

Evaluation Form for the
Nevada State Public Charter School Authority Call for Quality Charter
Schools
Updated October 4, 2021



Reviewer Name:	
Application Reviewed:	
Date:	

Contents

Evaluation Overview and Timeline.....	3
Instructions for Evaluators	4
Meeting the Need.....	5
Mission and Vision.....	5
Targeted Plan	6
Parent and Community Involvement.....	8
Academic Plan.....	9
Transformational Change.....	9
Curriculum and Instructional Design.....	11
Distance Education Requirements (Proposals Including Distance Education Only).....	13
Pre-K Requirements (Proposals Including Pre-K Only).....	15
Promotion & High School Graduation Requirements	16
Dual Credit Partnerships	18
Driving for Results.....	20
At-Risk Students and Special Populations.....	22
School Structure: Culture	25
School Structure: Student Discipline	26
School Structure: Calendar and Schedule.....	27
Operations Plan.....	29
Board Governance	29
Leadership Team	32
Staffing Plan	34
Human Resources	35

Student Recruitment and Enrollment	37
Incubation Year Development	39
Services	40
Facilities	42
Ongoing Operations	44
Financial Plan	46
Financial Plan	46
Addendum	49
Readiness for Growth (If Applicable)	49
Scale Strategy (If Applicable)	51
School Management Contracts (If Applicable)	53
Charter Management Organizations Applying for Sponsorship Directly (If Applicable)	57

Evaluation Overview and Timeline

The Evaluation Form is the essential tool for application evaluators and will be completed individually by each evaluator. It contains criteria for each section of the proposal. The evaluators present both ratings on a scale and narrative analysis of each subsection of the application. Throughout the process, evaluators will update their Forms to include additional information (due diligence, capacity interview) as it is presented. Within each section and subsection, specific criteria define the expectations for a response that “Meets the Standard.” An applicant must “Meet the Standard” in all four main portions (Meeting the Need, Finance Plan, etc.) by the end of the evaluation process to be recommended for authorization. In general, the following definitions guide evaluator ratings:

Rating	Characteristics
Meets the Standard	The response reflects a thorough understanding of key issues. It addresses the topic with specific and accurate information that shows thorough preparation; presents a clear, realistic picture of how the school expects to operate; and inspires confidence in the applicant’s capacity to carry out the plan effectively in a way which will result in a 4- or 5-star school.
Approaches the Standard	The response meets the criteria in many respects but lacks detail and/or requires additional information in one or more areas.
Does Not Meet the Standard	The response is undeveloped or incomplete; demonstrates lack of preparation; or otherwise raises substantial concerns about the viability of the plan or the applicant’s ability to carry it out.

In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, academic program, budget, and other sections of the application.

Instructions for Evaluators

1. Fill in your name, the name of the Committee to Form, and the name of the proposed school. Click once on the grey boxes to begin typing.
NOTE: if a CMO is applying directly for sponsorship, evaluators should replace Committee to Form with CMO in all instances within this rubric unless otherwise directed.
2. For each subsection of the application, you should do the following during your initial individual analysis of the proposal:
 - a. Select a rating for that subsection. Click once on the gray box to select. If you are not able to check the box, please **HIGHLIGHT your selection.**
 - b. Use the “Strengths” area to identify notable positive aspects of the response. Be sure to include page references where applicable.
 - c. Use the “Weaknesses” area to identify weaknesses. Again, reference relevant page numbers.
 - d. Use the “Clarifying Questions” area to present key questions which need to be addressed and areas that need to be clarified or confirmed in writing.
 - e. Use the “Probing Questions” area to present key questions which need to be addressed and areas that need to be clarified or confirmed but would be best addressed through a verbal response during the capacity interview.
3. Save the document (as a PDF) using this naming convention: SPCSA Eval_School Name_ YOUR LAST NAME.pdf (For example, for the request for Sagebrush Charter Schools by Rebecca, the file name would be: SPCSA Eval_Sagebrush_FEIDEN.doc.) Email the completed rubric to Danny Peltier (dpeltier@spcsa.nv.gov) and Jennifer J. King (Jennifer.King@spcsa.nv.gov).
4. Following the capacity interview you will receive a post-capacity interview rubric template to identify any changes to the original ratings and corresponding rationale.
5. **Please ensure that all feedback and commentary are in complete sentences. Page numbers and location on the page must be cited in the text, e.g., “In the third paragraph on page 35...”**

