

STATE OF NEVADA

JOE LOMBARDO  
*Governor*

REBECCA FEIDEN  
*Executive Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**  
**ORGANIZATIONAL PERFORMANCE FRAMEWORK**  
**TECHNICAL GUIDE**

Updated June 23, 2023  
For Fiscal Year Ending 2024 and beyond

## STATE OF NEVADA

**JOE LOMBARDO**  
Governor



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## STATE PUBLIC CHARTER SCHOOL AUTHORITY

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Dear Public Charter School Boards and School Leaders:

Attached is the Nevada Organizational Performance Framework (OPF) and Technical Guide. This framework is provided to public charter schools sponsored by the State Public Charter School Authority (SPCSA) to enable them to understand key areas of organizational compliance. This OPF is based on the National Association of Charter School Authorizers (NACSA) OPF and enables an external review of a charter school from the perspective of primarily five indicators or categories.

A few of the benefits of this organizational framework include:

- To help sponsored schools avoid most of the common, significant and material organizational issues which befall many charter schools.
- To provide clear guidance to charter schools of critical obligations and expectations which the charter schools must be in compliance with to perform within the legal parameters they have committed to operate within.
- To provide charter school stakeholders transparency and assurances that the school is meeting its obligations and that the SPCSA is striving to ensure schools provide high-quality organizational environments within which schools—and students—can thrive.

**Of course, performance, compliance, with all applicable federal, state and local laws, regulations and ordinances as well as adherence to contract provisions by sponsored public charter schools is an ongoing obligation.**

Certification of compliance is required of schools at certain times of the school year. Schools should consult the applicable law, regulations, ordinances and their contracts for all requirements in addition to guidance provided by the SPCSA prior to the start of the academic year.

One of the four strategies of the SPCSA strategic plan is to “Ensure Fulfillment of Public School Obligations.” Schools that adhere to the organizational requirements described within the OPF give themselves the best chances of organizational success.

The SPCSA will provide ongoing oversight and monitoring of individual school’s performance against the indicators and measures listed within the OPF. School board members, school leaders and stakeholders are welcome to contact the SPCSA with any questions regarding this document.

Sincerely,

Mike Dang, Manager  
Financial and Organizational Performance Frameworks  
Nevada State Public Charter School Authority

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# Organizational Performance Framework

## Introduction

An Organizational Performance Framework (OPF) for charter schools provides a framework within which a charter school sponsor, authorizer and regulatory agency may carry out its oversight roles and responsibilities.

This Organizational Performance Framework (OPF) for State Public Charter School Authority (SPCSA) charter schools (CSs) is based on the National Association of Charter School Authorizers (NACSA) [Core Performance Framework and Guidance Academic, Financial, and Organizational Frameworks for Charter School Accountability](#), March 2013.

The OPF reviews a charter school from the perspective of five indicators or categories. This structure facilitates the evaluation of the school's organizational performance and compliance with federal, state and local law, regulations, ordinances, and policy in addition to the contract between the SPCSA and the governing board of the school.

The Organizational Performance Framework documents consist of the following:

1. The Organizational Performance Framework Technical Guide.
  - a. This Organizational Performance Framework Technical Guide explains the Organizational Performance Framework, its purpose, objectives and methods.
2. The Certification of Compliance
  - a. The Certification of Compliance with the Organizational Performance requirements of the SPCSA is for the school's board to confirm and approve in a public meeting. This action aims to confirm that they and their school leadership certify that the operations of their school are in compliance as described herein.
  - b. Prior to the submission of the form, the school's board shall review and approve the form at a regularly scheduled board meeting. The board chairperson's signature is required to complete and submit this certification between **June 1 and August 1**.
3. Organizational Performance Ratings of School Compliance.
  - a. The SPCSA will complete and submit this to the school board after receiving the Certification of Compliance by the board.

A copy of this OPF Technical Guide, and of the latter two documents described above will be posted separately on the SPCSA website. Copies of the latter two documents are shown below in Appendix A and Appendix B. An example of a possible score is included below as Appendix C.

## Framework Guidance

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 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 as well as the operating terms that the school has proposed in the charter application. Of the three frameworks, the Organizational Framework is most closely aligned with the charter contract in terms of documenting operational expectations such as special education, accounting practices, reporting requirements, and the like.

One of the authorizer's core responsibilities with respect to 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 are respecting rights of students, staff, and families within the schools as well as the interests of the general 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. Teacher 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; and
9. Financial accountability rules.”
10. Federal, state and local law, regulations, and ordinances and contract terms (SPCSA)

*“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)*

Of the three frameworks, the Organizational Framework abuts most closely against school autonomy. 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 the means of getting there.

Whereas the Academic and Financial Frameworks focus almost exclusively on results, as in the results of a race, the Organizational Framework inevitably focuses on processes, as in the course and operations of running the race. Whether it is meeting requirements for minimum instructional days and minutes or ensuring that the facility meets applicable health and safety codes; the Organizational Framework is the place where the school becomes externally accountable for how it operates.

However, this process-focused accountability should be limited to those processes that are mandated by law, rules, regulations, or policies.

It is in this spirit that the SPCSA is operating.

## Framework Structure

The Organizational Framework is divided into indicators, measures, metrics, and ratings, which are explained below.

### Indicators

The framework includes six indicators or categories used to evaluate the school’s organizational performance and compliance.

	Indicators
1	Education Program
2	Financial Management and Oversight
3	Governance and Reporting
4	Students and Employees
5	School Environment

#### 1. Education Program

The Education Program section assesses the school’s adherence to the material terms of its proposed education program. As a legal term, something is “material” if it is relevant and significant. For purposes of defining educational program accountability, the SPCSA will consider whether the information would be relevant and significant to decisions about

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, etc.).

## 2. Financial Management and Oversight

While the Financial Framework is used to analyze the school's financial performance, the SPCSA will use this section of the Organizational Framework to set expectations for the school's management and oversight of its finances, without regard to financial performance. Audit results and audit findings are critical sources of evidence when evaluating schools against this indicator.

## 3. Governance and Reporting

A charter school must practice sound governance and adhere to 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 to which the board oversees the individuals or organizations to which it delegates the duties of implementing the program, a fiduciary responsibility of the board.

## 4. Students and Employees

While charter schools may be exempt from certain laws and allowed to function with greater autonomy, they still must adhere to federal and state laws regarding treatment of individuals within the organization. In this section, the SPCSA measures charter school compliance with a variety of laws related to students and employees, including the rights of students and employees as well as operational requirements such as teacher licensing and background checks.

## 5. School Environment

Charter schools must also follow laws related to the school's physical plant and the health and safety of students and the charter community. This section addresses the school's facility, transportation, food service, and health services, among other things.

# Measures

For each of the indicators, the framework provides a number of measures by which to evaluate schools. The measures take the form of questions about each school's performance. For example:

- Is the school implementing the material terms of the education program as defined in the current charter contract?
- Is the school protecting the rights of English Language Learner (ELL) students?
- Is the school meeting financial management and oversight requirements?

Information and guidance specific to each measure is provided below in the Measures in Detail section.

# Metrics

Metrics are expectations set forth in evaluating a measure. For example, to evaluate the question, "Is the school following Generally Accepted Accounting Principles?" Examples of metrics for this measure are:

- An unqualified audit opinion
- An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report

Throughout the Organizational Framework, we set forth the metrics for evaluating the different measures within the "Meets Standard" rating.

# Targets and Ratings

For each measure a school receives one of two ratings based on evaluation of the established metrics.

