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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Mark Modrcin, Director of Authorizing
SUBJECT: Legacy Traditional Schools – Nevada – Charter Renewal Recommendation
DATE: December 3, 2021

1. Background and Summary

Legacy Traditional Schools – Nevada (Legacy) has submitted an application to renew its charter contract as the current charter contract expires on June 30, 2022. Legacy is a brick-and-mortar public charter school that currently serves 4,270 students in grades K – 8 across three campuses in Las Vegas and Henderson.

After a thorough review of the historical data and charter renewal application, staff recommends that the Authority approve the charter renewal of Legacy for a four-year term, beginning July 1, 2022.

2. 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.¹ Specifically, on or before June 30 immediately preceding the final school year prior to expiration of a charter school's charter contract, the SPCSA submits to the governing body a report regarding renewal. The Legacy renewal report was sent to the board chair on June 29, 2021 and can be found within the supporting documentation for the item.

¹ 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\(2\)](#).

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 \(2\).](#)

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\(1\)](#). Legacy submitted its notice of Intent to Renew its charter contract on August 4, 2021 and Legacy'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.

See [NRS 388A.285\(3\)](#). On October 13, 2021 Legacy submitted its renewal application, which can be found included with the supporting documents.

Legacy's renewal application includes a summary of the key design elements that are currently being implemented at the school, though they are unchanged from the current charter term. As noted in the application, Legacy intends to continue to work towards its vision of positively impacting the education of every student and to build on the strong foundation that has been established to date. This foundation includes the following elements: a unique academic model that blends direct teacher instruction with computer-based learning, integrated with depth and complexity differentiated instruction strategies, a hiring program that has as its goal to employ a diverse team of high quality teachers, leadership, and staff, a student marketing and enrollment program that ensures that Legacy's student population is a reflection of the diversity in the surrounding community, positive discipline strategies for students and a positive and uplifting culture, and high quality facilities of which students, parents, faculty, and the surrounding community can be proud. The renewal application also notes that the school plans to continue to prioritize the traditional education philosophy, student assessments, closing the achievement gap, collaborative team meetings and multi-tiered systems of support, special education, and discipline and restorative justice.

With regard to student discipline and restorative justice practices, the application describes the steps taken by the Legacy network to move away from exclusionary discipline practices since the network opened in Nevada. In order to begin the process of implementing restorative justice, it was essential that Legacy staff understand the key principles of restorative justice and had practical applications for these principles. The renewal application notes that administrators received full-day training along with follow-up sessions from Richard Long, an expert in reaching students through restorative practices. Mr. Long then returned to provide half-day training for all Legacy staff, with each member receiving a book *The Outward Mindset* as a reference tool. After this training, administration teams worked together to establish a plan to provide for progressive discipline of students, with input from staff and students. The renewal application goes on to

state that the plan uses logical consequences as part of the restorative practices, with logical consequences being implemented that are related to student behavior.

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, including financial and organizational performance. See [NAC 388A.415\(9\)](#).

When determining whether to grant an application for renewal of a charter contract, the Authority Board considers the foregoing factors, 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.² See [NAC 388A.415\(10\)\(b\)](#).

At its sole discretion, the Authority Board may renew a charter contract for a term of three (3) to ten (10) years, or, alternatively, deny the renewal application. See [NRS 388A.285\(6\)](#) and [NAC 388A.415\(11\)](#). Note that a variable term length upon renewal was discretion afforded to the Authority under Senate Bill 451 during the 2019 Legislative Session and is now codified in [NRS 388A.285\(6\)](#).

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, that Authority Board may 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 and include any additional provisions, requirements or restrictions which the State Public Charter School Authority determines are appropriate. See [NAC 388A.415\(11\)\(b\) 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 \(f\)](#).

3. Analysis

Academics

Legacy Traditional Schools – Nevada currently operates out of three campuses in Las Vegas, one of which has yet to be rated under the Nevada School Performance Framework (NSPF). Both the Cadence and North

² 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.