Meeting the Need

Mission and Vision

A strong response will have the following characteristics:

- Clear and compelling mission statement that is reflected throughout the application.
- The mission statement identifies the role of the school in addressing the problem or demand that the school seeks to address in the community in which it seeks to serve.
- The vision describes what success for students beyond school looks like if the committee to form fulfills the role described in its mission.
- The committee to form proposes a school model that solves a problem related to student outcomes that is either shown to exist with data or is in response to demonstrated demand for a particular school model.
- The committee to form aims to achieve outcomes that they demonstrate will improve students' long term quality of life.
- The committee to form identifies key supporters, partners or resources that are directly tied to the stated outcomes of the school.
- The school's stated purpose satisfies at least one and ideally all statutory purposes, demonstrates how they are clearly aligned to the mission and vision, and explains how the school fulfills each selected purpose:
 - Improving the academic achievement of pupils;
 - Encouraging the use of effective and innovative methods of teaching;
 - Providing an accurate measurement of the educational achievement of pupils;
 - Establishing accountability and transparency of public schools;
 - Providing a method for public schools to measure achievement based upon the performance of the schools; AND/OR
 - Creating new professional opportunities for teachers.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

Targeted Plan
<p>A strong response will have the following characteristics:</p> <ul style="list-style-type: none"> • Clear and compelling rationale for the selected community based on academic or demographic need • Clear and comprehensive explanation of how the proposed model meets identified community needs • A demonstrated commitment to meet at least one of the identified demographic and academic needs as defined by the most recent SPCSA Academic and Demographic Needs Assessment: <ul style="list-style-type: none"> ○ Demographic Needs <ul style="list-style-type: none"> ▪ Student groups that consistently underperform on the 3rd-8th grade Smarter Balanced Assessment (Math and ELA), the 11th grade ACT Assessment (Math and ELA), and in 4-year graduation rates present a demographic need; these student groups may benefit from the creation of high-quality school options focused on meeting their needs. These populations are: students qualifying for free or reduced-price lunch, English Learners and students with IEPs. ○ Academic Needs

- Geographies with a significant percentage of students enrolled in 1- and 2-star schools: In zip codes with one or more schools rated 1 or 2 stars in the Nevada School Performance Framework (NSPF), students are enrolling in schools that are not meeting or partially meeting state performance standards, and the addition of a 3-, 4- or 5-star school would provide an alternative option for these students.
- Students at risk of dropping out: Despite a rapidly improving graduation rate, nearly one in five students does not graduate from high school in four years, with certain student groups persistently graduating at lower rates than their peers. Additional data show various student populations also have higher dropout rates than their peers.
- Demonstrated capacity, credible plans, and thorough research and analysis in order to intentionally serve the identified student populations, prevent at-risk students from dropping out, and/or provide more high-quality schools in underserved areas, as defined in the Academic and Demographic Needs Assessment.

Note: a copy of the SPCSA’s Academic and Demographic Needs Assessment can be found [here](#). Note the chart on page 3 of this document when completing an application.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response: <ul style="list-style-type: none"> ● 		
Weaknesses of the Applicant’s Response: <ul style="list-style-type: none"> ● 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> ● 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> ● 		

Parent and Community Involvement

A strong response will have the following characteristics:

- Demonstrates clear evidence of the involvement of parents, neighborhood, and/or community members representative of target population in the development of the plan. The application establishes that the local community has helped shape the final school proposal.
- The committee to form demonstrates their ties to and/or knowledge of the target community and demonstrates how the proposed school will build upon community assets.
- Outlines plan to effectively engage parents, community members, and other neighborhood partners from the time that the operator is approved (e.g., conducting home visits, community meetings, etc.) and once the school is operating (e.g., parent advisory council, student placement, trainings, communications, volunteers, etc.)
- Adheres to state and federal law regarding expectations for parent volunteering (R 131-16, Section 8). Specifically schools may not “design, use or intend to use requirements for enrollment in the charter school, including, without limitation, the payment of fees, expectations for the performance of volunteer work or attendance at informational meetings and interviews, for the purpose of discrimination.”¹
- Identifies specific community partnerships which are shown to be relevant to the needs of the target population, including partners located in the community that the applicant intends to serve.
 - Partnerships are evidenced by specific letters of commitment outlining the accountabilities of both parties and clear, measurable, time-specific deliverables from the partner which are clearly relevant to the needs of the target population.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
<p>Strengths of the Applicant’s Response:</p> <ul style="list-style-type: none"> ● 		