## **Meets Standard:**

The "Meets Standard" rating is defined by the threshold of success for the measure, or the target the school is expected to meet. In the Organizational Framework, this rating provides the detailed metrics against which the charter school is judged. If the school meets the target, 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 in nature, meaning they are relevant to the SPCSA's accountability decisions.

**Does Not Meet Standard:**

The “Does Not Meet Standard” rating remains consistent for each measure in the Organizational Framework and reads:

“The school failed to materially comply in the manner described above.”

This means that the school has materially failed to meet the target during the evaluation period. Schools with a number of “Does Not Meet Standard” designations may be placed into the intervention ladder or even considered for non-renewal.

## Considerations when using the OPF

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 board provides an assurance to the SPCSA that the board is aware of and is compliant with its legal obligations.

### Certification

The SPCSA requires an assurance from the charter school board including in the form of a certification of compliance. This certification means that the board has reviewed and attests 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 SPCSA.

The SPCSA will follow up if complaints or reports from the State Education Agency indicate noncompliance. Follow-up review could include requests of 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).

When evaluating the requirement that the school implemented “mandated programming as a result of state or federal funding,” the SPCSA could work with divisions and documents within the Nevada Department of Education or other agencies that oversee these programs (e.g., Title IV), as they likely have processes in place to evaluate and report findings of noncompliance.

## Data Sources

The Data Sources sections below list the sources of the documentation the SPCSA will look to in reviewing the organizational performance and compliance levels of the school. Schools provide most of the information used to make compliance determinations and ratings regarding any OPF measure and its indicators. Where that is not the case, SPCSA will indicate “(School)” next to data sources the school needs to provide. A designation of “SPCSA” in this part of the table indicates where SPCSA will request information from another agency or entity, such as NDE or PERS.

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

## Measures in Detail

### Ratings and Scoring

	Indicator (or Category)	Points Possible	Points Earned
1	Education Program	20	
2	Financial Management and Oversight	20	
3	Governance and Reporting	20	
4	Students and Employees	20	
5	School Environment	20	
	<b>Total</b>	<b>100</b>	

#### Ratings

##### Meets Standard Rating (80 points or more)

- The threshold of success for the measure, the target expectations.
- The detailed metrics against which the charter school is judged.
- If the school meets the target, the SPCSA may still follow up on a specific issue.
- Schools earning this rating are performing well and are on track for charter renewal.
- The targets for this rating category set the minimum expectations for charter school performance.

##### Does Not Meet Standards (79 points or less)

- The school has failed to materially comply in the manner described above.
- The SPCSA will follow up with the school to ensure corrective action is taken.
- Schools in this rating category failed to meet minimum expectations.
- At a minimum, they should be subject to closer monitoring, and their status for renewal is in question.

A school must earn a total of 80 points or more in any one year for all indicators to achieve a Meets Standards Rating. A school that earns less than 80 points in any one year is automatically subject to additional oversight, will be placed into the intervention ladder and will be required to take corrective action steps.

A Notice of Concern may be sent to charter schools under various situations including the following:

1. Overall organizational framework ratings are less than 80 points for a fiscal year,
2. Continued or significant evidence of materially weak organizational performance for any incident or observed through ongoing oversight, or,
3. One or more failures to comply with a federal, state, local or SPCSA contractual obligation or to make substantial progress towards remedying previously identified concerns.

Such noncompliance may result in escalation to and within the intervention ladder, including a Notice of Breach or a Notice of Intent to Terminate.

A school may earn full, partial or no points for any measure. It is also possible that a school may earn an annual rating of Meets Standards but only earn a few points in one of the five categories listed above. The SPCSA will work with schools falling into this category to ensure the school has an opportunity to resolve the problems or non-compliance issues. The SPCSA will note the issue and how the issue was resolved.

A school may have points deducted in an area if they are not in compliance with federal or state statutory or regulatory, or local government ordinances or Nevada Department of Education (NDE) or SPCSA or other contractual obligations or



required submissions.

A school may not receive full points in this indicator for persistent late and/or incomplete submissions that are required. This is especially true required by federal or state statute, local government ordinances, Nevada Department of Education (NDE) submissions, or those required by the SPCSA.

Each category (such as the Education category) of measures below is equally weighted against the other categories. Each indicator or category may not have the same number of measures or questions, review elements and data sources to review. Still, the weighting for each category is the same for all five categories.

If a school receives a Does Not Meet Standards (DNMS) rating for any one measure or for one question in a measure in a category it does not automatically mean the school will receive a DNMS for the entire category. The materiality of the DNMS is also considered in making a recommendation determination.

There is some level of subjectivity with some measures and not with others. For example, there may be a subjective zone in determining whether a school's educational program was materially consistent with the program the school committed to provide in its charter contract. On the other hand, an example of an objective standard would be where a financial auditor declares that a school was clearly not using Generally Accepted Accounting Principles in its accounting work, as is required. Where there is such subjectivity, SPCSA determinations will reference the evidence used to support its ratings.

Should a school fail to provide sufficient information or fail to demonstrate compliance within a certain measure, SPCSA staff will take a more active role and request additional information in order to more fully inform a final rating. In most cases, this will require additional or supplemental information not previously provided. In rare cases of extreme concern, a desk audit or a document sample may be required if all other options are exhausted.

If SPCSA staff determine that a Notice of Concern is warranted, SPCSA staff will contact the school Board president and/or school leaders before issuing any applicable formal Notice of Concern or otherwise work with the school if SPCSA intervention is required. Given the compliance focus of the organizational performance framework, which can be reevaluated throughout the year and requires timely feedback, staff would only issue a Notice of Concern should a serious concern arises. Authority approval would be required to place a school further into the Intervention Ladder.

## Indicator 1: Education Program

(20 pts, 4 measures, 5 points per measure)

The Education Program section assesses the school’s adherence to the material terms of its proposed education program, such as content standards. **These measures are different from the Academic Performance Framework in that they measure educational compliance rather than educational performance outcomes.**

### 1a. Implementing the program

This measure does not evaluate the Academic performance of the school, which is the focus of the Academic Performance Framework. This measure only addresses the program itself, the organization’s fidelity to that program, and organizationally whether the school is appropriately notifying the authorizer of and gaining approval for major changes to the education program.

<b>Measure 1a (5 pts)</b>	
<b>Is the school implementing the material terms of the education program as defined in the current charter contract?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<b>Meets Standard:</b> The school implemented the material terms of the education program (“fidelity to the program”) in all material respects and the education program in operation reflects the material terms as defined in the charter contract or amendments thereto.	
<b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is “School” or SPCSA)</i>
1. The school website and curriculum are in alignment with the material terms of the education program (“fidelity to the program” and “truth in advertising”) defined in its application and current charter contract.	<ul style="list-style-type: none"> <li>• Charter application</li> <li>• Charter contract</li> <li>• Course outlines or syllabi (School)</li> <li>• Web-link(s) showing fidelity to the program. (School)</li> </ul>
2. The site evaluation demonstrates that the school model is in alignment with the material terms of the education program (“fidelity to the program” and “truth in advertising”) defined in its application and current charter contract. If no site evaluation occurred during the year, SPCSA staff will revert to the most recent site evaluation to determine if the model aligns with the education program.	<ul style="list-style-type: none"> <li>• Most recent Site Evaluation (SPCSA)</li> </ul>

### 1b. Education Requirements

Some elements of a public school’s education program are fixed in law and may not be waived for charter schools. This measure evaluates the school’s adherence to education requirements, such as content standards.

