



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Rebecca Feiden, Executive Director
Mark Modrcin, Director of Authorizing
SUBJECT: Nevada Connections Academy – Charter Renewal Recommendation
DATE: January 31, 2020

Background

Nevada Connections Academy (NCA) is a “distance education” or virtual public charter school that currently serves 3,468 Kindergarten through 12th grade students across the state, and also operates out of one campus in Reno. NCA has submitted an application to renew its charter contract as the current charter contract expires on the last day of the current school year.

As stated within the school’s renewal application, NCA’s elementary school received its third 1-star rating under the Nevada’s Department of Education’s Nevada School Performance Framework (“NSPF”) within the past five school years.¹ Therefore, the governing body of the school has decided to seek renewal of only NCA’s middle and high schools (grades 6 through 12).

This memorandum is divided into three sections: (1) background information related to the processes and standards under which a determination whether to grant an application for renewal of a charter contract is made, including NCA’s 2017 charter school contract and related “cure” document; (2) a summary of NCA’s current and historical academic performance; and (3) SPCSA staff’s recommendation regarding NCA’s renewal application related to grades 6 – 12 for a new charter term.

After a thorough review of the historical data and charter renewal application, SPCSA staff recommends that NCA’s charter renewal application be denied, and the Authority not renew NCA’s charter contract for a new term.

¹ It should be noted that the elementary school faced automatic charter school termination under the provisions of [NRS 388A.300](#) due to this level of academic underperformance.

1. The Process Related to Renewal Applications and the Standards Under Which an Application for Renewal of a Charter Contract Will Be Granted

The first step in the renewal process is the submission of a renewal report by SPCSA staff to the charter school.² Specifically, on or before June 30 immediately preceding the final school year prior to expiration of a school's charter contract, the SPCSA submits to the governing body a report regarding renewal. Nevada Connections Academy's renewal report was sent to NCA on June 28, 2019 and can be found within the supporting documentation for this agenda item.

The renewal report summarizes the performance of the charter school under the terms of the charter contract, identifies any deficiencies related to performance of the charter school that might lead to non-renewal of the charter contract, sets forth the requirements for the renewal application, and identifies the criteria that the sponsor will apply in making a determination on the application for renewal.

The charter school may submit a response to the renewal report. [See NRS 388A.285\(1\) and \(2\)](#). On August 12, 2019 NCA submitted its response and highlighted a few key topics including:

- Its efforts to ensure 95% participation in the state assessments for the 2018 – 19 school year;
- The recent passage of Senate Bill 441 related to charter schools of distance education;
- The 2013 and 2014 ratings and status of “Good Standing” under the Authority’s Charter School Performance Framework;
- Concerns regarding the characterization of NCA’s historical performance;
- The status of the elementary and high school graduation rate improvement plans, including information on some specific activities;
- The increase in NCA’s graduation rate of almost 20% between the 2016 – 17 and 2017 – 18 school years;
- Concerns regarding the classroom observations conducted during SPCSA staff’s Site Evaluation conducted in January of 2019;
- Nevada School Climate/Social Emotional Learning Survey data from the 2018 – 19 school year; and
- The transiency rate for NCA students.

NCA’s response to the SPCSA’s renewal report is included with the supporting documents.

Next, the governing body of the charter school must submit a written notice of intent to submit an application for renewal to the SPCSA 45 days prior to submitting a renewal application. See [NAC 388A.415\(1\)](#). NCA submitted its Notice of Intent to renew its charter contract on August 28, 2019 and NCA’s Notice of Intent to renew can be found along with the supporting documents.

In regard to the renewal application, the window to submit the actual renewal application is October 1 through October 15. See [NRS 388A.285\(3\)](#) and [NAC 388A.415\(1\)](#). The application for renewal must include, without limitation:

- (a) The requirements for the application identified by the sponsor in the performance report prepared by the sponsor;
- (b) A description of the academic, financial and organizational vision and plans for the charter school for the next charter term;
- (c) Any information or data that the governing body of the charter school determines supports the renewal of the charter contract in addition to the information contained in the performance report prepared by the sponsor and any response submitted by the governing body; and
- (d) A description of any improvements to the charter school already undertaken or planned.

² Charter school regulations provide for an expedited and streamlined renewal process for high-performing charter schools. Generally, charter schools qualifying for expedited renewal review are those charter schools that are consistently rated as four-and five-star schools under the NSPF and have received no notices of concern or notices of breach for academic, organizational or financial performance. See [NAC 388A.415\(2\)](#).

See [NRS 388A.285\(3\)](#). On October 15, 2019 NCA submitted its renewal application, and NCA's renewal application is included with the supporting documents.³ Notably, as mentioned previously and as discussed in greater detail below NCA's renewal application only requested renewal of NCA's middle and high schools.

NCA's 2019 Application for Renewal covers a range of topics. First, NCA outlines background information regarding the school, including recent increases in its high school's graduation rate, the high transiency rate of students, and the positive results on the most recent Nevada School Climate/Social Emotional Learning Survey.⁴ Next, the application outlines key design elements including the Learning Triad (teachers, learning coaches, and high-quality, standards-aligned curriculum), counselors who focus on preparing students for college and career readiness, and Student Motivation through differentiated instruction, scaffolding and Response to Intervention (RTI). NCA proposes a few changes for the future including offering dual credit⁵, adapting to any regulatory changes related to the recently-enacted Senate Bill 441 (related to virtual charter school regulations that have yet to be adopted by Nevada's Department of Education), and reducing the grade span for NCA from K-12 to grades 6-12.

Through the written narrative, NCA provides details regarding enrollment, retention, attendance, discipline, the school schedule, and the school calendar. The academic plan lays out a focus on helping students to master grade-level academic content and closing achievement gaps for relevant student subgroups through the use of RTI, Personalized Learning Plans (PLP), student performance reporting, collaboration, curriculum-based assessments, the Educational Management System (EMS), learning coaches, among other key design elements. In addition, the application lays out a few academic improvements that have either been undertaken or planned, including improvements to RTI, professional development to support the social emotional and academic needs of students, an Advanced Diploma path, CTE progression plans, graduation resumes, ACT test prep, Freshman Academy, and the Every Student Succeeds Academy. The application outlines the current governing board and plans for the future. In addition, it addresses current financial controls and plans for monitoring financial viability in the future. Finally, NCA provides some additional information and data regarding state assessment performance, the Nevada School Climate/Social Emotional Learning Survey, and absenteeism.

Decisions to renew a charter school contract or deny a renewal application are made and based upon the Nevada's charter school statutes and regulations related to charter school renewal (see [NRS 388A.285](#)) and the collective record of a school's academic, financial, organizational, findings from the site evaluation process, and all data and information provided by the Department of Education.