Valley campuses have received ratings under the NSPF, and performance has been mixed across these two campuses since 2017 – 2018.

Both the Cadence elementary and North Valley elementary programs earned a 2-star rating according to the 2018 – 2019 NSPF ratings. As the Authority is aware, NSPF school ratings and accountability for the 2019 – 2020 and 2020 – 2021 school years have been carried over from the 2018 – 2019 reporting year. As noted in the NSPF guidance document, a 2-star rating identifies a school that has partially met the state’s standard for performance. Students and subgroups often meet expectations for academic performance or growth but may have multiple areas that require improvement. Additionally, areas requiring significant improvement are uncommon.

Due to the 2-star ratings at the Cadence elementary school, the Authority issued a Notice of Concern which remains in effect. The 2-star rating at the North Valley elementary school in 2019 resulted in the Authority issuing a Notice of Breach as it also earned a 2-star rating according to the 2017 – 2018 NSPF ratings, marking consecutive years of academic underperformance. This notice also remains in effect.

It is also noteworthy that a deficiency was issued to Legacy Traditional Schools as a result of the site evaluations occurring in October 2019. Legacy Traditional Schools worked with SPCSA staff to address this deficiency in the months that followed, and this deficiency has been resolved by the network. More information regarding this deficiency can be found in the performance report issued to Legacy Traditional Schools on June 29, 2021 and attached to this agenda item.

The middle school programs at both the Cadence and North Valley campuses have exhibited stronger academic performance over the current charter term. According to the 2018 – 2019 NSPF ratings, the Cadence middle school program earned a 5-star rating. As noted in the NSPF guidance document, a 5-star school rating recognizes a superior school that exceeds expectations for all students and subgroups on every indicator category with little or no exception. Additionally, a 5-star school demonstrates superior academic performance and growth with no opportunity gaps. The North Valley middle school program earned a 3-star rating according to the 2018 – 2019 NSPF ratings. As noted in the NSPF guidance document, a 3-star rating identifies an adequate school that has met the state’s standard for performance. The all-students group has met expectations for academic achievement or growth. Subgroups meet expectations for academic achievement or growth with little exception; however, no group is far below standard.

The NSPF results for this current charter term are summarized and provided in the table below:

School Year	NSPF Rating
2020 – 2021 ³	North Valley - Elementary School: 2-stars - Middle School: 3-stars Cadence - Elementary School: 2-stars - Middle School: 5-stars Southwest - Elementary School: Not Rated - Middle School: Not Rated

³ Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2020-21 school year waiver from the U.S. Department of Education for certain requirements established by the Every Student Succeeds Act (ESSA). Nevada statewide assessments were administered in the 2020-21 school year, but the NDE did not calculate new Nevada School Performance Framework (NSPF) school ratings for the 2020-21 school year.

2019 – 2020 ⁴	<p>North Valley</p> <ul style="list-style-type: none"> - Elementary School: 2-stars - Middle School: 3-stars <p>Cadence</p> <ul style="list-style-type: none"> - Elementary School: 2-stars - Middle School: 5-stars <p>Southwest</p> <ul style="list-style-type: none"> - Elementary School: Not Rated - Middle School: Not Rated
2018 – 2019	<p>North Valley</p> <ul style="list-style-type: none"> - Elementary School: 2-stars - Middle School: 3-stars <p>Cadence</p> <ul style="list-style-type: none"> - Elementary School: 2-stars - Middle School: 5-stars
2017 – 2018	<p>North Valley</p> <ul style="list-style-type: none"> - Elementary School: 2-stars - Middle School: 2-stars
2016 – 2017	Not Applicable

Due to multiple active notices at Legacy campuses, SPCSA staff has implemented heightened oversight for the network. This has included:

- Additional performance reporting to the Authority. Legacy Traditional Schools – Nevada has appeared multiple times before the Authority since the Notice of Breach was issued in 2019.
- Additional performance reporting to SPCSA staff. Legacy Cadence and North Valley campuses provided mid-year performance data for the 2020 – 21 school year last spring for SPCSA monitoring.
- Ongoing site evaluations across the network, including an additional evaluations at both the Cadence and North Valley campuses. SPCSA staff has already conducted a site evaluation at both campuses this school year. Since January 2019, SPCSA staff has conducted three site evaluations at both the North Valley and Cadence campuses. Additionally, SPCSA staff has engaged in extended oversight and conversations with individual campus leaders due to deficiencies being issued as a result of these evaluations.