<b>Measure 1b (5 pts)</b>
<b>Is the school complying with applicable education requirements?</b>
<input type="checkbox"/> MS <input type="checkbox"/> DNMS

**Meets Standard:**

The school materially complies with applicable federal and state laws, rules, regulations, and provisions of the charter contract relating to education requirements, including but not limited to:

- Charging no tuition, mandatory donations, fines or fees (except where provided by law or regulations);
- Requiring no volunteer hour requirements as a condition of enrollment,
- Being compliant with lottery requirements, pursuant to R131-16,
- Meeting instructional days or minutes requirements,
- Meeting state assessment requirements including the 95% participation requirement<sup>1</sup>
- Implementing mandated programming as a result of state or federal funding.
- Ensuring all courses are taught in alignment with Nevada Academic Content Standards (NACS)

**Does Not Meet Standard**

The school has failed to materially comply in the manner described above.

<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school was in session for at least 180 days or, the Governing Body adopted and received approval from the Department of Education for a calendar with an equivalent number of minutes of instruction per school year based on a different number of days of instruction.	<ul style="list-style-type: none"> <li>• Approved NDE Calendar</li> </ul>
2. The school's policies and practices related to admissions, enrollment waiting lists, fair and open recruitment, and enrollment practices (including rights to enroll or maintain enrollment), lottery method, are consistent with applicable law and regulation (R131-16AP).	<ul style="list-style-type: none"> <li>• Application and enrollment forms</li> <li>• Parent/Student Handbook and no verified, adverse complaints</li> </ul>
3. Meets the 95% state assessment participation requirement which states that 95% of students are required to participate by taking the following examinations: For ES, MS, 3rd-8th graders, each year, the SBAC ELA (Part 1) and Math (Part 2) tests; for HS: ACT Test administered in 11th grade.	<ul style="list-style-type: none"> <li>• SPCSA verifies results issued by NDE</li> </ul>
4. The school did not charge any fees that may be considered tuition.	Parent/Student Handbook and no verified, adverse complaints

**1c. Students with Disabilities**

Charter schools must follow state and federal special-education laws and provide a high-quality learning environment for all students. In addition to an evaluation of how well a school is educating students with special needs (a component of the Academic Performance Framework), the Organizational Performance Framework includes an evaluation of how well the school is meeting its legal obligations regarding services to these students and protecting their rights under state and federal law.

<b>Measure 1c (5 pts)</b>
<b>Is the school protecting the rights of students with disabilities?</b>
<input type="checkbox"/> MS <input type="checkbox"/> DNMS

<sup>11</sup> An At-Risk oriented program may be viewed differently regarding this measure.  
Nevada SPCSA Organizational Performance Framework (OPF)      Rev. 6/23/2023

**Meets Standard:**

Consistent with the school’s status and responsibilities as a public school within the SPCSA Local Education Agency (LEA) , the school materially complies with applicable laws, rules, regulations, and provisions of the charter contract (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act) relating to the treatment of students with identified disabilities and those suspected of having a disability, including but not limited to:

- Equitable access and opportunity to enroll
- Identification and referral
- Appropriate development and implementation of Individualized Education Plans and Section 504 plans
- Operational compliance, including provision of services in the least restrictive environment and appropriate inclusion in the school’s academic program, assessments, and extracurricular activities.
- Discipline, including due process protections, manifestation determinations, and behavioral intervention plans.
- Access to the school’s facility and program to students in a lawful manner and consistent with students’ IEPs or
- Section 504 plans.

**Does Not Meet Standard**

The school has failed to materially comply in the manner described above.

<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school conducted required disability screenings on all new identified special education students within required deadlines, to the extent reasonably possible.	<ul style="list-style-type: none"> <li>• No verified adverse complaints</li> </ul>
2. The school uses Staff (internal or contracted) who hold Nevada licensure in special education, to the extent possible, over and above any requirements of law, regulation, or contract to provide special education services pursuant to NRS 388A.518.	<ul style="list-style-type: none"> <li>• Self-certification</li> <li>• NDE certifications database (SPCSA)</li> </ul>
3. Evaluations and current, signed IEPs are on file for all special education students when available. 34 CFR 300.341-350 and 300.531-536 and NAC 388 <a href="https://www.leg.state.nv.us/nac/nac-388.html">https://www.leg.state.nv.us/nac/nac-388.html</a>	<ul style="list-style-type: none"> <li>• Self-certification, site visits, and NDE SPED Audits (SPCSA)</li> </ul>
4. The charter school has a current, compliant special education policy that has been approved by the governing body.	<ul style="list-style-type: none"> <li>• Board minutes showing specific date of meeting board adopted item (School)</li> </ul>
5. The school ensured that all students with disabilities and all students receiving instruction in a class funded with Gifted and Talented Funds were served at the required student-teacher ratios (NAC 388.150).	<ul style="list-style-type: none"> <li>• Self-certification and no verified adverse complaints</li> </ul>

**1d. English Language Learner (ELL) students**

Similar to their responsibilities regarding special education, charter schools must follow state and federal laws governing access and services for students who are English Language Learners (ELLs). In addition to an evaluation of how well a school is educating ELL students (a component of the Academic Performance Framework), the Organizational Performance Framework includes an evaluation of how well the school is meeting its legal obligations regarding services to these students and is protecting their rights under state and federal law.

**Measure 1d (5 pts)**

**Is the school protecting the rights of English Language Learner (ELL) students?**

MS  DNMS

**Meets Standard:**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract (including Title III of the Elementary and Secondary Education Act [ESEA] and U.S. Department of Education authorities) relating to requirements regarding English Language Learners (ELLs), including but not limited to:

- Equitable access and opportunity to enroll,
- Required policies related to the service of ELL students,
- Compliance with native language communication requirements,
- Proper steps for identification of students in need of ELL services,
- Appropriate and equitable delivery of services to identified students,
- Appropriate accommodations on assessments,
- Exiting of students from ELL services, and
- Ongoing monitoring of exited students

**Does Not Meet Standard**

The school has failed to materially comply in the manner described above.

<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school took proper steps to identify all students in need of ELL services as required by law, evidenced by <ol style="list-style-type: none"> <li>a. The presence of completed Home Language Surveys (HLS) of pupil records reviewed;</li> <li>b. Screening Tests for pupils identified as having a primary home language other than English and for students who have received ELL services at the charter school; and</li> <li>c. evidence of Parent Notification for identified pupils.</li> </ol>	<ul style="list-style-type: none"> <li>• Self-certification and no verified, adverse complaints</li> <li>• Enrollment packet with HLS (School)</li> <li>• WIDA Screener Completion</li> </ul>
2. The school developed, approved, and submitted the annual ELL Plan by the required deadline.	<ul style="list-style-type: none"> <li>• Title III ELL Plan/Policy submission</li> </ul>
3. Staff the school uses (internal or contracted) to provide services to English Language Learners hold, as required by law, Nevada licenses with English Language Acquisition and Development (ELAD) endorsements (with or without practicum).	<ul style="list-style-type: none"> <li>• Self-certification and no verified, adverse complaints</li> </ul>

## Indicator 2: Financial Management and Oversight

(20 pts, 4 measures, 5 points per measure)

Critical to an organization’s health and stability is its ability to manage its finances well. The SPCSA has a responsibility to protect the public’s interest and must evaluate the extent to which the charter school is responsibly managing its finances. Charter schools should have an unqualified, or “clean,” financial audit. This means that the auditor found the financial statements to be accurate and complete, which is necessary for evaluating a school’s financial health.

### 2a. Financial Reporting and Compliance

The financial reports included in this measure are used as a basis for the analysis of a school’s financial viability (i.e., Financial Performance Framework) and financial management (see Measure 2b below). The purpose of this measure is to determine whether the school is submitting accurate and timely information to the SPCSA.