Note that no factor may be given more weight than the academic performance of pupils at the charter school, and the academic performance of the charter school is the touchstone of any renewal decision. See [NAC 388A.415\(10\)\(b\)](#).

In making its recommendation to the Authority regarding a renewal application, SPCSA staff considers the past performance of the charter school, including information contained in the application for renewal, any site evaluations, academic achievement of pupils, and any other information that is determined to be relevant to whether the charter contract should be renewed. See [NAC 388A.415\(9\)](#).

In the event that the SPCSA's Executive Director determines that she will recommend to the Authority Board that a renewal application be denied, the Executive Director must provide the governing body of the charter school with written notice of her recommendation. The governing body may submit, within seven calendar days, a response to the Executive Director's recommendation, or request that the Authority Board

³ Note that NCA has submitted a number of other documents related to its renewal application, and these documents are also included along with the supporting materials.

⁴ It is important to note that participation in the survey conducted in the spring of 2019 was below 50%. According to the Nevada Report Card, 45.1% of elementary school students participated in the survey, 43.4% of middle school students participated in the survey, and 39.2% of high school students participated in the survey.

⁵ Dual Credit was approved by SPCSA in April of 2019.

postpone its decision regarding renewal in order to allow the charter school to prepare a response. See [NAC 388A.415\(7\)](#). The Executive Director’s written notice is included with the supporting materials, and any response submitted by NCA in regard to the Executive Director’s written notice will likewise be included with the supporting materials.

When determining whether to grant an application for renewal of a charter contract, the Authority Board considers the foregoing factors and any other information that the Authority Board determines is relevant to whether the charter contract should be renewed. The Authority Board will consider the “totality of the evidence” presented to it when making a renewal decision. See [NAC 388A.415\(9\)](#). Again, as stated above, no factor is to be given more weight than the academic performance of pupils at the charter school. ⁶ See [NAC 388A.415\(10\)\(b\)](#).

At its sole discretion, the Authority Board may renew a charter contract for a term of three to ten years, or, alternatively, deny the renewal application. See [NAC 388A.415\(11\) as amended by Senate Bill 451 \(2019\)](#). Note that a variable term length upon renewal was discretion afforded to the Authority under Senate Bill 451 during the 2019 Legislative Session.

The Authority Board may accept or reject, in whole or part, the recommendation of the Executive Director. See [NAC 388A.415\(10\)\(a\)](#). If a charter contract is renewed, the Authority may renew the charter school contract and include a provision for a high stakes review during the term of the renewed charter contract which may result in the termination of the renewed charter contract prior to its expiration; or renew the charter contract with any additional provisions, requirements or restrictions which the SPCSA determines are appropriate, including, without limitation, the termination of a management agreement or the renegotiation of a management agreement on terms satisfactory to the State Public Charter School Authority or the Executive Director. See [NAC 388A.415\(11\)\(a\),\(b\) and \(c\)](#).

Alternatively, the Authority Board may deny the renewal application for the purpose of reconstituting the governing body of the charter school pursuant to [NRS 388A.330](#) and assigning the charter contract to a charter management organization or a new governing body which may include, without limitation, the governing body of another charter school or a governing body assembled by the Executive Director; deny the renewal application for the purpose of restarting the charter school and issuing a new charter contract pursuant to [NRS 388A.300](#) to a charter management organization or a new governing body, including, without limitation, the governing body of another charter school, which will inherit any assets of the charter school which remain following dissolution; or deny the renewal of a charter contract for the purpose of closing the charter school. See [NAC 388A.415\(11\)\(d\),\(e\) and \(f\)](#).

In regard to NCA, its renewal application is also governed by its 2017 charter school contract and related “cure” document. A copy of the 2017 charter school contract and the cure document are included along with the supporting material, and the 2017 charter contract is discussed in greater detail below. Specifically, the 2017 charter contract provided NCA with an additional year, expires at the end of the 2019 – 20 school year, and provided that the SPCSA would not initiate charter school contract termination proceedings in regard to NCA’s graduation rate during the term of the charter contract. See 2017 charter school contract, at section 1.3.2 (expiration of charter school contract) and sections 8.1.5 and 8.1.5.1 (termination).

In regard to enrollment, the new contract and cure document limited enrollment in the high school to 1,500 students for the 2017 – 18 school year and froze enrollment in 11th and 12th grades. See cure document, at section 2. The 2017 charter school contract also specified graduation rate benchmarks of a graduation rate of 49% for the 2017-18 academic year cohort, and a 60% graduation rate for the 2018-19 academic year cohort. See 2017 charter school contract, at section 8.1.5.1. In regard to enrollment, the 2017 charter school contract specified that in the event that NCA did not meet the above-referenced graduation rate benchmarks, enrollment in the high school would be reduced from 1,500 students to 1,200 students. Conversely, if NCA

⁶ See [NAC 388A.415\(10\)](#). With regard to a second renewal, the Authority is required to place an even greater weight on academic performance than was assigned to it on the first renewal.

did meet the graduation rate benchmarks, NCA could request that the enrollment caps for the high school be increased. See 2017 charter school contract, section 8.1.5.1. Notably, NCA did exceed the graduation rate benchmarks, achieving a graduation rate of 63% for the 2017-18 high school class, and a graduation rate of 69% for the 2018-2019 graduating class.

Perhaps most importantly for purposes of this memorandum, NCA’s 2017 charter school contract specified that the “[a]chievement of or failure to achieve the[] academic benchmarks for 2017-2018 and 2018-2019 will be a material factor for consideration in any renewal proceedings. This section shall not restrict the Charter School’s ability to present information relative to this or any other issue for any renewal proceeding.” See 2017 charter school contract, at section 8.1.5.1 (emphasis added). Again, NCA’s high school did, in fact, achieve the graduation rate benchmarks set forth in the 2017 charter school contract.