¹ <https://www.leg.state.nv.us/Register/2016Register/R131-16AP.pdf>

Weaknesses of the Applicant’s Response:

-

Clarifying Questions (*may be best suited for a written response*):

-

Probing Questions (*may be best suited for a verbal response during capacity interview*):

-

Academic Plan

Transformational Change

A strong response will have the following characteristics:

- Compelling, well-articulated theory of change and clear educational strategy aligned to the mission and critical to the schools’ success
- The committee to form demonstrates with an ambitious, yet achievable plan that they will be able to:
 - Provide families with high quality schools: the SPCSA aims for a majority of schools to be rated as 4- or 5-stars.
 - Ensure that every SPCSA student succeeds - including those from historically underserved student groups: the SPCSA aims for all sponsored schools to demonstrate strong academic growth, high levels of proficiency, and on-time graduation across all student groups, including historically underserved student groups.
- Distinguishing features of the proposed schools are supported by compelling evidence of success in schools implementing similar programs serving a similar target population.
- The committee to form provides a specific description of how the proposal will be implemented to ensure fidelity to the model.
- For all plans the applicant will implement, there are clear, corresponding responsible parties, timelines, delivery methods, and rationales.
- The committee to form demonstrates that the key features of the proposed school can be implemented together in a coherent and cohesive manner that will drive towards meeting the proposed mission and vision.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none">•		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none">•		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none">•		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none">•		

Curriculum and Instructional Design

A strong response will have the following characteristics:

- A clear explanation, supported by evidence, demonstrating how the school’s academic program, including the curriculum, aligns to the Nevada Academic Content Standards, including both the Common Core Academic Standards and the Next Generation Science Standards, and that the school teaches all required subjects at each grade level.
 - High school programs must also meet high school graduation requirements: https://doe.nv.gov/High_School_Graduation/
- Instructional strategies are proven to be well suited to the student population.
- Instructional programs offer a continuum of services to students through a tiered system of interventions, ensuring that all students, including those who are in need of remediation, English Learners, and those who are intellectually gifted, are able to build the knowledge base necessary to access rigorous instruction.
- For intellectually gifted students, the application demonstrates that the school will extend their learning offerings such that those students have access to unique, tailored opportunities. The proposed staffing structure demonstrates that teachers will have the support required to do this.
- Plans for professional development show a direct connection to the instructional methods and curricula that teachers will be required to use.
- Systems or structures exist for observing teachers, identifying teachers that may need additional support, and providing additional support to those teachers.
- If the proposed charter school intends to include a vocational or career and technical education program, the application outlines a logical plan that is aligned with the school’s mission, vision, instructional model, and goals for student growth.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
<ul style="list-style-type: none"> ● 		

Weaknesses of the Applicant's Response:

-

Clarifying Questions (*may be best suited for a written response*):

-

Probing Questions (*may be best suited for a verbal response during capacity interview*):

-

Distance Education Requirements (Proposals Including Distance Education Only)

A strong response will have the following characteristics:

- An acknowledgement that a charter school that wishes to provide distance education (online, virtual, cyber, etc.) courses and/or programs (NRS 388.820- 388.874 and NAC 388.800-388.860) must submit a distance education application to the Nevada Department of Education prior to or simultaneous with submission of the charter application.
- An acknowledgement that the distance education application must also be approved by the SPCSA through the pre-opening requirements.
- A detailed plan on how student coursework will be monitored.
- A detailed, justifiable plan regarding student attendance which meets minimum state requirements.
- A detailed plan on how the school will ensure student participation in assessments.
- A detailed plan that shows how the school will communicate with students and parents about assessments and submission of coursework.
- A detailed plan for ongoing communication with parents, including parent -teacher conferences, daily/weekly emails with regards to coursework, etc.
- A specific plan for where the school will administer state and authority-mandated assessments in a proctored environment outside of the home and how it will ensure student access and participation.
- A detailed, justifiable approach for interactions between the pupil and teachers that aligns with the proposed instructional minutes and provides adequate support to pupils in line with individual needs.
- A comprehensive set of criteria for enrolling students that corresponds with a clear, logical and accessible enrollment plan.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		

