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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Mark Modrcin, Director of Authorizing
SUBJECT: Nevada State High School – Flagship – Charter Renewal Recommendation
DATE: December 3, 2021

1. Background and Summary

Nevada State High School – Flagship (NSHS) has submitted an application to renew its charter contract as the current charter contract expires on June 30, 2022. NSHS is a brick-and-mortar public charter school that currently serves 913 students in grades 11 – 12 across seven campuses in Las Vegas and Henderson. The network has an eighth campus approved to open for the 2022 – 23 school year.

After a thorough review of the historical data and charter renewal application, staff recommends that the Authority approve the charter renewal of NSHS for a seven-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 NSHS renewal report was sent to the board chair on June 30, 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\(1\)](#). NSHS submitted its notice of Intent to Renew its charter contract on August 3, 2021 and NSHS' 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 15, 2021 NSHS submitted its renewal application, which can be found included with the supporting documents.

The NSHS renewal application notes that there are no planned changes to the key design elements, programs, structures, or core values for the upcoming charter term. The application goes on to state that NSHS regularly reevaluates its Core Values quarterly to determine if any adjustments to language or philosophy are warranted.

Several key design elements are outlined in the renewal application that are unique to NSHS and have created a unique niche for students. The application states that while there are other high schools in Nevada that offer students dual enrollment classes and ways to earn college credits, there is no other school that offers three unique features only present at NSHS: a real college experience, developing students personally, academically, and socially in college, and a proven, personalized process for college success.

NSHS' renewal application notes that the network takes a restorative discipline approach to addressing student behaviors. When a situation arises, the application states that NSHS works with students to develop a plan to reflect on their actions, the impact their choices have, and how to better prepare for similar situations in the future. NSHS practices vertical equity, recognizing that a fair system is one that treats people who display responsible behavior with more freedom and flexibility than those who consistently display a lack of responsibility.

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

Over the current charter term, NSHS-Flagship has maintained strong academic performance as evidenced by the NSPF ratings earned by multiple campuses. The Downtown, Henderson and Summerlin campuses each earned a 5-star rating according to the most recent 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 5-star rating recognizes a superior school that exceeds expectations for all students and subgroups on every indicator category with little or no exception. A 5-star school demonstrates superior academic performance and a superior graduation rate. The school does not fail to meet expectations for any group on any indicator.

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.

While the other campuses in operation under the Flagship charter (Henderson #2, Northwest, Southwest, Sunrise) have not been rated, it is noteworthy that all NSPF ratings during the current charter term for the Downtown, Henderson and Summerlin campuses have been at the 4-star level. Additionally, NSHS campuses exhibit high graduation rates. All campuses are above both the statewide and SPCSA portfolio average, with three campuses under the Flagship contract (Downtown, Henderson #2, Northwest) graduating 100% of students in the Class of 2021.

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

School Year	NSPF Rating
2020 – 2021 ³	Downtown: 5-stars Henderson: 5-stars Southwest: Not Rated Summerlin: 5-stars Sunrise: Not Rated
2019 – 2020 ⁴	Downtown: 5-stars Henderson: 5-stars Southwest: Not Rated Summerlin: 5-stars Sunrise: Not Rated
2018 – 2019	Downtown: 5-stars Henderson: 5-stars Summerlin: 5-stars Sunrise: Not Rated
2017 – 2018	Downtown: Not Rated Henderson: 5-stars Summerlin: 5-stars
2016 – 2017	Not Rated

Organizational

The current iteration of the SPCAS’s Organizational Performance Framework was adopted by the Authority in the summer of 2019. The Flagship contract schools earned 98 points, while the Sunrise contract earned 100 points under the 2020 Organizational Performance Framework as approved by the Authority on November 6, 2020⁵, and SPCSA staff have not noted any substantial organizational performance concerns during the 2020 – 21 school year. Additionally, NSHS has not received a Notice of Breach or Notice of Concern under this framework during the current charter term.

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.

⁴ Due 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.

⁵ NSHS was approved to consolidate the Sunrise campus charter contract into the Flagship charter contract effective July 1, 2021. Because the school has applied to renew the Flagship contract, which now includes the Sunrise campus, a single recommendation is being made by SPCSA staff. However, prior to the 2021 – 2022 school year, the performance of the Sunrise contract was evaluated separately from the Flagship contract.