2. Analysis of Nevada Connections Academy Current and Historical Academic, Organizational and Financial Performance

Academics

a. Initial Charter Term: 2007 through 2013

NCA originally entered into a six-year written charter in 2007 by its then-sponsor, Nevada’s Department of Education.⁷

In 2013, NCA applied for renewal of its written contract which was subsequently approved by the SPCSA. At the time of renewal, SPCSA staff qualified the level of success the school to date, noting a number of academic shortcomings. Specifically, NCA’s elementary and middle schools did not meet targets set by the Nevada Department of Education in Math in 2010, 2011 or 2012. Student growth in Math was also a significant concern with the elementary and middle school performing below the 25th percentile on the Adequate Growth Percentile and the middle school performing below the 5th percentile on the Median Growth Percentile. Math growth was particularly low for middle students qualifying for free or reduced-price lunch, students with disabilities and English Learners. With regard to high school performance, the school did not meet targets set by the Nevada Department of education for Math in 2009, 2010 and 2012, though it was noted that math performance was trending in a positive direction. In addition, the graduation rate was very low. The 2012 graduation rate was 36.08%, compared to the established objective of 63.91% and the stated objective for the 2012 – 13 school year was 70.53%⁸. Based on these academic concerns, SPCSA staff noted that NCA should create a clear plan to support math proficiency and growth in both elementary and middle school students. Finally, SPCSA staff noted that NCA should focus on improving the school’s high school graduation rate by supporting their students to graduate from high school.

b. The First Three Years of the Current Charter Term: 2013 through 2016

In the year following the renewal of NCA’s written charter in 2013, NCA’s academic performance for its elementary, middle and high school was as follows.

Nevada Connections Academy	2013 – 2014 Index Score	2013 – 2014 Star Rating
Elementary School	48	2
Middle School	68	4
High School	48	2

⁷ NCA, along with the other charter schools originally sponsored by the Department of Education were transferred to the SPCSA upon its creation in 2011.

⁸ Note that even as of the most recent data for the class of 2019, NCA has still not reached the objective from 2012 – 13.

For the 2014 – 15 school year, the Nevada Department of Education carried over ratings from the 2013 – 14 school year while the state was migrating to a new set of student assessments and updating the Nevada School Performance Framework. During the first attempt to use the newly adopted student assessments during the 2014 – 15 school year, significant technical issues arose across Nevada which impacted all public schools and testing was not completed. The 2015 – 16 school year was the first successful use of the new student assessments. While the Nevada Department of Education did not issue ratings on the Nevada School Performance Framework for the 2015 – 16 school year, elementary and middle school student proficiency data for that school year, compared to SPCSA and statewide averages, can be found below.

	2015 – 16 Reading Proficiency (Grades 3-8)	2015 – 16 Math Proficiency (Grades 3-8)
Nevada Connections Academy	51.5%	26.6%
SPCSA Average	57.3%	43.1%
Statewide Average	46.6%	32.7%

In addition, the graduation rate for NCA’s high school for the class of 2015 – 16 can be found below.

Graduation Class of	NCA Graduation Rate
2015 – 2016	40.09%

Upon release of the high school graduation rates for the 2015 – 16 school year, the Authority Board requested that NCA work with Authority staff in order to develop a comprehensive plan in order to improve NCA’s high school’s four-year cohort graduation rate. These efforts resulted in NCA submitting to the SPCSA a Graduation Rate Improvement Plan on May 16, 2016. A copy of NCA’s Graduation Rate Improvement Plan is included along with the supporting materials.

In the high school Graduation Rate Improvement Plan, NCA identifies a number of strategies that would be used, some of which were already being implemented, in order to improve the high school graduation rate, including the following:

- Leveraging the highly individualized format of NCA’s model to provide targeted supports to students;
- Targeted use of a credit recovery program called GradPoint;
- Use of summer school to catch up students who are credit deficient;
- Implementation of a systematic Response to Intervention (RTI) program;
- Use of a mentoring program for students who fail multiple courses;
- Close monitoring of credit accumulation;
- Addition of courses aimed at supporting Freshman and Seniors toward academic success and on-time graduation;
- Implementation of an academy approach to support off-cohort students;
- Additional face-to-face opportunities for students who are credit-deficient;
- Improvements to the math curriculum;
- Professional development targeted towards increased student engagement;
- Increased feedback from teachers to students;
- Increased support for Learning Coaches;
- Working with an external evaluator, who would be mutually agreed up with the Authority, to analyze student level data, including graduation trends;
- A focus on maintaining accurate and complete data;
- Board engagement with an external consultant for strategic planning;
- Board monitoring of graduation rate and effectiveness of the Improvement Plan;
- Ensuring that students who enroll in the high school program fully understand and are prepared to take full advantage of what it offers; and
- Increasing curricular and instructional offerings, including CTE and credit recovery.

In addition, the plan emphasized a few key points. First, that school-level data indicated that many high school students were enrolling two or more credits behind. Second, it stated that NCA has a significantly higher transiency rate than the state average. Finally, the Graduation Rate Improvement Plan stated that the high school graduation rate is “one metric among many metrics that needs to be examined in order to determine an accurate picture of school performance” and that “[a] school’s graduation rate is one of many important school performance measures.”⁹

This was reiterated by then-SPCSA Board Chair Jason Guinasso in the SPCSA Board meeting on January 18, 2019. In that meeting, Mr. Guinasso stated “I always take us back to our meeting almost two years ago or a year and a half ago where we resolved some of the issues that we were contesting regarding your graduation rate with a plan going forward. If you recall, because I think you were in the room during that conversation, the reason why we added the additional year is because one of the big, one of the repeated arguments made by your counsel, was that it was unfair to be judged on one data point alone that there should be multiple data points. And to that point I responded, well we’ve received testimony and evidence that your elementary and your middle school programs are not performing well. You know and so, the additional year was with the idea that there was going to improvement across the board that even if you were able to improve your graduation rate that that wouldn’t be the sole basis by which you would be judged, that we would be looking at how the rest of the school was performing with an eye toward whether to renew the contract or not to renew the contract.”

c. NCA’s 2017 Charter School Contract and “Cure” Document

Ultimately, NCA’s Graduation Rate Improvement Plan served as the basis for a new charter school contract and NCA’s “proposed cure” as it related to NCA’s four-year cohort graduation rate.¹⁰ This new charter school contract and NCA’s proposed cure were approved by the Authority Board in the Fall of 2017. Notably, while NCA’s charter school contract originally expired at the end of the 2018 – 19 school year, the 2017 contract – the charter contract that NCA is currently operating under – provided NCA with an additional year and expires at the end of the 2019 – 20 school year. In addition, the new contract limited enrollment in the high school to 1,500 students for the 2017 – 18 school year and froze enrollment in 11th and 12th grades.

Because NCA’s high school graduation rate was the primary driver of the 2017 charter school contract, a number of quarterly reporting metrics and other considerations were included in the document. Chief among them were clear benchmarks for graduation rates for the 2017 – 2018 and 2018 – 2019 school years. Specifically, NCA’s 2017 charter school contract specifies that the benchmarks for NCA’s high school graduation rate shall be 49% for the 2017-2018 cohort, and 60% for the 2018-2019 cohort. Failure to meet these benchmarks would result in a decrease in the enrollment cap from 1,500 to 1,200 students. As stated within the charter school contract, the school’s achievement or failure to achieve these benchmarks “will be a material consideration relevant in any renewal proceeding.” Notably, NCA’s high school graduation rate exceeded these benchmarks, with a graduation rate for the 2016-2017 cohort of 63% and a graduation rate for the 2018-2019 cohort of 69%.