Reporting requirements such as financial audits and budget reports are often required by state law. Charter schools are public schools that use public funds. The SPCSA is charged with ensuring that schools are responsible stewards of those funds. The SPCSA requires charter schools to report on their financial positions through annual budgets, periodic (e.g., quarterly) financial reports, financial audits, etc.<sup>2</sup>

<sup>2</sup> Additionally, if the school contracts with a Charter Management Organization (CMO) or Education Management Organization (EMO), the SPCSA may include additional contractual provisions in the charter contract that “ensure...the school’s financial independence from the external provider. Principles & Standards for Quality Charter School Authorizing. National Association of Charter School Authorizers, (2012). The SPCSA considers this a best practice.

<b>Measure 2a (5 pts)</b>	
<b>Is the school meeting financial reporting and compliance requirements?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b></p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to financial reporting requirements, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Complete and on-time submission of financial reports, including annual budget, revised budgets (if applicable),</li> <li>• Quarterly financial reports as required by the authorizer</li> <li>• On time completion, approval during a public meeting, and submission of the annual independent audit, and corrective action plans, if applicable,             <ul style="list-style-type: none"> <li>• If a school fails to submit its board approved final audit to the SPCSA by December 1, SPCSA staff will require that the school submit a signed copy of its audit engagement letter no later than August 1 for the upcoming fiscal year end to better understand how the school is working to avoid such a problem in subsequent years.</li> </ul> </li> <li>• All reporting requirements related to the use of public funds.</li> </ul>	
<p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<p><b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i></p>	<p><b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i></p>
1. The charter school complied with generally accepted standards of fiscal management (NRS 388A.330).	<ul style="list-style-type: none"> <li>• Budget, quarterly and annual financial statements</li> </ul>
2. The governing body received the final version of the prior year audit not less than four months of the close of the fiscal year (NAC 387.775) and submitted the final version of the prior year audit no later than December 1 (NAC 387.775).	<ul style="list-style-type: none"> <li>• Annual Independent Audit</li> </ul>

**2b. Generally Accepted Accounting Principles**

The Nevada Administrative Code (NAC 387.765) requires charter schools to “[c]omply with generally accepted accounting principles.” This measure assesses compliance with this requirement.

<b>Measure 2b (5 pts)</b>	
<b>Is the school following Generally Accepted Accounting Principles (GAAP)?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b></p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to financial management and oversight expectations as evidenced by an annual independent audit, including but not limited to:</p> <ul style="list-style-type: none"> <li>• An unqualified audit opinion</li> <li>• An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses</li> <li>• An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report</li> </ul>	
<p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<p><b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i></p>	<p><b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i></p>

1. Receive an unqualified audit opinion.	<ul style="list-style-type: none"> <li>Annual financial audit</li> </ul>
2. Receive an audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses	<ul style="list-style-type: none"> <li>Annual financial audit</li> </ul>
3. Receive an audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report	<ul style="list-style-type: none"> <li>Annual financial audit</li> </ul>

**2c. The Nevada Chart of Accounts**

The Nevada Administrative Code (NAC 387.765) requires charter schools to “Use the chart of accounts prescribed by the Department” of Education. This measure evaluates compliance with this requirement.

<b>Measure 2c (5 pts)</b>	
<b>Is the school using the chart of accounts prescribed by the Nevada Department of Education?<sup>3</sup></b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b> The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to use of the Chart of Accounts prescribed by the Nevada Department of Education.</p> <p><b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.</p>	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is “School” or SPCSA)</i>
1. The governing board certifies that it is submitting all required reports in the NDE chart of accounts (COA) formats requested by the Department.	<ul style="list-style-type: none"> <li>Self-certification and submittal of Trial Balance and Charter School COA (School)</li> </ul>

**2d. Grant Subrecipient Compliance**

The purpose of this measure is to determine whether the school is complying with applicable requirements for receiving grant funds as a part of its overall operations. Compliance is determined by timeliness of grant-related document submissions, use of funds for allowable purposes, grant applications that meet published requirements, commitment to subrecipient monitoring activities, and established internal controls for the use of grant funds.

Charter schools are public schools that use public funds, including state and federal grant funds. The SPCSA as the Local Education Agency (LEA) and pass-through entity is responsible for monitoring the activities of the school (subrecipient) as necessary to ensure that the grant funds are used for authorized purposes; in compliance with applicable statutes, regulations, and terms and conditions of the subaward; and that subaward performance goals are achieved.

<sup>3</sup> As of 5/2019 the Nevada Department of Education and SPCSA are reviewing potential required revisions to the manner in which the chart of accounts is used in order to meet federal Every Student Succeeds Act (ESSA) reporting requirements. Schools will not be required to comply with any new additional requirements until such time as the Nevada Department of Education notifies schools of its rollout schedule and provides a period of time for the implementation of required changes for the school year in which compliance will be required. Until such time, schools are required to continue to use the COA as currently required in various periodic reports requested by the Nevada Department of Education.

<b>Measure 2d (5 pts)</b>	
<b>Is the school meeting grant subrecipient compliance requirements?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b> The school materially complies with applicable laws, rules, regulations, and terms and conditions of all applicable subaward agreements; submits timely applications, reimbursement requests, and required reports; ensures completion of an annual single audit if required; and complies with the risk assessment and subrecipient monitoring process.</p> <p><b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.</p>	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The charter school complied with SPCSA published deadlines <sup>4</sup> and requirements, applicable laws, regulations and subaward terms and conditions.	<ul style="list-style-type: none"> <li>Grant applications, reimbursement requests, time and effort reporting</li> </ul>
2. The charter school complied with SPCSA Risk-Based Subrecipient Monitoring requirements.	<ul style="list-style-type: none"> <li>Fiscal and programmatic instruments, onsite monitoring, desktop monitoring, responses to Corrective Action Plans or Management Decisions</li> </ul>

### Indicator 3: Governance and Reporting

(20 pts, 3 measures, 6.7 points per measure)

Charter school boards are responsible to improve student achievement in their schools. In doing so, they are responsible to the SPCSA, Nevada, the federal government, and the public to ensure the school is operating in accordance with the board’s charter contract and all applicable laws, regulations and ordinances. This section regards governance-related laws, the school board’s bylaws and policies and its oversight of its school and fidelity to its fiduciary duties.

#### 3a. Governance Requirements

Charter school boards hold fiduciary responsibility for the charter schools they oversee and must comply with applicable governance requirements. Boards may have different governance requirements based on how they are legally structured.

<b>Measure 3a (6.7 pts)</b>
<b>Is the school complying with governance requirements?</b>
<input type="checkbox"/> MS <input type="checkbox"/> DNMS

<sup>4</sup> This includes formally established deadlines and timelines which are communicated in advance. Schools that request extensions to such deadlines in advance and are granted extensions will not lose points so long as they meet the extended deadline.



**Meets Standard:**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to governance by its board, including but not limited to:

- Board policies, including those related to oversight of an Educational Management Organization (EMO) or Charter Management Organization (CMO), if applicable
- Board bylaws
- State open meetings law
- Code of ethics
- Conflicts of interest
- Board composition and/or membership rules (e.g., requisite number of qualified teachers, ban on employees or contractors serving on the board, etc.)
- Compensation for attendance at meetings
- Board member training
- Board member disclosure of conflicts of interest upon appointment

**Does Not Meet Standard**

The school has failed to materially comply in the manner described above.

**Description** *(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)*

**Data Source** *(Epicenter file used unless source is "School" or SPCSA)*

1. The Attorney General did not issue findings of fact and conclusions of law that the governing body or any other public body created by the charter school has taken action in violation of any provision of NRS 241.010 et seq. during the fiscal year.