SPCSA Organizational Framework Findings

2020 – 2021	<i>Will be reported in January of 2022</i>
2019 – 2020	Flagship: Meets the Standard (98/100 points) Sunrise: Meets the Standard (100/100 points)
2018 – 2019	No organizational performance concerns identified
2017 – 2018	No organizational performance concerns identified
2016 – 2017	No organizational performance concerns identified

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. NSHS-Flagship earned a ‘Meets Standard’ rating under seven indicators, and NSHS-Sunrise earned a ‘Meets Standard’ rating under six indicators, and one ‘Falls Far Below Standard’ rating under the ‘Cash Flow’ indicator for the FY20 Financial Performance Framework. Despite this rating under one indicator, SPCSA staff finds NSHS-Flagship to be meeting the standard against performance expectations within the financial framework⁶.

SPCSA Financial Framework Findings

2020 – 2021	<i>Will be reported in January of 2022</i>
2019 – 2020	Flagship: Meets the Standard Sunrise: Meets the Standard
2018 – 2019	No financial performance concerns identified
2017 – 2018	No financial performance concerns identified
2016 – 2017	No financial performance concerns identified

4. Recommendation: Renew NSHS – Flagship for a 7-year term

Over the current charter term, NSHS-Flagship has maintained strong academic performance as evidenced by the NSPF ratings earned by multiple campuses. The Downtown, Henderson and Summerlin each earned a 5-star rating according to the most recent NSPF ratings, and while some campuses have yet to be rated under the NSPF, graduation rates across each campus has been high. As previously stated, three campuses exhibit 100% four-year graduation rates for the Class of 2021.

As previously stated, NSPF school ratings and accountability indicators have been carried over from the 2018 – 2019 reporting year for both the 2019 – 2020 and 2020 – 2021 school years, respectively.

It is also noteworthy that the school has not been issued any financial or organizational notices.

SPCSA staff is confident that all NSHS Flagship campuses will maintain strong academic performance in the upcoming charter term. SPCSA staff is also confident that the recently approved North Las Vegas campus will exhibit strong performance once the school opens for the 2022 – 2023 school year. As such, staff’s

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recommendation is that the Authority renew the NSHS-Flagship contract for a seven-year term, beginning July 1, 2022. The new term would be subject to the enrollment caps outlined below⁷.

	2022-2023	2023-2024	2024-25	2025-26	2026-27	2027-28	2028-29
Campus	Enrollment Cap						
Downtown	137	144	151	151	151	151	151
Henderson	295	305	310	310	310	310	310
Henderson #2	150	170	190	190	190	190	190
Northwest	150	158	166	166	166	166	166
Southwest	170	179	188	188	188	188	188
Summerlin	245	250	255	255	255	255	255
Sunrise	130	130	130	130	130	130	130
North Las Vegas ⁸	100	115	133	145	160	170	170
Grades Served	11-12	11-12	11-12	11-12	11-12	11-12	11-12

5. Proposed Motion

Approve the NSHS – Flagship Renewal Application with a seven-year term beginning July 1, 2022 and the enrollment caps as outlined above in the recommendation memo.

⁷ The NSHS-Flagship renewal application contemplates changes to these caps in future years during the proposed term. NSHS is aware that changes to these caps may be proposed and approved through a future amendment submission to the SPCSA.

⁸ On June 26, 2020, the Authority approved NSHS to open an additional campus under the Flagship contract, subject to conditions, to open for the 2021 – 22 school year. On April 23, 2021, the Authority approved NSHS to defer the opening of this campus to the 2022 – 23 school year.