In addition, the approved 2017 charter school contract and cure document included a number of actions and strategies for improving school performance, with a focus on increasing the graduation rate. These include:

- Submission of annual reports to the Authority tracking school performance with all data validated by a third party mutually agreed upon with the Authority;
- NCA and Board review of more than thirty metrics each quarter;
- Targeted use of mentors/advisors for students;

⁹ Pages 1 and 25 of the Nevada Connections Academy Graduation Rate Improvement Plan (May 16, 2019)

¹⁰ Note that specific interventions were taken by the Authority in an attempt to notify the school of significant deficiencies. Specifically, Notices of Intent to Revoke the written charter issued on September 30, 2016 and February 10, 2017 pursuant to [NRS 388A.330](#) based on the high school’s graduation rate.

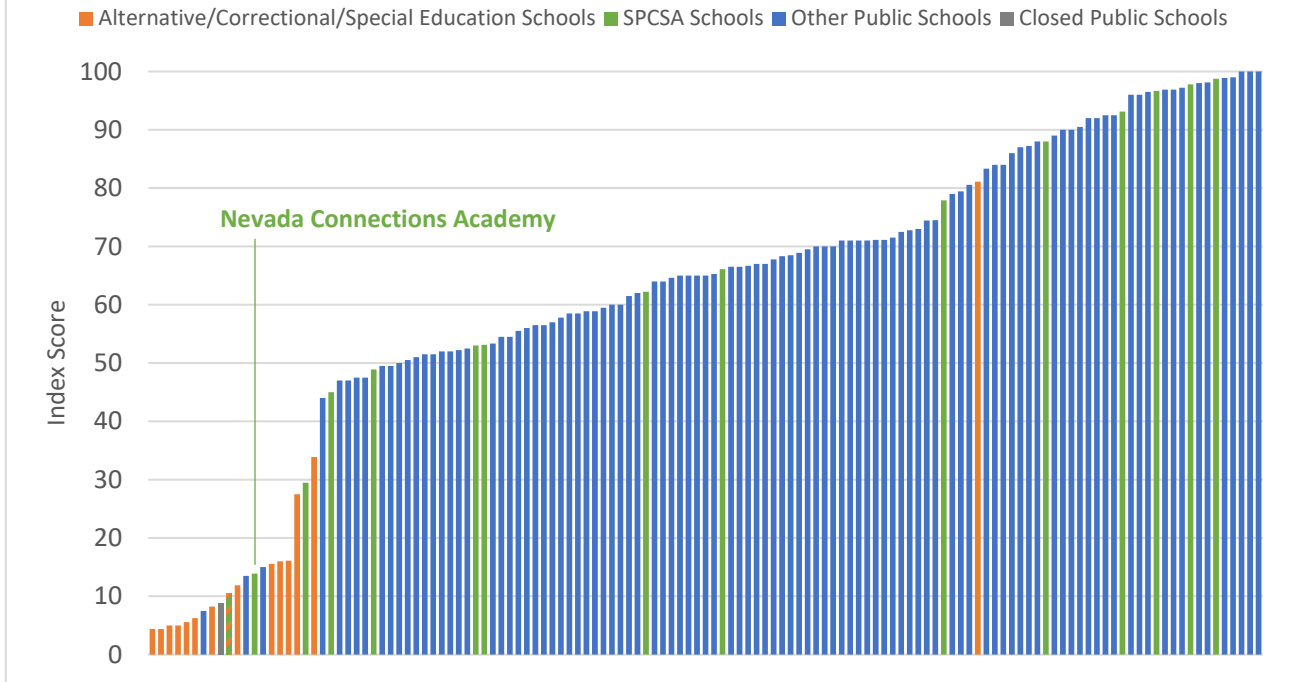
- Implementation of a counseling program to monitor student progress and identify a course of study to get students who are behind on track for graduation;
- Targeted professional development for teachers;
- Targeted training for board members;
- Targeted use of a credit recovery program called GradPoint;
- Use of summer school to catch up students who are credit deficient;
- Continued implementation of courses aimed at supporting Freshman and Seniors toward academic success and on-time graduation;
- Career Technical Education (CTE) course offerings and other college, career, employability supports; and
- Supplemental instructional support programs.

d. Recent Academic Performance: 2017 through Present

In the Fall of 2017, the Nevada Department of Education released its first ratings based on the new assessments and the updated Nevada School Performance Framework. In the last three years, NCA’s elementary and high school programs have not earned above a 1-star rating. Guidance documents for the NSPF identify a 1-star school as not meeting state standards for performance. Overall, students and subgroups are not achieving performance standards. When considering the performance of NCA’s high school in comparison to other SPCSA sponsored high schools and other high schools statewide, NCA ranks as one of the lowest performing schools in the state. Specifically, there were 15 SPCSA-sponsored high schools that were rated on the NSPF for the 2018 – 19 school year. One of those schools is subject to the Nevada Alternative Performance Framework per NRS 385A.740.¹¹ Of the 14 SPCSA-sponsored high schools that received star ratings and are not subject to the Nevada Alternative Performance Framework, NCA’s high school had the lowest index score and earned the only 1-star rating. Statewide, there were over one hundred high schools that were rated on the NSPF for the 2018 – 19 school year and NCA had the fourth lowest index score. Notably, one of the schools with a lower index school is a Washoe County-sponsored charter school that closed at the end of the 2018 – 19 school year. The graph below shows the index score for all high schools in Nevada that earned a star rating in the 2018 – 19 school year.

¹¹ Beacon Academy of Nevada was approved for the Alternative Performance Framework (APF) by the State Board of Education in 2018, and exclusively serves students that fall into at least one of the following categories to qualify for this framework: students that are significantly credit-deficient, are or have been suspended or expelled, are a habitual discipline problem, are under court jurisdiction or adjudicated to be in need of supervision or have an IEP.