-

Weaknesses of the Applicant's Response:

-

Clarifying Questions (*may be best suited for a written response*):

-

Probing Questions (*may be best suited for a verbal response during capacity interview*):

-

Pre-K Requirements (Proposals Including Pre-K Only)

A strong response will have the following characteristics:

- Addresses whether the school plans to offer Pre-K in its opening year or any other year
- How the program will be marketed and funded, including:
 - An acknowledgement that a charter school that wishes to offer a federal pre-K expansion grant-funded Pre-K program must research the program, request and eligibility determination, and receive approval prior to marketing the program to families. Applicants must acknowledge that funding is limited and competitive and there is no guarantee of availability or award for the school or the target community.
 - Identification of the federal Pre-K expansion grant criteria and how the school plans to meet them
 - An acknowledgement that a charter school that wishes to offer a state-funded Pre-K program must independently research the program and apply to and receive approval from the Nevada Department of Education prior to marketing the program to families.
 - Identification of state Pre-K funding criteria and how the school plans to meet them
 - An acknowledgement that a charter school that wishes to offer a tuition-funded Pre-K program cannot give admissions preference to students who have paid tuition to the school or an affiliated Pre-K program prior to applying for admission.
- An explanation of how the school plans to communicate with parents about enrollment preference restrictions
- A clear discussion of how the school plans to incorporate its mission and vision within the Pre-K program and how it will reconcile any conflicts of tensions between its Kindergarten and elementary school programs and any licensure or program requirements associated with a particular revenue stream.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
<p>Strengths of the Applicant’s Response:</p> <ul style="list-style-type: none"> ● 		

<p>Weaknesses of the Applicant’s Response:</p> <ul style="list-style-type: none"> •
<p>Clarifying Questions (<i>may be best suited for a written response</i>):</p> <ul style="list-style-type: none"> •
<p>Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):</p> <ul style="list-style-type: none"> •

Promotion & High School Graduation Requirements

<p>A strong response will have the following characteristics:</p> <ul style="list-style-type: none"> • School plans explicitly demonstrate clear evidence of alignment with Nevada Graduation Requirements and ensure college and career readiness • Structures are in place to support students at risk of dropping out, including those who are overage for grade, those needing to access credit recovery options, and those performing significantly below grade level • Graduation/promotion standards for students are clearly defined and measurable, demonstrating high expectations for all students

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
<p>Strengths of the Applicant’s Response:</p> <ul style="list-style-type: none"> • 		
<p>Weaknesses of the Applicant’s Response:</p> <ul style="list-style-type: none"> • 		
<p>Clarifying Questions (<i>may be best suited for a written response</i>):</p>		

-

Probing Questions (*may be best suited for a verbal response during capacity interview*):

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Dual Credit Partnerships

A strong response will have the following characteristics:

Pursuant to NRS 389.310, Charter high schools are required to enter into cooperative agreements with one or more community colleges, state colleges and universities to offer dual credit courses.

- A draft memorandum of understanding between the charter school and the college or university through which the credits will be earned and a term sheet, which must set forth:
 - The proposed duration of the relationship between the charter school and the college or university and the conditions for renewal and termination of the relationship;
 - The roles and responsibilities of the governing body of the charter school, the employees of the charter school and the college or university;
 - The scope of the services and resources that will be provided by the college or university;
 - The manner and amount that the college or university will be compensated for providing such services and resources, including, without limitation, any tuition and fees that pupils at the charter school will pay to the college or university;
 - The manner in which the college or university will ensure that the charter school effectively monitors pupil enrollment and attendance and the acquisition of college credits; and
 - Any employees of the college or university who will serve on the governing body of the charter school.
- The partnership reflected in the memorandum of understanding is shown to be both appropriate for high school students seeking advanced coursework as well as financially accessible to all students.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
<ul style="list-style-type: none"> ● 		
Weaknesses of the Applicant’s Response:		

-

Clarifying Questions (*may be best suited for a written response*):

-

Probing Questions (*may be best suited for a verbal response during capacity interview*):

-

Driving for Results

A strong response will have the following characteristics:

- Mission-specific goals explicitly complement or supplement, but do not replace, the SPCSA’s performance standards with school-specific, mission- driven academic, financial, or organizational goals.
 - All such indicators, measures, and metrics are rigorous, valid, and reliable.
 - All proposed data sources are objectively verifiable and there is an explicit commitment to school-funded external validation and analysis by an Authority-selected vendor for any assessment not supported by the Authority.
- The school’s internal, leading indicator goals clearly align to the Nevada School Performance Framework and the Authority Performance Framework.
- Internal and mission-specific framework goals are SMART: goals and objectives are specific, measurable, ambitious and attainable, relevant, and time bound.
- There is a clear process for setting, monitoring and/or revising internal leading indicator academic goals.
- There is a clear delineation between assessments utilized for internal monitoring by the governing body, staff, and leadership and those which are sufficiently rigorous, valid, and reliable to be presented to the Authority, the state, parents, and the general public.
- Internal assessment selections will provide sufficiently rich data for evaluation of the education program AND fully align with State assessments, State Standards, and the curriculum as presented.
- The assessment plan is sufficiently detailed to demonstrate collection and analysis of individual student, student cohorts, school level, and network- level performance over time (interim, annual, year over year), including a clear process for setting and monitoring ambitious academic goals.
- Demonstrates the validity and reliability of any internal non-standardized assessments, as well as how these assessments are aligned with the school design and high expectations.
- Articulates process for utilizing data to support instruction and providing adequate training to teachers and school leaders.
- Articulates plan for monitoring for academic performance gaps and concrete steps to address identified gaps.
- Sound plan for measuring and reporting academic performance and progress of students for both individual schools and the network (if applicable).

- Explains how both individual schools and the network staff will use assessment data to drive key decisions aimed at improving academic outcomes (if applicable).

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

At-Risk Students and Special Populations

A strong response will have the following characteristics:

- Provides a detailed plan for appropriate professional development to teachers and staff to ensure they can support and accelerate the learning of at-risk and special population students which is aligned to the budget and overall PD plan.
- Outlines plans to promote parent participation among parents of at-risk students, students with disabilities and English Language Learners.
- Devotes adequate resources and staff to meeting the needs of all students.

At Risk Students

- The committee to form provides a clear and research-based process for identifying at-risk students, including those with academic and behavioral needs.
- The committee to form provides a logical method supported by research according to which they will assess the needs of at-risk students. The committee to form also outlines a continuum of programs, strategies, and supports that corresponds with the needs identified for each student and is supported by research.
- The committee to form outlines the methods according to which the school will remediate academically underperforming students, including the system according to which the school will track progress, facilitate teacher collaboration, and the research supporting the school's remediation strategy.
- The school's Response to Intervention system differentiates planning for each student according to the significance of their need, providing a continuum of services and interventions. The provides a logical and research-based rationale for this system.
- The school assigns clear responsibility for communicating with parents regarding remediation needs.
- The committee to form demonstrates that the school's response to early signs of behavioral and/or social emotional needs will be met with positive interventions and restorative justice practices. The school will utilize differentiated support for each student in collaboration with the students' parents, fellow teachers, and with support, as needed, from other school staff.

Special Education

- Application includes a demonstrated track record of success serving a wide range of students with disabilities (mild, moderate, and severe).

- Clear demonstration and understanding of Nevada and federal laws and regulations governing services for students with disabilities.
- The committee to form provides a logical plan to screen all students and to ensure that struggling students are evaluated for special education services early and accurately.
- The committee to form presents a plan for developing IEPs that contain rigorous goals and instructional plans that are suitable to meet those students' goals.
- The committee to form presents a monitoring plan that will enable relevant staff to track the progress of all students with IEPs towards the goals articulated in their respective plans.
- The committee to form demonstrates that they will be able to provide all special education and related services needed either by the staff listed on their organization chart or identified external groups with whom they can contract to provide needed services.
- The group's plan for SWDs must identify the staff members who will lead student evaluations, IEP development, and provision of ongoing service. Relevant job description(s) require(s) the expertise and/or credentials relevant to the services.
- The committee to form outlines comprehensive and logical plans to train staff in modifying the curriculum and instruction to address the unique needs of students with disabilities.
- Special education staffing aligns with qualifications and student-teacher ratios required in statute:
 - For example, 22:1 for students with severe disabilities.
 - Full Nevada licensure for all special education teachers/coordinators (no waivers or substitutes).
- Ensures that the rights of students with disabilities are protected with regard to discipline.
- Articulates requirements and processes for monitoring services to students in need and plans to exit students who attain sufficient progress.