Appendix: School Demographics since 2016^{9,10}

Nevada State High School (combined, Sunrise campus included beginning in 21-22, after incorporation into flagship)

Year	Total Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
16-17	434	5.2%	6.6%	49.7%	26.7%	0.4%	10.8%	0.2%	*	*	30.6
17-18	492	8.7%	4.2%	46.9%	30.6%	0.0%	9.1%	0.2%	*	<5.0%	27.4
18-19	645	7.9%	7.9%	37.5%	35.5%	0.4%	9.6%	1.0%	*	<5.0%	42.1
19-20	735	8.0%	10.8%	40.9%	28.7%	0.1%	9.2%	2.0%	<5.0%	<5.0%	29.9
20-21	865	7.3%	11.7%	45.4%	24.0%	0.1%	8.9%	2.3%	<5.0%	<5.0%	33.1
21-22	913	8.2%	12.1%	38.4%	31.6%	0.3%	7.8%	1.3%	<5.0%	<5.0%	33.5

Nevada State High School Downtown

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	46	2.1%	6.5%	13.0%	76.0%	0.0%	2.1%	0.0%	0.0%	0.0%	63.0%
18-19	80	5.0%	18.7%	7.5%	66.2%	0.0%	2.5%	0.0%	*	*	71.2%
19-20	77	6.4%	25.9%	10.3%	50.6%	1.2%	3.8%	1.2%	*	*	62.3%
20-21	56	7.1%	17.8%	10.7%	57.1%	0.0%	3.5%	3.5%	*	*	83.9%
21-22	54	7.4%	22.2%	5.5%	55.5%	0.0%	7.4%	1.8%	*	*	70.3%

Nevada State High School Downtown Henderson

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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
20-21	100	3.0%	2.0%	73.0%	13.0%	0.0%	8.0%	1.0%	*	0.0%	14.0%
21-22	106	4.7%	1.8%	66.9%	19.8%	0.0%	5.6%	0.9%	*	0.0%	13.2%

Nevada State High School Henderson

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	296	6.4%	3.3%	60.1%	20.9%	0.0%	9.1%	0.0%	*	*	20.9%
18-19	323	5.8%	4.9%	51.3%	27.8%	0.6%	8.6%	0.6%	*	*	32.1%
19-20	341	4.9%	3.2%	58.9%	22.5%	0.0%	9.6%	0.5%	*	*	17.3%
20-21	286	5.9%	3.4%	56.6%	21.6%	0.3%	10.8%	1.0%	*	*	18.1%
21-22	258	10.4%	3.1%	52.3%	25.1%	0.0%	7.7%	1.1%	*	*	23.2%

Nevada State High School Northwest

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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
20-21	99	7.0%	17.1%	39.3%	22.2%	0.0%	11.1%	3.0%	*	*	37.3%
21-22	118	5.0%	15.2%	37.2%	29.6%	0.8%	10.1%	1.6%	*	*	26.2%

⁹ Enrollment as of Validation Day each year (October 1).

¹⁰ 16-17 enrollment is not available by campus. See the combined table at the top for 16-17 enrollment data.

Nevada State High School 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	99	17.1%	20.2%	25.2%	22.2%	0.0%	10.1%	5.0%	*	*	42.4%
20-21	135	13.3%	27.4%	25.9%	20.7%	0.0%	5.1%	7.4%	*	*	44.4%
21-22	121	11.5%	28.9%	23.9%	23.1%	0.0%	9.9%	2.4%	*	*	41.3%

Nevada State High School Summerlin

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	150	15.3%	5.3%	31.3%	36.0%	0.0%	11.3%	0.6%	*	*	29.3%
18-19	242	11.5%	8.2%	28.9%	35.5%	0.4%	13.2%	2.0%	*	<5.0%	45.8%
19-20	218	9.1%	13.3%	30.7%	33.4%	0.0%	10.0%	3.2%	*	*	32.5%
20-21	189	7.9%	13.7%	41.2%	26.9%	0.0%	9.5%	0.5%	0.0%	*	40.7%
21-22	176	9.6%	14.2%	34.6%	35.2%	0.0%	5.6%	0.5%	*	*	38.6%

Nevada State High School Sunrise¹¹

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	38	2.6%	26.3%	13.1%	57.8%	0.0%	0.0%	0.0%	*	*	71.0%
19-20	80	1.2%	25.0%	13.7%	53.7%	0.0%	5.0%	1.2%	*	*	57.5%
20-21	97	1.0%	20.6%	12.3%	54.6%	1.0%	9.2%	1.0%	0.0%	*	55.6%
21-22	80	2.5%	13.7%	10.0%	60.0%	2.5%	10.0%	1.2%	*	*	56.2%

- 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

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.

¹¹ Although Sunrise was a separate charter that was incorporated into the NSHS flagship charter for the 21-22 SY, demographic data prior to the 21-22 SY are included for completeness.