2018 - 19 High School Index Scores (Schools with Star Ratings)

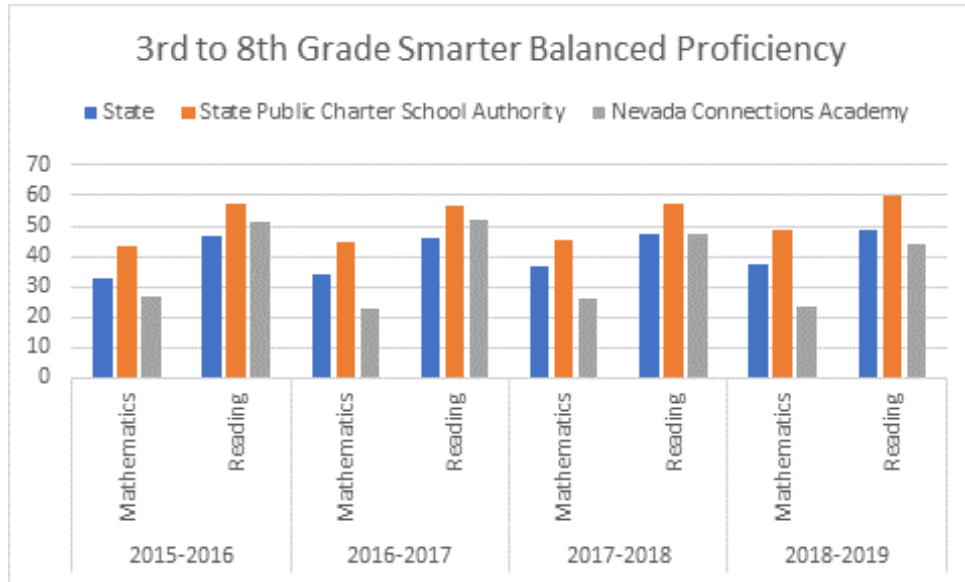


While the middle school earned a 3-star rating, which is defined as ‘adequate’ by the Nevada Department of Education for the 2016 – 17 school year, subsequent ratings have been below 3-stars for the past two years. Specifically, NCA’s middle school earned a 1-star rating for the 2017 – 18 school year with an index score of 26.1. Among over 150 middle schools that are not rated on the Alternative Performance Framework that earned a star rating that year, NCA’s middle school was in the bottom 15. NCA’s middle school rating improved to 2-stars (index score of 40) for the 2018 – 19 school year, among the bottom 30% of middle schools not rated on the alternative performance framework. Ratings for the last three years can be found below.

Nevada Connections Academy	2016 – 2017 Index Score	2016 – 2017 Star Rating	2017 – 2018 Index Score	2017 – 2018 Star Rating	2018 – 2019 Index Score	2018 – 2019 Star Rating
Elementary School	24.44	1-star	18.8	1-star	21.6	1-star
Middle School	51.67	3-star	26.1	1-star	40	2-star
High School	34	Not Rated	12.7	1-star	13.8	1-star

In addition, since the new assessments were first given during the 2015 – 16 school year, NCA proficiency levels for grades three through eight have trended downward when compared to the SPCSA and statewide performance levels as captured within the following table and graph, and illustrate significant deficiencies in performance.

School Year	3 rd -8 th Grade Statewide Proficiency Rates		3 rd -8 th Grade SPCSA Proficiency Rates		3 rd -8 th Grade NCA Proficiency Rates	
	Reading	Math	Reading	Math	Reading	Math
2015 – 2016	46.6%	32.7%	57.3%	43.1%	51.5%	26.6%
2016 – 2017	46.2%	34.0%	56.6%	44.6%	51.8%	22.5%
2017 – 2018	47.3%	36.6%	57.4%	45.3%	47.2%	26.3%
2018 – 2019	48.5%	37.5%	60.0%	48.4%	44.2%	23.2%



With regard to the high school, proficiency data on the ACT assessment only goes back two years. While there was an increase in proficiency in both Math and Reading in the most recent year, the proficiency levels remain far below the statewide and SPCSA averages.

School Year	11 th Grade Statewide Proficiency Rates		11 th Grade SPCSA Proficiency Rates		11 th Grade NCA Proficiency Rates	
	Reading	Math	Reading	Math	Reading	Math
2017 – 2018	43.4%	25.1%	42.0%	22.0%	27.6%	9.8%
2018 – 2019	46.7%	25.5%	53.5%	25.3%	35.8%	10.6%

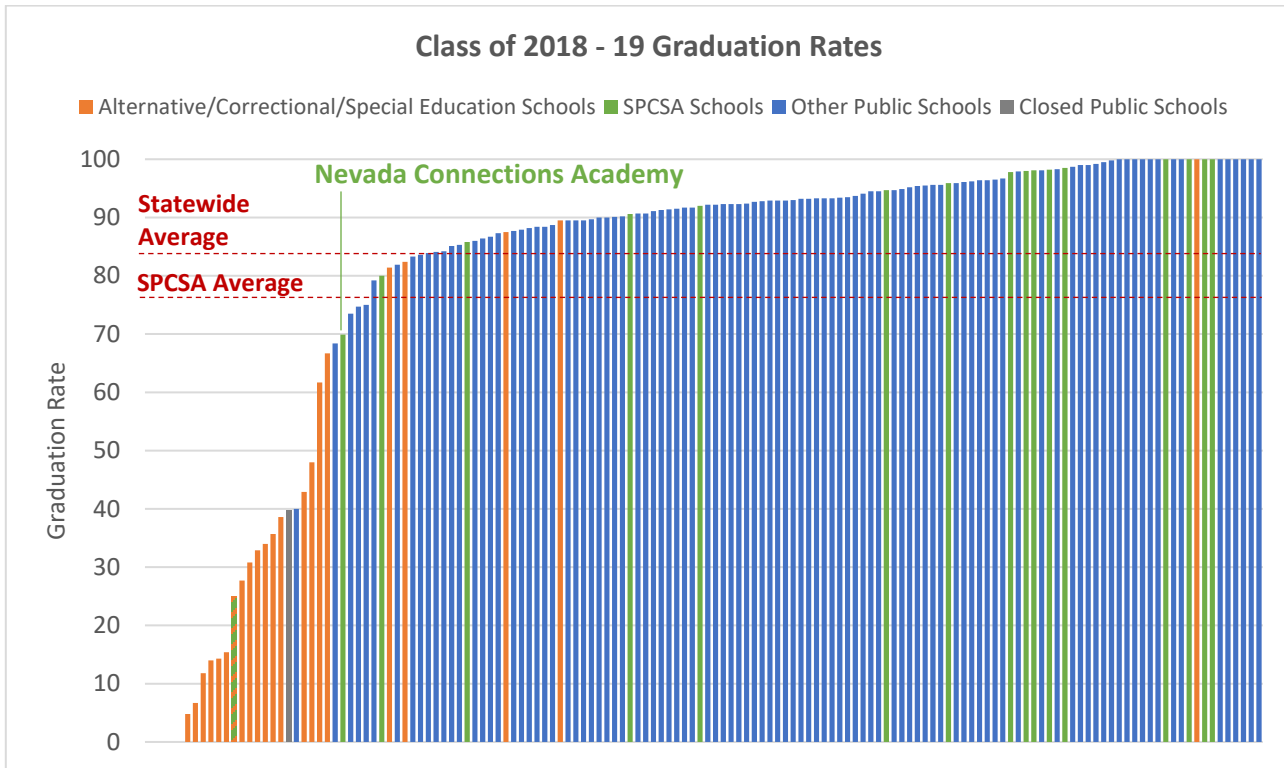
The high school graduation rate for NCA has increased over the last few years but remains well below the statewide and SPCSA averages. Graduation rates for the past five years can be found in the table below.