- Self-Certification and no verified adverse findings.

2. The school received no material governance compliance complaints which were substantiated or if they were substantiated the school board promptly implemented acceptable corrective actions.

- Self-Certification and no verified adverse findings.

3. The governing body ensured that it held at least quarterly meetings (NRS 388A.320(5)).

- Board minutes

4. The school's governing body certifies that all current board members have completed training in Nevada's Opening Meeting Law and the State Public Charter School's Governance Standards. See NRS 388A.224

- Self-Certification
- Board Training Report

5. Each governing board member upon appointment completes the conflict-of-interest disclosure form and submits it to the SPCSA. Conflict of interest disclosure forms indicate no inappropriate or impermissible relationships.

- Conflict of Interest Forms

**3b. Vendor and Contractor Accountability**

The central role of the charter school board is to responsibly delegate the work of actualizing the board's educational vision and mission. To that end, the board has a responsibility to oversee and hold accountable the charter school's vendors and contractors, including any Educational Management Organization (EMO) or Charter School Management Organization (CMO). In any event, the school governing board is the party ultimately responsible for the success or failure of the school.

**Measure 3b (6.7 pts)**

**Is the school holding management accountable?**

MS  DNMS

**Meets Standard:**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to oversight of school vendors and contractors, including but not limited to:

- (For schools that contract with an EMO or CMO) maintaining authority over the EMO or CMO, holding it accountable for performance as agreed under a written performance agreement, and requiring annual financial reports of the EMO or CMO
- (For All) oversight of vendors and/or contractors that includes holding it accountable for performance expectations

and contractual obligations	
<b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The governing body has conducted an annual evaluation of any EMO with which the school has contracted, per the written performance agreement between the board and the EMO if applicable ( <a href="#">NAC 388A.580(5)</a> ) and provided a letter to the SPCSA describing whether the governing body of the charter school is satisfied with the contractual relationship with the EMO (AB419 from 2021 Legislative Session). <sup>5</sup>	<ul style="list-style-type: none"> <li>• School-EMO contract</li> <li>• EMO Evaluation</li> <li>• Letter from Governing Body</li> </ul>
2. The governing body submitted a copy of the EMO Revenue and Expenditure Report, if applicable.	<ul style="list-style-type: none"> <li>• EMO Revenue and Expenditure Report</li> </ul>
3. The governing body submitted a copy of EMO or CMO contract to the SPCSA for the current fiscal year and the contract complied with <a href="#">NRS 388A.393</a> .	<ul style="list-style-type: none"> <li>• Contract(s)</li> </ul>

### 3c. Reporting Requirements

Reports from schools are required in order to allow the SPCSA to monitor and evaluate the school’s academic and operational performance and form the basis for renewal recommendations. Additionally, charter schools are responsible to other entities, including the State Education Agency, for certain reporting requirements.

<b>Measure 3c (6.7 pts)</b>	
<b>Is the school complying with reporting requirements?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<b>Meets Standard:</b> The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to relevant reporting requirements to the school’s authorizer, State Education Agency (SEA), district education department, and/or federal authorities, including but not limited to: <ul style="list-style-type: none"> <li>• Accountability tracking</li> <li>• Attendance and enrollment reporting</li> <li>• Compliance and oversight</li> </ul>	
<b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school’s governing board certifies the school has complied with all applicable reporting requirements during the most recent school year with no material gaps in reportssubmitted.	<ul style="list-style-type: none"> <li>• Review of Epicenter submissions</li> </ul>

<sup>5</sup> Regarding charter management organizations, the SPCSA collects, analyzes and reports on pupil achievement and school performance to determine whether the client charter school is meeting the performance indicators, measures and metrics for the achievement and proficiency of pupils. NRS 388A.229  
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## Indicator 4: Students and Employees

(20 pts, 6 measures, 3.3 points per measure)

Charter schools must adhere to federal and state laws regarding treatment of individuals within the organization. The SPCSA measures charter school compliance with a variety of laws related to students and employees, including the rights of students and employees as well as operational requirements such as teacher licensing and background checks.

### 4a. Rights of students

Charter schools must protect the rights of the students they serve. The SPCSA has a responsibility to ensure that the charter school is in compliance with a range of requirements from admissions policies to protections of students' civil rights.

<b>Measure 4a (3.3 pts)</b>	
<b>Is the school protecting the rights of all students?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b>            The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the rights of students, including but not limited to:</p> <ul style="list-style-type: none"> <li>• The Policies and practices it has developed and which it implements designed to protect the rights of students related to admissions, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment)</li> <li>• Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction</li> <li>• Conduct of discipline (discipline hearings and suspension and expulsion policies and practices)</li> </ul> <p><i>Note: Proper handling of discipline processes for students with disabilities is addressed more specifically in Section 1c.</i></p>	
<p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school properly collects and protects student private information.	<ul style="list-style-type: none"> <li>• Self-Certification and no verified adversary findings.</li> </ul>
2. The school has a Plan for Restorative Discipline and a policy for appealing suspension and expulsion which complies with NRS 392 and NRS 388A, and which is implemented with integrity.	<ul style="list-style-type: none"> <li>• School Plan for Restorative Discipline</li> </ul>
3. Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment.	<ul style="list-style-type: none"> <li>• Self-Certification means all complaints and issues have been resolved as required, noting any open issues.</li> </ul>

### 4b. Attendance Goals

SPCSA charter schools are expected to achieve attendance levels of 90% or greater. Attendance, like re-enrollment, is an important leading indicator of a quality education program,

<b>Measure 4b (3.3 pts)</b>
<b>Is the school meeting attendance goals of 90% or greater?</b>

<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<b>Meets Standard:</b> The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to attendance goals.	
<b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school was in material compliance with student attendance requirements and achieved attendance of 90% or greater.	<ul style="list-style-type: none"> <li>• Nevada Schools Report Card</li> </ul>

**4c. Re-enrollment**

Re-enrollment, like attendance, is an important leading indicator of a quality education program, but it is not included in the Academic Performance Framework because it is not in itself an academic performance outcome. Consequently, SPCSA evaluates the school’s attendance rates through the lens of organizational effectiveness. Schools with strong re-enrollment rates typically have higher parent and student satisfaction and are more financially and organizationally stable. Schools that struggle with re-enrollment, especially if chronically, may be at risk of academic or financial failure.

<b>Measure 4c (3.3 pts)</b>	
<b>Is the school re-enrolling 80% of its students, year over year?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
Overview: “Reenrollment” is defined as the number of students continuing to be enrolled in the school from one year to the next expressed as a percentage of the total number of students eligible to continue their enrollment at the school.	
<b>Meets Standard:</b> The school’s student reenrollment rates are 80% of its students or greater.	
<b>Does Not Meet Standard</b> The school has failed to materially comply in the manner described above.	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school’s student re-enrollment rates are at least 80% or greater.	<ul style="list-style-type: none"> <li>• Validation data files (Count Day Files, 10/1 files) (SPCSA)</li> <li>• Enrollment records (Instant SYE and prior year SYE) (School)</li> <li>• Charter Contract (Epicenter)</li> </ul>

**4d. Staff Credentials**

Public schools must employ appropriately qualified and credentialed staff including administrative, teaching, and educational support staff as required by law. For schools that receive Title II funding, staff must meet Highly Qualified Teacher and Paraprofessional requirements.