Organizational

The current iteration of the SPCSA’s Organizational Performance Framework was adopted by the Authority in the summer of 2019. The school earned 100 points under the 2020 Organizational Performance Framework as approved by the Authority on November 6, 2020, and SPCSA staff have not noted any substantial organizational performance concerns during the 2020 – 2021 school year. Legacy was issued a Notice of Concern as a result of the site evaluation that occurred in 2019, but concerns were addressed by the school to move them out of the intervention ladder prior to the 2019 – 2020 school year.

⁴Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2019 – 20 school year waiver from the US Department of Education for certain assessment, accountability, school identification, and reporting requirements established by the Every Student Succeeds Act (ESSA). Accordingly, for the 2019 – 20 school year, Nevada statewide assessments were not administered and the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings.

SPCSA Organizational Framework Findings

2020 – 2021	<i>Will be reported in January of 2022</i>
2019 – 2020	Meets the Standard (100/100 points)
2018 – 2019	Notice of Concern Issued due to several board member vacancies; Notice of Concern was lifted once concerns were addressed. No other organizational performance concerns identified
2017 – 2018	No organizational performance concerns identified
2016 – 2017	Not Applicable

Financial

In 2018, the Authority requested that the SPCSA Financial Framework be modified so as to be better assess the financial health of sponsored schools. The revised SPCSA Financial Framework was approved on January 18, 2019, with results for FY20 approved by the Authority in January 2021. Legacy earned a ‘Meets Standard’ rating under six indicators, and one ‘Falls Far Below Standard’ under the ‘Debt to Asset Ratio’ indicator for the FY20 Financial Performance Framework. As a result, the school was directed to develop a targeted remediation plan to address the performance under this indicator. Despite this plan, SPCSA staff finds the school to be currently meeting standards against performance expectations within the financial framework.

SPCSA Financial Framework Findings

2020 – 2021	<i>Will be reported in January of 2022</i>
2019 – 2020	Meets the Standard; Directed to develop Remediation Plan
2018 – 2019	No financial performance concerns identified
2017 – 2018	No financial performance concerns identified

4. Recommendation: Renew Legacy for a 4-year term

As described above, the Legacy Traditional Schools – Nevada network has exhibited a range of academic performance over the charter term. The network also has two active academic notices, a Notice of Concern at the Cadence elementary program and a Notice of Breach at the North Valley elementary program. The network does exhibit stronger performance at the middle school level, with both the Cadence and North Valley campuses meeting state standards according to NSPF ratings. The Cadence middle school is the most highly rated campus in the network, earning a 5-star rating beginning in the 2018 – 2019 school year when the school opened.

The Southwest campus, which opened in the 2019 – 2020 school year, has yet to be rated under the NSPF.

It is also noteworthy that while a Notice of Concern was issued regarding organizational performance, that notice has since been lifted and currently the school does not have any financial or organizational notices.

SPCSA staff is concerned about the current performance levels at the North Valley campus, specifically the elementary school program. SPCSA staff is also monitoring the academic performance at the Cadence elementary campus given the academic notice. Because the academic performance at the middle schools is at or above the state performance standards according to the NSPF, SPCSA staff recommends that the Authority renew Legacy Traditional Schools – Nevada for a four-year term, beginning July 1, 2022. Improved performance, particularly with regard to the elementary programs, is needed to warrant a longer charter term. The new term would be subject to the enrollment caps outlined below.