Graduation Class of	Statewide Graduation Rate	SPCSA Graduation Rate	NCA Graduation Rate
2014 – 2015	70.7%	46.3%	35.63%
2015 – 2016	73.5%	58.3%	40.09%
2016 – 2017	80.8%	65.2%	45.04%
2017 – 2018	83.1%	70.0%	63.77%
2018 – 2019	84.1%	77.8% ¹²	69.90% ¹³

¹² The N-count for the SPCSA in 2018 – 2019 was 1730, of which 390 are represented by NCA.

¹³ In the school's official response to the 2019 Renewal Report issued by the Authority, dated August 12, 2019, the school classifies the improvement of these graduation rates as 'remarkable performance'. The school goes on to imply that these are adequate, four-year adjusted cohort graduation rates.

Among the schools that the SPCSA sponsors, there were 17 that had reported graduation rates¹⁴ for the class of 2018 – 19. Of the 16 SPCSA-sponsored schools that are not rated against the Nevada Alternative State Performance Framework, NCA had the lowest graduation rate for the class of 2018 – 2019. In addition, of the more than one hundred high schools statewide that had reported graduation rates and that are not subject to the Nevada Alternative Performance Framework, NCA had the fourth lowest graduation rate. Notably, one of the schools with a lower graduation rate than NCA is a charter school sponsored by the Washoe County School District that closed at the end of the 2018 – 19 school year. The graph below shows the graduation rates for high schools in Nevada for the class of 2018 – 19.



Due to the performance outlined above the Authority has intervened in an effort to notify the school of concerning deficiencies on multiple occasions and at every level of the school: elementary, middle and high. As a result of the underperformance at the elementary school program, NCA received a Notice of Breach on March 12, 2018 due to its elementary school receiving a 1-star rating under the NSPF ratings for the 2016 – 17 school year.

In response to the 2016 – 17 ratings, NCA submitted an Elementary School Improvement Plan to the SPCSA in May of 2018. SPCSA staff required the school to submit the following information as part of its plan to correct academic deficiencies:

- A thorough description of the most essential features of the proposed academic change(s) to the education program NCA planned to implement to correct the level of underperformance.
- An outline of the clearly measurable interim and annual performance and growth goals that the school proposes in order to meet or exceed SPCSA performance expectations under the Nevada School Performance Framework.
- To support the academic goals and benchmarks outlined above, a description of the following:
 - How teachers and school leadership would be supported in developing capacity around these benchmarks and assessments; and

¹⁴ The Nevada Department of Education does not report graduation rates for schools with an N-size below 10 in order to protect student privacy.

- Should the school fall short of the benchmarks, the steps the school would take school-wide and/or at the classroom level, including what would trigger such corrective actions and who would be responsible for implementation.

The elementary improvement plan is attached as an exhibit to this agenda item. To summarize, the elementary school improvement plan includes an assessment of NCA's elementary school performance based on the most recent star rating, annual performance and growth goals from the 2016 – 17 school year through the 2020 – 21 school year, information regarding teacher training and professional learning, and an outline of specific proposed changes, including:

- New Math and ELA curricula;
- Two math initiatives, *MATH, We Got This* and *Math Time to Talk* aimed at improving math proficiency;
- Implementation of the *Lexia Reading Core5* program to improve fundamental literacy skills;
- Learning coach training;
- Re-training of teachers on the Response to Intervention Model; and
- Modifying Professional Learning Communities to focus on Math and ELA achievement.

Following the submission of the Improvement Plan for the elementary school, SPCSA staff reviewed the plan and requested additional information to supplement the original information provided. After a complete review of both the initial and clarifying information, SPCSA staff recommended that the Authority approve, with conditions, the elementary school plan for the 2018 – 19 school year. These conditions were included by staff due to concerns about the school's plan to implement the plan effectively as this was not the first improvement plan that the school has attempted to execute since being chartered. More specifically, the school (not the SPCSA) is responsible for implementing any academic improvement plan. The Authority approved the improvement plan for the elementary school on August 6, 2018 with the following conditions:

- Quarterly submission of attendance logs and sign in sheets for all monthly *MATH, We Got This* trainings;
- A final schedule of LiveLesson trainings for learning coaches, access to attend these trainings and quarterly submission of attendance by K-5 learning coaches;
- Submission of attendance logs and sign in sheets for training on multi-tiered instructional approach and the RTI process by October 1, 2018;
- Quarterly agendas, monitoring logs and sign in sheets for bi-weekly PLCs; and
- Submission of attendance logs and sign in sheets for ten professional development days.

Over the course of the 2018 – 19 school year, the school attempted to execute the plan and fulfill the conditions as approved by the Authority. SPCSA staff had a number of concerns throughout the year that led to questions about the effectiveness of the plan, and its ability to raise the school's index score according to the NSPF. At the end of the academic year, SPCSA staff found that some conditions were not met, and the school fell short of some goals presented within the plan.

NCA's elementary school received a third consecutive 1-star rating this past fall for the 2018 – 19 school year, ultimately resulting in the school facing automatic termination at the close of this school year. As previously stated, as a result of these ratings NCA has not applied for renewal of this program.

Although NCA has elected not to seek renewal of its elementary school program, the execution and results of this improvement plan raise doubts about NCA's ability to execute on an academic improve plan that leads to an adequate (3-stars or better) education for Nevada students.

Due to the underperformance of the middle and high schools, most recently, the Authority issued Notices of Breach to both the middle and high schools due to both earning a rating of less than 3-stars for the second consecutive year. Specifically, for the 2018 – 19 school year, the middle school program earned a 2-star rating (index score of 40), which was an improvement from the 1-star rating (index score of 26.1) from the 2017 – 18 school year. The high school earned a 1-star rating (index score of 13.8) for the 2018 – 19 school year, which was a minor improvement over the 1-star rating (index score of 12.7) from the 2017 – 18 school

year. Note that this means that NCA’s middle school has received two consecutive years of 1- and 2-star ratings – meaning a third year of a 1- or 2-star rating for the current school year will qualify NCA’s middle school for permissive charter school contract termination under [NRS 388A.330](#) – and NCA’s high school has received two consecutive years of 1-star ratings – meaning a third year at a 1-star level for the 2019 – 20 school year will result in mandatory charter school termination under [NRS 388A.300](#). In the event that NCA’s high school improves to a 2-star rating for the 2019 – 20 school year, but does not reach 3-stars, the school will still be eligible for permissive termination under [NRS 388A.330](#).