<b>Measure 4d (3.3 pts)</b>
<b>Is the school meeting Nevada teacher and other staff credentialing requirements?</b>

<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<b>Staff Credentials</b> <p>Public schools must employ appropriately qualified and credentialed staff including administrative, teaching, and educational support staff as required by law. Specifically, all core content teachers are licensed and at least 80% of all teachers are licensed in accordance with NRS 388A.518 as amended by AB 109 from the 2021 Legislative Session.</p> <p><b>Meets Standard:</b></p> <p>The school materially complies with applicable federal and state laws, rules, regulations, and provisions of the charter contract relating to state certification requirements.</p> <p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school complies with requirements regarding maintenance of personnel records.	<ul style="list-style-type: none"> <li>• Self-Certification</li> <li>• SPCSA may use OPAL if available</li> </ul>
2. All core content teachers are licensed and at least 80% of all teachers are licensed in accordance with NRS 388A.518 as amended by AB 109 from the 2021 Legislative Session.	<ul style="list-style-type: none"> <li>• Employee Information Report</li> </ul>

**4e. Employee Rights**

Schools are required to follow applicable employment laws. While schools are responsible for meeting all facets of employment law, the SPCSA reviews compliance with certain key requirements.

<b>Measure 4e (3.3 pts)</b>	
<b>Is the school complying with laws regarding employee rights?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b></p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to employment considerations, including those relating to the Family Medical Leave Act, the Americans with Disabilities Act, and employment contracts. The school does not interfere with employees’ rights to organize collectively or otherwise violate staff collective bargaining rights.</p> <p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school has no known outstanding obligations with regard to payroll, unemployment, ADA, FLMA, IRS, or other federal, state and local entities.	<ul style="list-style-type: none"> <li>• Self-certification</li> <li>• Financial Audit</li> <li>• Third-party reports if available (SPCSA)</li> </ul>
2. The school is current with all PERS obligations.	<ul style="list-style-type: none"> <li>• Independent verification from PERS (SPCSA)</li> </ul>

**4f. Background Checks**

Charter schools must conduct background checks, or ensure background checks have been completed, as an assurance of credentialing for certain employees within the school. Additionally, state law or the SPCSA may require through the charter contract that certain individuals in the charter community, such as volunteers and board members, submit to background checks.

<b>Measure 4f (3.3 pts)</b>	
<b>Is the school completing required background checks?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b></p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to background checks of all applicable individuals (including staff and members of the charter community, where applicable).</p>	
<p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. The school timely obtained valid fingerprint clearance for all school employees which would have regular contact with children or with student data, all employees and volunteers of the charter school and all vendor employees situated or regularly on campus NRS 388A.515.	<ul style="list-style-type: none"> <li>Self-Certification and no adverse related finding in the financial audit.</li> </ul>
3. All Governing Body members, after being appointed, have met the 10 day law regarding fingerprint submissions, and maintain compliance with fingerprint requirements pursuant to NRS 388A.323	<ul style="list-style-type: none"> <li>Self-Certification and no adverse related finding in the financial audit.</li> </ul>

## Indicator 5: School Environment

(20 pts, 2 measures, 10 points per measure)

Charter schools must follow laws related to the school’s physical plant and the health and safety of students and the charter community.

### 5a. Facilities and Transportation

Authorizers should ensure that the school’s physical plant is safe for occupancy as a school and that the school complies with laws related to the provision of transportation services.

<b>Measure 5a (10.0 pts)</b>

<b>Is the school complying with facilities and transportation requirements?</b>	
<input type="checkbox"/> MS <input type="checkbox"/> DNMS	
<p><b>Meets Standard:</b></p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to the school facilities, grounds, and transportation, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Americans with Disabilities Act (ADA)</li> <li>• Fire inspections and related records (Epicenter)</li> <li>• Viable certificate of occupancy or other required building use authorization (Epicenter)</li> <li>• Documentation of requisite insurance coverage (Epicenter)</li> <li>• Student transportation (as applicable)</li> </ul>	
<p><b>Does Not Meet Standard</b></p> <p>The school has failed to materially comply in the manner described above.</p>	
<p><b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i></p>	<p><b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i></p>
<p>1. The school has all required insurance coverages, did not have any interruption in insurance coverage during the fiscal year and provided evidence of updated insurance coverage to the sponsor immediately following receipt. (Insurance Requirements outlined in NAC 386.215)</p>	<ul style="list-style-type: none"> <li>• Certificates of insurance</li> </ul>
<p>2. The school meets all other requirements including Americans with Disabilities Act (ADA), Fire inspections and related records,</p>	<ul style="list-style-type: none"> <li>• Fire Inspections, Certificate of Occupancy, insurance coverage</li> <li>• Viable certificate of occupancy or other required building use authorization,</li> <li>• Documentation of requisite insurance coverage,</li> <li>• All required transportation licenses received and current. (School)</li> </ul>
<p>3. The school complies with its charter school application, any approved amendment, and NRS 386.790-386.845 regarding pupil transportation.</p>	<ul style="list-style-type: none"> <li>• SPCSA<sup>6</sup></li> </ul>

**5b. Health and Safety**

Charter schools must meet state and federal health and safety requirements related to health services and food services, whether these services are provided by a Local Education Agency or contracted independently. Some charter schools, depending on their legal structures, may access additional health and/or safety services from traditional school districts.

<b>Measure 5b (10.0 pts)</b>
<b>Is the school complying with health and safety requirements?</b>
<input type="checkbox"/> MS <input type="checkbox"/> DNMS

<sup>6</sup> SPCSA to work with NDE’s office of Pupil Transportation and Emergency Management @ [http://www.doe.nv.gov/Pupil Transportation/Home/](http://www.doe.nv.gov/Pupil_Transportation/Home/)  
 Nevada SPCSA Organizational Performance Framework (OPF)



**Meets Standard:**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter contract relating to safety and the provision of health-related services, including but not limited to:

1. Appropriate nursing services and dispensing of pharmaceuticals
2. Food service requirements
3. Other health and safety services, as applicable

**Does Not Meet Standard**

The school has failed to materially comply in the manner described above.

<b>Description</b> <i>(For full points, the school must be in compliance with all laws, regulations, ordinances and contractual conditions including the following.)</i>	<b>Data Source</b> <i>(Epicenter file used unless source is "School" or SPCSA)</i>
1. 1. Current fire, building, health and asbestos inspection documents and approvals, including the certificate of occupancy, have been submitted into Epicenter in compliance with <a href="#">NAC 388A.155</a> .	<ul style="list-style-type: none"> <li>• Epicenter Facility Management Folder</li> </ul>
2. The school complies with NRS 392.616 regarding establishment of a crisis and emergency response development committee. <ol style="list-style-type: none"> <li>a. Crisis/Emergency Response Plan Development <a href="#">NRS 388.243</a> <ol style="list-style-type: none"> <li>i. Annual Review - Development Committee <a href="#">NRS 388.245</a></li> <li>ii. Annual Review - School Committee <a href="#">NRS 388.249</a></li> </ol> </li> <li>b. Emergency Drill Report (Monthly Requirements - <a href="#">NRS 392.450</a>)</li> <li>c. Notification to Local Law Enforcement <a href="#">NRS 388A.363</a></li> </ol>	<ul style="list-style-type: none"> <li>• Crisis Response Management Plan,</li> <li>• Establishment of Committee for Crisis/Emergency, Emergency Management</li> </ul>
3. The school complies with <a href="#">NRS 388.243</a> regarding development of an emergency plan and <a href="#">NRS 388.245</a> regarding annual review and update of the plan for responding to a crisis or emergency, including uploading the plan to Epicenter and forwarding to the Department of Public Safety by the deadline.	<ul style="list-style-type: none"> <li>• Crisis Response Management Plan-</li> </ul>
4. The school complies with all other requirements including providing appropriate nursing services and dispensing of pharmaceuticals, food service requirements, and other health and safety services.	<ul style="list-style-type: none"> <li>• Self-Certification and no adverse finding.</li> </ul>

## Conclusion

The Organizational Performance Framework is designed to evaluate schools against existing requirements in law, rules, regulations, or charter contracts, not to create new requirements for schools. While schools are accountable for compliance with most existing requirements even without the Organizational Framework, this framework allows the SPCSA to transparently communicate the primary areas for compliance through one document.