English Language Learners

- Processes for identifying English Language Learners are well-defined, including administration of placement assessments and communications to parents and teachers.
- ELL staffing aligns with qualifications required in statute:
 - Full Nevada licensure for all ELL teachers/coordinators (no waivers or substitutes).

- Describes the specific services that will be provided for students within and outside the classroom, including curriculum and instruction and exposure to co-teaching.

Homeless/Migrant Students

- The committee to form presents a logical and systematic method according to which the school will identify homeless and/or migrant students.
- The timeline/plan according to which the school will assess and meet the needs of students identified as homeless and/or migrant demonstrates that students will begin receiving required services within their first semester of arriving at a new school.
- *[If applicable]* The committee to form presents a logical and research-based plan to serve homeless and/or migrant students in a distance education setting.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant’s Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

School Structure: Culture

A strong response will have the following characteristics:

- Appropriate and effective strategies to support a school climate that will allow for fulfillment of the school’s stated mission and vision, as well as the school’s stated academic goals.
- Describes a concrete plan for norming social/cultural expectations at the start of each semester as well as for students who enter mid-semester.
- Plan to establish a culture of high expectations with students/families and teachers/staff and promote positive behavior.
- Well-defined goals around school culture and plans to monitor progress.
- Research-based and age-appropriate strategies to support students’ social and emotional needs.
- Dress code and/or uniform policy is age-appropriate, and the applicant articulates how the proposed school will ensure that uniform requirements do not create a barrier for students in poverty.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
●		
Weaknesses of the Applicant’s Response:		
●		
Clarifying Questions (may be best suited for a written response):		
●		
Probing Questions (may be best suited for a verbal response during capacity interview):		
●		

School Structure: Student Discipline

A strong response will have the following characteristics:

- Presents sound policies for student discipline, suspension, and expulsion including procedures for due process.
- If components are based on other states, districts, and/or schools, they have been adapted to meet the local context and proposed target community.
- Clear designation of staff responsible for implementing the discipline plan, including maintenance of student records and data.
- A plan to ensure that certain student populations are not disproportionately impacted by discipline policies.
- Goals for student behavior are clear and measurable; there is a plan, and designated personnel, for monitoring and reporting related to behavior goals as well as ongoing maintenance of discipline records.
- Student behavior plan integrates clear, logical use of methods of restorative justice per Assembly Bill 168 (2019).
- Proposed grievance policy provides reasonable process for parents to dispute disciplinary actions and/or raise complaints.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
<p>Strengths of the Applicant’s Response:</p> <ul style="list-style-type: none"> ● 		
<p>Weaknesses of the Applicant’s Response:</p> <ul style="list-style-type: none"> ● 		
<p>Clarifying Questions (<i>may be best suited for a written response</i>):</p> <ul style="list-style-type: none"> ● 		
<p>Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):</p> <ul style="list-style-type: none"> ● 		

School Structure: Calendar and Schedule

A strong response will have the following characteristics:

- Proposed Calendar meets or exceeds the minimum of 180 (or equivalent) days of instruction.
 - 43,200 minutes of classroom instruction/year for grades K-2 or 54,000 minutes of classroom instruction /year for grades 3-6 or 59,400 minutes of classroom instruction /year for grades 7-12.
 - Calendar and schedule support implementation of the academic program.
 - Alignment between teacher and student schedules.
- Outlines meaningful goals for student attendance and plans to monitor and adjust as needed.
- Presents sound policies for student attendance and truancy including procedures for due process that comply with state law and regulation² and are customized to the charter school.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
●		
Weaknesses of the Applicant’s Response:		
●		
Clarifying Questions (<i>may be best suited for a written response</i>):		
●		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):		

² NRS 392.122, NRS 392.130 and NRS 392.144.