When the Authority issued a Notice of Breach to the middle and high schools on October 4, 2019, the Authority also established the requirement for NCA to provide the Authority with an update regarding the school’s progress against the performance plan and a summary of mid-year assessment performance in early 2020. SPCSA staff expects this update to be on the March 6, 2020 agenda.

e. Summary of Current Charter Term (2013-Present)

In summary, the academic performance of Nevada Connections Academy over the last three years, as measured by the Nevada School Performance Framework, has been largely subpar. With the exception of one 3-star rating for the middle school for the 2016 – 17 school year, NCA has only earned 1- and 2-star ratings. In the fall of 2019, NCA’s elementary school earned a third consecutive 1-star rating, which would trigger the mandatory closure provision of NRS 388A.300. However, NCA has decided not to pursue renewal for the elementary school and will therefore close at the end of the 2019 – 20 school year. A full list of the star ratings for the current charter term can be found in the table below.

School Year	NSPF Rating
2018-19	Elementary: 1 star (21.6 index points) Middle: 2 stars (40 index points) High: 1 star (13.8 index points)
2017-18	Elementary: 1 star (18.8 index points) Middle: 1 star (26.1 index points) High: 1 star (12.7 index points)
2016-17	Elementary: 1 star (24.44 index points) Middle: 3 stars (51.67 index points) High: N/A (34 index points)
2015-16	No Star Ratings published by the Nevada Department of Education
2014-15	Elementary: 2 stars (48 index points) Middle: 4 stars (68 index points) High: 2 stars (48 index points)
2013-14	Elementary: 2 stars (48 index points) Middle: 4 stars (68 index points) High: 2 stars (48 index points)

In May of 2016, NCA developed a Graduation Rate Improvement Plan to address significant concerns identified by the Authority. Subsequently, in 2017, the Authority entered into a new contract with NCA that established graduation benchmarks, outlined specific strategies to improve the graduation rate, required regular reporting from the school and extended the contract by one year. Since the new contract was approved by the Authority in the fall of 2017, the Authority has issued Notices of Breach to the elementary, middle and high school programs due to continued underperformance. As part of the Notice of Breach issued to the elementary school, NCA was required to develop an elementary school improvement plan that was approved by the SPCSA board in August of 2018. Ultimately, when considering the two improvement plans (Graduation Rate Improvement Plan from 2016 and Elementary School Improvement Plan from 2018), along with the contract and cure document approved in 2017, NCA has not fully executed the actions it committed to. In addition, while the graduation rate for NCA has improved and the school has met the established benchmarks, the overall academic performance of the elementary and high school programs has remained

poor. While the middle school’s performance has been marginally better, NCA has not demonstrated the ability to deliver consistent adequate (3-star) performance for students and families.

Finally, NCA has stated in public meetings and provided documentation that students at the school perform better the longer that they are enrolled at the school. While research supports this conclusion, it is important to note that the research cited by the school is not specific to virtual schools, but all schools. SPCSA staff agrees with this premise. However, despite the higher performance of students that attend NCA for a longer period of time, these students still regularly perform lower than the statewide proficiency averages in math and reading.

Organizational

Until the Authority approved a more robust organizational framework this past summer, the previous version of the SPCSA Organizational Framework was a rolling evaluation of school organizational performance. Based on verified complaints and spot checks of school organizational performance, the Authority issues Notices of Concern or Notices of Breach for Organizational Performance. Schools which have not received such notices are presumed to be in Good Standing. Nevada Connections Academy has not received a Notice of Breach or Notice of Concern under this framework during the current charter term.

SPCSA Organizational Programmatic Audit Findings

2018	Good Standing
2017	Good Standing
2016	Good Standing
2015	Good Standing

Financial

The SPCSA Financial Framework monitors a variety of indicators of financial health. With regards to the financial performance and viability of the school, SPCSA staff had some concerns about the overall health and viability of the school during the 2017 – 2018 school year. SPCSA staff recommended a Notice of Concern be issued in 2018 due to continued financial concerns, but the Authority elected to table this agenda item on June 28, 2018. Staff does not have any concerns at this time, and no notices have been issued during this current charter term. Other than the concerns mentioned above, staff finds the school to be in good standing against performance standards within the financial framework.

SPCSA Financial Programmatic Audit Findings

2018	Good Standing
2017	Good Standing
2016	Good Standing
2015	Good Standing

3. Recommendation: Deny NCA’s Request To Renew Its Charter For A New Term

When considering NCA’s application for renewal, staff considered the academic, organizational and financial performance, putting the largest weight on the academic performance.¹⁵ While organizational and financial performance during the current contract term have met standards, academic performance has been inadequate when considering NSPF ratings and the underlying measures. Specifically, in the last three years, the elementary and high school programs have never received a rating above 1-star. While the middle school earned an adequate, 3-star rating for the 2016 – 17 school year the two most recent meetings are below 3-stars. Currently, all three programs are operating under a Notice of Breach due to poor academic

¹⁵ NAC 388A.415(10) requires that the SPCSA “not give any factor more weight than the academic performance of pupils” when considering the renewal of a charter contract and that on each subsequent application for renewal the SPCSA “give the academic performance of pupils a greater weight than that assigned to it on the first renewal.”

performance. Ultimately, the poor academic performance of NCA, gives SPCSA staff significant reservations about renewing the middle and high school programs.

While NCA has not requested renewal of the elementary school program and it is expected to close at the end of the current (2019 – 20) school year, the implementation of the improvement plan and its results are a factor in this renewal decision.

When considering the two improvement plans (Graduation Rate Improvement Plan from 2016 and Elementary School Improvement Plan from 2018) and the terms of the contract and cure document approved by the board in the Fall of 2017, NCA has not fully implemented the actions it committed to. While the high school graduation rate has improved and NCA met the graduation rate targets established in the cure document, all three programs continue to be rated below 3-stars. This raises substantial concerns about NCA's capacity to improve its current performance level.

It is also worth reiterating that at the time when NCA was previously renewed, SPCSA staff noted that NCA should create a clear plan to support math proficiency and growth in both elementary and middle school students. To date, there is limited evidence to suggest that this has occurred as math proficiency and growth rates remain low and continue to lag behind both statewide and SPCSA averages.