## Collecting Evidence and Evaluating Schools on the Organizational Performance Framework

Some measures in the Organizational Framework require periodic monitoring to ensure compliance, while others can be analyzed annually or through reports submitted directly to the authorizer. Others still may only require a self-certification, an assurance, of compliance by the charter school board and may require follow up if concerns are raised.

Due to the complexity in verifying compliance with some metrics, evidence of compliance may be determined only after the collection and analysis of multiple data points. For example, the SPCSA may periodically evaluate whether a school is compliant with special-education requirements by gathering evidence through multiple sources at different points in the school year (e.g., the SPCSA may annually verify compliance by review of special-education audits conducted by the State Education Agency as well as through site visit observations and analysis of school records).

The sections below outline common ways the SPCSA will collect data to evaluate charter schools' organizational performance, beginning with the least intensive approach. The SPCSA will always revert to the least intensive approach and escalate only where necessary when staff capacity and/or concerns warrant a different approach.



### **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. The SPCSA will require that the school maintain a file of official assurance of compliance by the charter school board. This documentation by the charter board provides an assurance to the SPCSA that the board is aware of its legal obligations to the organization. The charter school board should approve this document annually. Accompanying this assurance should be evidence of compliance or direct reference to evidence (e.g., reference to board minutes or policies, reference to school procedures, or certificates). The assurance and evidence could be organized in a file or binder that the authorizer can access upon request.

The SPCSA will review files when deemed necessary (e.g., the SPCSA may review this report and request follow-up information on some measures should there be questions or concerns).

The SPCSA may require that the charter school board assure that it is compliant with employment law. Evidence of compliance would include an assurance and would be verified annually by the authorizer; in this case, compliance would be assumed unless determined otherwise. A complaint to the SPCSA may warrant more direct review or investigation of an issue, but the burden of providing evidence of compliance lies with the charter school board that has assured compliance to the authorizer.

### **Required reporting**

The SPCSA requires that the charter school verify and certify compliance, in which case evidence of compliance would be at the disposal of the SPCSA for reference during monitoring. For example, the SPCSA may require that the charter school submit a list of teachers' proof of credentials on an annual basis. The SPCSA is passionate that schools act well to provide high quality educations to Nevada's children and focus maximum resources towards this vision.

The SPCSA also understands that excessive required reports may be burdensome on both the school and SPCSA and could cause the SPCSA to spend more time and resources monitoring reporting requirements than evaluating the school's performance outcomes.

To prevent unnecessary burden on both parties, while upholding its regulatory responsibilities, the SPCSA has established a calendar of required reports within a manual to clearly communicate regular reporting deadlines to its charter schools. The calendar outlines which reports the SPCSA requires, the form the reports should take, and the point(s) in the year when reports are due to the authorizer.

### **Third-party reviews**

Another way to verify compliance is to seek reviews from a third-party reviewer (e.g., the SPCSA may rely on the special-education division of the State Education Agency for part of their assessment of compliance with special-education laws). This allows for the SPCSA to access expert opinions while at the same time reducing redundancy in review and evaluation of the school, which could tend to lower charter school autonomy.

Another form of third-party review could be the hiring of a consultant with the necessary expertise to verify compliance. If the SPCSA through initial review or from efforts to confirm complaints observes issues of potential noncompliance the SPCSA will work with the school to resolve the issue or award points accordingly.

### **Observed practice**

The SPCSA may verify compliance for certain measures in the Organizational Framework through direct observation. For example, the SPCSA may observe mandatory state assessments to ensure compliance with required procedures.

### **Investigations**

At times the SPCSA may receive complaints or assertions from individuals that a school is not in compliance. In most cases, the SPCSA will generally refer the complainant to the charter school board, which is responsible for investigating such cases. However, from time to time the SPCSA may receive complaints that it must investigate directly, especially if the complaint is a major infraction (e.g., school leadership is accused of cheating on state assessments) or if it involves the charter school board (e.g., accused violations of open meeting law). In some instances, the SPCSA itself may be required by law to take action or notify appropriate authorities, including the State Education Agency, of its findings. The Organizational Framework ratings process may consider information gleaned from investigations conducted by the SPCSA.

## **Ongoing Organizational Performance Framework Monitoring**

The Organizational Performance Framework is meant to evaluate a school's compliance with existing requirements and to consider organizational processes only to the extent that they are mandated by law, rules, or regulations. However, even though many educational or organizational process measures may not be appropriate for performance-based

accountability, they retain a critical place in school oversight. Authorizers can use process-related information gained from site visits and other means for several purposes, including:

- Monitoring schools that may not yet have sufficient outcome or compliance data
- Determining the degree to which issues reflected in the Performance Framework are systemic
- Providing supplemental information for high-stakes decisions

## Annual Reporting

Each year and at the time of renewal, the SPCSA will report on the findings of its evaluation of the school's performance against organizational expectations. This report will clearly demonstrate to both charter schools and the public how each school has performed on the OPF. The annual report acts as an important tool to notify schools of their strengths and areas for improvement so that schools understand where they need to improve and are not surprised by intervention, revocation, or non-renewal. The report also gives transparency to charter school accountability and provides important information about charter school quality to the public as a whole, but in particular to students and families who are searching for a high-quality school. The annual report also provides an opportunity for the SPCSA to document the school's shortcomings, should it need evidence of systemic issues with organizational effectiveness as a reason for recommending closure.

## Intervention

The Intervention policy and procedures implemented by the SPCSA are contained in the SPCSA [Charter School Performance Framework](#) which should be consulted for questions regarding this matter.

## High-Stakes Decision Making

The OPF is one of the primary tools for making high-stakes decisions, such as renewal, non-renewal, closure, or replication. The SPCSA will consider the collective record of a school's academic, financial, and organizational performance when making high-stakes decisions, though academic performance will be the most important factor in most decisions. Regardless of the point in the life of the charter, whether during an interim review or at the time of renewal, schools that have multiple occurrences where they fall below the standards may be considered for non-renewal or revocation. At the end of a charter term, the SPCSA will analyze both static and trend data related to the organizational performance using the Performance Framework. It is important to analyze whether the school's performance in any one area is trending upward or downward, as that may impact both intervention and renewal decisions.

## Updates

The SPCSA reserves the right to add/remove/edit additional obligations from time to time as it deems fit to achieve its mission to improve and influence public education in Nevada. Should changes to measures need to be made, or if additional measures needed to be added, SPCSA staff will bring those to the Authority for final approval. Non-substantive updates, such as updating statutes to reflect recent changes in law or regulation, may be done without Authority approval.

Nevada State Public Charter School Authority (SPCSA)  
Organizational Performance Framework  
**Appendix A**

Joe Lombardo  
*Governor*

STATE OF NEVADA

Rebecca Feiden  
*Executive Director*



STATE PUBLIC CHARTER SCHOOL AUTHORITY

1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687-9174 · Fax (775) 687-9113

2080 East Flamingo Road Suite 230  
Las Vegas, Nevada 89119-5164  
(702) 486-8895 · Fax (702) 486-5543

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**  
**ORGANIZATIONAL PERFORMANCE FRAMEWORK**  
**Self-Certification Form**

**Updated June 2023 for School Year Ending June 30, 2024**

Dear Charter School Leaders and Board members:

In addition to the desk audit and regular Site Evaluations pursuant to NRS 388A.223(1)(i), the SPCSA staff also conducts these self-certifications to confirm certain areas of school performance. The self-certification is focused on confirming that schools are consistently in compliance with all applicable federal, state, local and agency requirements. In addition to this certification, SPCSA staff reviews documentation and gathers information from other relevant agencies, such as the Nevada Department of Education (NDE), to confirm compliance with these areas.