	2022-2023	2023-2024	2024-25	2025-26
Campus	Enrollment Caps			
Cadence	1,450	1,450	1,450	1,450
North Valley	1,250	1,250	1,250	1,250
Southwest	1,450	1,450	1,450	1,450
Grades Served <i>(all campuses)</i>	K-8	K-8	K-8	K-8

5. Proposed Motion

Approve the Legacy Traditional Schools – Nevada Renewal Application with a four-year term beginning July 1, 2022 and the enrollment caps as outlined above in the recommendation memo. Additionally, direct SPCSA staff to continue heightened oversight, such as those activities referenced within this memo, over the network, specifically those campuses with active notices. Finally, in the event of continued academic underperformance the Authority may impose additional oversight.

Appendix: School Demographics since 2016⁵

Legacy (combined)

Year	Total Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
16-17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
17-18	1258	3.1%	18.3%	36.2%	37.0%	0.7%	3.3%	1.0%	8.4%	13.4%	18.9%
18-19	2505	4.0%	13.7%	31.9%	36.4%	0.0%	12.0%	1.5%	8.3%	7.7%	41.3%
19-20	4215	12.2%	13.2%	27.6%	32.8%	0.1%	11.6%	2.0%	6.8%	6.9%	23.1%
20-21	4444	13.4%	13.9%	25.4%	33.2%	0.1%	11.6%	2.1%	7.0%	6.7%	46.0%
21-22	4270	14.0%	14.0%	24.9%	33.0%	0.2%	11.8%	1.8%	5.9%	7.1%	47.9%

Legacy Cadence

Year	Total Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
16-17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
17-18	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
18-19	1205	5.8%	8.7%	39.1%	32.1%	0.0%	11.6%	2.4%	7.8%	6.8%	42.4%
19-20	1332	6.8%	8.4%	36.3%	36.6%	0.1%	9.7%	1.8%	8.4%	<5.0%	25.1%
20-21	1415	7.9%	8.9%	34.9%	35.9%	0.0%	10.3%	1.9%	9.5%	<5.0%	47.3%
21-22	1393	7.0%	8.3%	35.9%	36.1%	0.0%	10.7%	1.6%	8.3%	5.0%	49.6%

Legacy North Valley

Year	Total Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
16-17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
17-18	1258	3.1%	18.3%	36.2%	37.0%	0.7%	3.3%	1.0%	8.4%	13.4%	18.9%
18-19	1300	2.3%	18.3%	25.2%	40.4%	0.1%	12.5%	0.8%	8.9%	8.6%	40.3%
19-20	1394	2.7%	20.0%	22.8%	40.8%	0.1%	11.9%	1.2%	7.7%	8.7%	26.1%
20-21	1415	3.5%	21.5%	19.3%	43.2%	0.2%	10.5%	1.5%	7.7%	8.7%	45.7%
21-22	1346	3.1%	22.3%	17.6%	42.8%	0.1%	11.7%	2.0%	5.5%	8.3%	54.5%

Legacy Southwest

Year	Total Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
16-17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
17-18	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
18-19	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
19-20	1489	26.0%	11.2%	24.5%	21.8%	0.2%	12.9%	3.0%	<5.0%	7.1%	18.6%
20-21	1614	27.0%	11.5%	22.4%	22.0%	0.2%	13.7%	2.8%	<5.0%	7.0%	45.2%
21-22	1531	29.9%	12.0%	21.3%	21.5%	0.3%	12.8%	1.8%	<5.0%	7.9%	40.5%

- A – Asian
- B – Black/African American
- C – Caucasian/White
- H – Hispanic/Latino
- I – American Indian/Alaskan Native
- M – Two or More Races
- P – Pacific Islander
- IEP – Individualized Education Program – A student with a disability/special education student
- ELL – English Language Learner
- FRL – A student who qualifies for Free or Reduced-Price Lunch

⁵ Enrollment as of Validation Day each year (October 1).

To protect student privacy, rates associated with IEP, ELL, and FRL populations less than 10 students are displayed with an asterisk (*), and extreme values less than 5 or greater than 95 percent are shown as <5 and >95, respectively. N/A indicates the population did not exist.