The issue of rapid and significant improvement is critical, given that NCA's middle and high school programs will potentially both be subject to mandatory (NCA's high school) or permissive (NCA's middle and high school) termination based on the ratings for the 2019 – 20 school year that are expected to be released in September of 2020. Should the high school earn a third consecutive 1-star rating, it will be subject to mandatory termination pursuant to NRS 388A.300.¹⁶ Should the middle school fail to earn a 3-star rating for the 2019 – 20 school year, permissive termination pursuant to NRS 388A.330 would be triggered.

With regard to the high school, the first data point for the 2019 – 20 NSPF rating is already known – the class of 2018 – 19 graduation rate of 69.9%. According to the NSPF technical guide, this will only yield the school three points out of a possible 25 points under the graduation rate category meaning that the school can earn a maximum score of 78 out of 100 points next year. While this represents a three-point increase from the most recent rating where NCA's high school earned zero points in this measure, without remarkable improvement in the other NSPF measures, NCA will not be able to increase from the 13.8 point index score from the 2018 – 19 school year to the 27-point cut off for 2-stars or the 50-point cut off for 3-stars.

These concerns are further undermined by the school's request within the amendment application to continue to increase enrollment despite proficiency rates trending downward and low scores under the NSPF. The school has stated, both in writing and during public meetings, that it believes the NSPF for the school have been negatively impacted by high student transiency rates. While this may be true, it is disappointing that the school has submitted a renewal application that fails propose any enrollment caps or other mechanisms to control for this student turnover at the middle school or high school programs. SPCSA staff believes that the current high school enrollment caps have played a positive role in stabilizing the high school and have helped foster the increased graduation rate over the past two years.

Based on this information, the academic achievement of pupils and the information submitted within the school's renewal report, SPCSA staff is unable to recommend that NCA be renewed for a new charter term. Significant evidence indicates that this is not a high-quality school for many students that attend, which ultimately does not align to the statutory purpose of the SPCSA per [NRS 388A.150](#). The data outlined in this memorandum supports staff's recommendation that the Authority not renew NCA's charter school contract pursuant to [NRS 388A.285](#) and [NAC 388A.415\(11\)\(f\)](#) (deny the renewal application for the purpose of closing the charter school).

¹⁶ If the high school earns a 2-star rating for the 2019 – 20 school year, this would trigger permissive termination pursuant to NRS 388A.330.

Should this recommendation be approved by the Authority, SPCSA staff is committed to actively working with the school and NCA families during the closure process.

Note that SPCSA staff is cognizant of the language contained in NCA's 2017 charter contract stating that "[a]chievement of or failure to achieve these academic year benchmarks for 2017-18 and 2018-19 [the graduation rate benchmarks of 49% and 60%] will be a material factor for consideration relevant in any renewal proceedings." See 2017 charter school contract, section 8.1.5.1. SPCSA staff also notes that NCA achieved and surpassed these high school graduation rate benchmarks, achieving a graduation rate of 63% for 2017-18 and 69% for 2018-2019.

While NCA should be commended for the improvement in its high school graduation rate, as noted previously, these graduation rates are among the lowest for all SPCSA high schools, and statewide. Moreover, as also detailed above, every other metric as it relates to NCA's high school remains significantly below par. Specifically, NCA's high school Math and ELA proficiency is far below the statewide and SPCSA averages, NCA's 9th credit sufficiency is among the lowest for high schools statewide, while NCA has touted the results from the SEL survey, participation rates in both the middle and high schools were well below 50%, low participation in college and career pathways, and substantial achievement gaps in Math and ELA for certain student groups include African American/Black and Economically Disadvantaged students.

While important, NCA's achievement of the graduation rate benchmarks is not the only factor that is considered upon renewal. Nevada's charter school statutes and regulations make clear that the Authority is to consider the "totality of the evidence" when considering renewal of a charter school contract, and that no other factor is to be given more weight when deciding renewal than the academic performance of the students at the charter school. See NAC 388A.415(11). NCA also recognized that a school's graduation rate is a single data point in its 2016 Graduation Rate Improvement Plan, stating that "graduation rate[s are] one metric among many metrics that need to be examined in order to determine an accurate picture of school performance" and that "[a] school's graduation rate is one of many important school performance measures."¹⁷ Therefore, while SPCSA staff has given material consideration to NCA's high school graduation rate and NCA achieving the high school graduation rate benchmarks set forth in NCA's 2017 charter school contract, all other evidence related to the academic achievement of students at NCA leads SPCSA staff to recommend non-renewal of NCA's charter school contract.

Proposed Motion:

Based on Nevada Revised Statute 388A.285, Nevada Administrative Code 388A.415, the criteria of the SPCSA for the renewal of a charter contract, the recommendation of the Executive Director Feiden, the totality of the evidence, and, most importantly, the academic performance of students at Nevada Connections Academy and the performance of Nevada Connections Academy during the term of its charter school contract, I move that Nevada Connections Academy's charter school renewal application be denied.

¹⁷ It should also be noted that NCA's achieving or failing to achieve the high school graduation rate benchmarks contained in the 2017 charter contract was not pinned to renewal or non-renewal. Instead, the failure to achieve the high school graduation rate benchmarks would have resulted in a decrease in the number of high school students that NCA would be able to serve.

School Demographic since 2015

Year	Total Enrollment¹⁸	A	B	C	H	I	M	P	IEP	ELL	FRL
15-16	2851	3.4%	10.2%	54.7%	21.2%	0.8%	8.3%	1.3%	8.4%	0.7%	43.1%
16-17	3091	3.2%	9.8%	53.8%	22.6%	0.5%	8.9%	1.2%	8.6%	1.0%	42.8%
17-18	3199	2.9%	11.0%	50.2%	23.6%	0.8%	10.3%	1.2%	8.4%	0.9%	35.1%
18-19	3247	2.6%	12.3%	46.9%	24.9%	0.7%	11.1%	1.5%	9.2%	0.8%	50.9%
19-20	3468	2.5%	14.4%	43.5%	26.2%	1.0%	11.1%	1.3%	10.4%	1.2%	53.4%

A – Asian

B – Black

C – Caucasian

H – Hispanic

I – American Indian/Alaskan Native

M – Mixed/Two or more races

P – Pacific Islander

IEP – Individualized Education Plan –A student with a disability/special education student

ELL – English Language Learner

FRL – A student who qualifies for Free or Reduced-Price Lunch

Additionally, Nevada Connections Academy proposes the following enrollment should the contract be renewed.

	2020-2021	2021-2022	2022-23	2023-24	2024-25	2025-2026
Planned Total Enrollment	2,008	2,111	2,218	2,330	2,447	2,569
Grades Served	6 – 12	6 – 12	6 – 12	6 – 12	6 – 12	6 – 12

¹⁸ Enrollment as of Validation Day each year (October 1).