Please review and certify the compliance of your school with the following Organizational Performance Framework (OPF) areas.

The period of review being certified is for the School Year ending June 30, 2024. SPCSA staff will confirm compliance in noted areas with NDE, document review, and/or other third-party sources.

**Deadline:**

These self-certification forms must be returned to the SPCSA by being posted in Epicenter no later than **August 1, 2024. Prior to the submission of the form, the school’s board shall review and approve the form at a regularly scheduled board meeting.**

References, e.g. “1b”, refer to sections in the [OPF Technical Guide](#). The below items are select—and not all—areas from the OPF requiring self-certification by the school board. See the OPF Technical Guide for all other areas being reviewed by the SCPSA.

<b>Self-Certification List (Select<sup>1</sup> OPF items)</b>	
<b>Indicator 1: Education Program</b>	
1. The school conducted initial evaluations within the 45-day timeline to determine if students had a disability and were eligible for special education services. <b>1c</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. The school only uses Staff (internal or contracted) who hold Nevada licensure in special education to provide special education services, pursuant to NRS 388A.518. <b>1c</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
3. Evaluations and current, signed IEPs are on file for all special education students when available. 34 CFR 300.341-350 and 300.531-536 and NAC 388 <a href="https://www.leg.state.nv.us/nac/nac-388.html">https://www.leg.state.nv.us/nac/nac-388.html</a> . <b>1c</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
4. The school ensured that all students with disabilities and all students receiving instruction in a class funded with Gifted and Talented Funds were served at the required student- teacher ratios (NAC 388.150). <b>1c</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
5. The school took proper steps to identify all students in need of ELL services as required by law, evidenced by: <ul style="list-style-type: none"> <li>a. Presence of completed, reviewed Home Language Surveys (HLS) of pupil records;</li> <li>b. Screening Tests for pupils identified as having a primary home language other than English and for students who have received ELL services at the charter school; and</li> <li>c. Evidence of Parent Notification for identified pupils. <b>1d</b></li> </ul>	Yes <input type="checkbox"/> No <input type="checkbox"/>
6. Staff the school uses (internal or contracted) to provide services to English Language Learners hold, as required by law, Nevada licenses with English Language Acquisition and Development (ELAD) endorsements (with or without practicum). <b>1d</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Indicator 2. Financial Management and Oversight</b>	

<sup>1</sup> While SPCSA staff will rely on verified data from NDE and PERS for some data, school boards are encouraged to confirm for themselves compliance with the following items which appeared on prior versions of this form: The 95% student testing participation requirement for all mandated statewide assessments; material compliance with student attendance requirements, achieving attendance of 90% or greater; and the school is current with all PERS obligations.

7. The governing board certifies that it is submitting all required reports in the NDE chart of accounts (COA) formats required by the Department. <b>2c</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Indicator 3: Governance and Reporting</b>	
8. The Attorney General did not issue findings of fact and conclusions of law that the governing body or any other public body created by the charter school has taken action in violation of any provision of NRS 241.010 et seq. (Open Meeting Law) during the fiscal year. <b>3a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
9. The school received no material governance compliance complaints which were substantiated or if they were substantiated the school board promptly implemented acceptable corrective actions. <b>3a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
10. The school’s governing body certifies that all current board members have completed training in Nevada’s Opening Meeting Law and the State Public Charter School’s Governance Standards. See NRS 388A.224. <b>3a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
11. The school’s governing body certifies that Board Center in Epicenter and the school’s website(s) were updated during the school year as changes in board membership occurred, and that Board Center in Epicenter and the school’s website currently reflect the accurate makeup of the school’s board members and roles. <b>3a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
12. 12. All Governing Body members have completed and signed an Information and Disclosure Form, annually and/or within 10 days of appointment, which was submitted to Epicenter and/or SPCSA staff. <b>3a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Indicator 4: Students and Employees</b>	
13. The school properly collects and protects student private information pursuant to FERPA and any other applicable requirements. <b>4a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
14. The school’s governing board certifies the school was in compliance with all due process protections, privacy, civil rights, and student liberties requirements, including the First Amendment. <b>4a</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
15. The school complies with requirements regarding maintenance of personnel records. <b>4d</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
16. The school has no known outstanding obligations with regard to payroll, unemployment, ADA, FLMA, IRS, or other federal, state and local entities. <b>4e</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
17. The school timely obtained valid fingerprint clearance for all school employees which have or may have regular contact with children or with student data, all employees and volunteers of the charter school and all vendor employees situated or regularly on campus NRS 388A.515. <b>4f</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
18. All Governing Body members, after being appointed, have met the 10-day law regarding fingerprint submissions, and maintain compliance with fingerprint requirements pursuant to NRS 388A.323. <b>4f</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Indicator 5: School Environment</b>	
19. The school complies with all other requirements including providing appropriate nursing services and dispensing of pharmaceuticals, food service requirements, and other health and safety services. <b>5b</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Notes	
<b>Please provide an explanation for each item above that you selected “No.” (Provide the item number and explanation in the table below. Insert rows if necessary.)</b>	
Item Number(s)	Explanation(s)

**School Board Certification of Compliance  
with the Organizational Performance requirements of the  
SPCSA  
For the School Year Ending June 30, 2024**

The Board of the \_\_\_\_\_ (school) certifies to the State Public Charter School Authority (SPCSA) that, based on its reviews, verifications and certifications of the compliance of its charter school, that the school, including all of its campuses and support offices, where applicable, to the best of our knowledge, and except as described below, has, from the start of the school fiscal year and throughout the school fiscal and educational year, operated in compliance with all applicable federal, state and local laws, regulations and ordinances as well as with its charter contract obligations with the SPCSA, as indicated above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Board Meeting Approval Date

Nevada State Public Charter School Authority (SPCSA)  
 Organizational Performance Framework  
**Appendix B**

**SPCSA Organizational Performance Ratings Scorecard (Sample)**

\_\_\_\_\_ School Year: Organizational Performance Framework

The Organizational Performance Framework for charter schools provides a framework within which a charter school authorizer may carry out its oversight roles. See the [Technical Guide](#) for details.

**(Charter School Name)**

Address:

Website:

Enrollment:

Grades Served:

Current School Year

Previous School Year

\_\_\_\_\_.00  
 (Rating)

Meets  
 Standard

SCORING TABLE

≥80 MEETS STANDARD	<80 BELOW STANDARD
--------------------------	--------------------------

EDUCATION PROGRAM

\_\_ out of 20

This section addresses the school's adherence to the material terms of its proposed education program.

FINANCIAL  
 MANAGEMENT

\_\_ out of 20

This section addresses the expectations set for the school's management and oversight of its finances, without regard to the school's financial performance as measured by the Financial Performance Framework.

GOVERNANCE &  
 REPORTING

\_\_ out of 20

This section addresses the charter board's compliance with governance-related laws as well as the board's own bylaws and policies.

STUDENTS &  
 EMPLOYEES

\_\_ out of 20

This section addresses the school's compliance with a variety of laws related to students and employees.

SCHOOL ENVIRONMENT

\_\_ out of 20

This section addresses, but is not limited to: the school's facilities, transportation, food service, and health services.