure and its indicators. There are some standards where SPCSA will request information from another agency or entity, such as NDE, PERS, and the Attorney General.

Data Sources may also include items not explicitly listed here, including school policies, site visit observations and site evaluations, record audits, interviews of stakeholders, WIDA testing documents, and other ELL reporting requirements.

Overall Organizational Framework Rating

The SPCSA monitors compliance standards through a combination of Epicenter tasks, desktop monitoring, governing board certification, communication with other state agencies, and site visits. The SPCSA may not conduct a desktop review of every requirement in every school year. If the SPSCA, or other relevant agency/organization, does not review or report a requirement, the SPCSA may request additional assurance from the school's governing board that those requirements have been met, and ratings for those requirements will be based upon those assurances. Each standard is rated based upon the Primary Monitoring Source(s):

- **Meets Standard:** The school has met the threshold for success.
- **Approaches Standard:** The school submitted the documentation past the due date or errors were found. SPCSA has followed up with the school.
- **Does Not Meet Standard:** The school materially failed to meet the target during the evaluation period.

The overall rating for the 2024-25 Organizational Performance Framework will be based solely on the compliance checklist and utilize the following criteria:

- **In Compliance:** All requirements on the checklist are rated Meets Standard or Meets Standard by Assurances.

- **Partially Compliant**: One or more requirements are rated Approaches Standard, but no requirements are rated Does Not Meet Standard.

- **Out of Compliance**: One or more requirements are rated as Does Not Meet Standard.

Quality Program Indicators

While the organizational framework consists of compliance standards for the school year 2024-25, based on NACSA's most recent performance framework model document update guidance, the SPCSA will introduce and begin rating schools on *quality* organizational indicators starting in the School Year 2025-26. The two focus areas for these quality indicators are Education Program and Governance. Further information is provided below.

Education Program

The Education Program assesses the school's adherence to the material terms of its proposed education program and will be primarily measured by an on-site evaluation. To define educational program accountability, the SPCSA will consider whether the information would be appropriate and essential to deciding whether to renew, non-renew, or revoke a charter. In addition to capturing material terms of the education program, this section also captures certain aspects of an education program that are required by law (e.g., content standards, assessments, special education requirements, attendance, reenrollment, etc.).

Governance and Reporting

A charter school must practice sound governance and adhere to the reporting requirements of the SPCSA and other responsible entities. In this section, the SPCSA sets forth expectations of the charter board's compliance with governance-related laws as well as the board's own bylaws and policies. Additionally, this indicator includes a measure to evaluate the extent and quality to which the board oversees the individuals or organizations to which it delegates the duties of implementing the academic, financial, and organizational aspects of the program.

Intervention Ladder

Occasionally, the routine Performance Framework process will result in adverse findings. The Organizational Performance Framework measures a school's organizational health by looking at several metrics within the compliance checklist, as detailed in this guide. No single metric should be used to assess the overall organizational health of a school; rather, the metrics are intended to complement one another. Together, they relay the organizational health of a school. At times, results may warrant additional context given a schools' circumstance.

However, when adverse findings are discovered, the Authority may respond in a number of ways. For example, schools that miss a key submission, or have a "Does Not Meet Standard" designation may be placed into the intervention ladder.

Below is a chart that outlines possible circumstances that could cause a school to enter the intervention ladder:

Notification	Possible Circumstances	Possible Outcomes/Consequences
Notice of Concern	• Evidence of weak financial, academic or organizational performance through ongoing oversight or at the time of annual review • Repeated or material failure to submit items in a timely and/or complete manner	• Written notification to charter school governing body detailing area(s) of concern, expected actions on the part of the school, and time to remedy as applicable
Notice of Breach	• Continued evidence and/or significant evidence of material weak financial, academic, or organizational performance through ongoing oversight or at the time of annual review • Failure to make substantial progress towards remedying previously identified concern • Failure to comply with applicable laws, regulations and/or the terms of the charter contract	• Written notification to charter school governing body detailing area(s) of deficiency • May require corrective action plan, a site visit and/or site evaluation
Notice of Intent to Revoke	• Serious violations of laws, regulations and/or the charter contract through ongoing oversight or at the time of annual review; or • Patterns of failure to comply with performance standards	• Written notification to charter school governing body regarding termination and school closure