Operations Plan

Board Governance

Strong understanding of the roles and responsibilities of a governing body that is aligned to the school's mission

- Proposed governance structure is likely to ensure effective governance and meaningful oversight of school performance, operations, and financials. The proposed governing body demonstrates capacity and expertise to successfully oversee a school.³
- Clear delineation of authority and working relationship between the governing body and school staff.
- Demonstrates that the membership of the governing body will contribute the wide range of relevant knowledge, skills, and commitment needed to oversee a successful charter school, including but not limited to educational, financial, accounting, legal, and community experience and expertise, as well as special skill set to reflect school-specific programs, if applicable (e.g., STEM, fine arts, blended learning, alternative programs, etc.)
 - Qualifications and experience levels of governing body members with accounting and finance experience significantly exceeds the statutory minimum requirements and demonstrates a proven track record of successful management or oversight of a multi-million-dollar entity.
 - Qualifications and experience levels of governing body members with legal experience significantly exceeds the statutory minimum requirements and demonstrates a proven track record of successful management or oversight of complex, high risk/high profile legal matters.
 - Qualifications and experience levels of governing body members with human resources experience significantly exceeds the statutory minimum requirements and demonstrates proven track record of successful management or oversight of a human resource function or process in a mid- sized to large employer with staffing levels equivalent to those of the school at full capacity.
 - Qualifications and experience levels of governing body members who are licensed Nevada educators significantly exceeds the statutory minimum requirements and demonstrates proven track record of significant academic gains in the classroom (for classroom teacher) or school level (for an administrator) in schools which serve populations similar to the target population.
- Provides plans for meaningful, appropriate training for board members on a reasonable basis. Training is provided by experienced, third parties and contemplates on-boarding for new members, or when the composition of the board changes.

³ This may be evaluated during the capacity interview.

- Board training costs are reflected in the budget narrative assumptions and the budget calculations
- Describes the process for resolving student/parent objections and the mechanism for removal of governing body members if needed
- Board goals are clear and measurable, and contribute to improved academic outcomes for students and overall advancement of the organization
- The board puts into place a structure that enables it to collect the information it needs to evaluate the EMO/CMO, if applicable.
- The board articulates a clear, ambitious, data-driven set of standards and criteria that the school leader must satisfy in order to keep the school on track to achieve its vision.
- The board provides logical evidence that the school will achieve its target student outcomes pursuant to the NSPF and the SPCSA Performance Framework outcomes pursuant to the NSPF and the SPCSA Performance Framework if the school leader satisfies the standards set forth by the board.
- There are no prohibited familial relationships between charter holder board members, charter holder board members and staff, or charter holder board members and EMO/CMO employees within the third degree of consanguinity or affinity nor any supervisory or business relationships.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response: <ul style="list-style-type: none"> ● 		
Weaknesses of the Applicant’s Response: <ul style="list-style-type: none"> ● 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> ● 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):		



Leadership Team

A strong response will have the following characteristics:

- The leadership accomplishments of the school leader or leadership team are demonstrable with empirical data related to student performance as well as the recruitment, hiring, and development of a highly effective staff.
- The organizational chart clearly indicates all positions delineating board and management roles and lines of authority.
- Structure and leadership job descriptions demonstrate effective assignment of management roles and distribution of responsibilities for instructional leadership, curriculum, personnel, budgeting, financial management, management of state categorical revenue streams, special education and ELL programming, legal compliance, state reporting, external relations, and any unique, school-specific staffing needs.
- Leadership job description identifies qualifications and competencies of the lead person that align with the school’s mission and program and demonstrate capacity to successfully manage the school.
- If identified, school leadership team resumes demonstrate a range of experience including leadership at a high-performing and/or high growth school with management responsibilities, experience establishing a high-performing culture with students and staff, and responsibility for significant student achievement gains with target demographics.
- If the school leader is not yet identified, the committee to form explains the method by which they will recruit and select a candidate who satisfies the criteria listed in the job description.
- Provides a comprehensive plan for coaching, support and evaluation of school leadership.
- Provides thoughtful and proactive approach to succession planning for school leadership position(s).

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
<ul style="list-style-type: none"> ● 		
Weaknesses of the Applicant’s Response:		

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Clarifying Questions (*may be best suited for a written response*):

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Probing Questions (*may be best suited for a verbal response during capacity interview*):

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Staffing Plan

A strong response will have the following characteristics:

- Staffing plan aligns to the mission, vision, and proposed academic program.
- Appropriately staffed to meet the needs of the expected student population, including special student populations.
- Staffing plan matches the proposed budget and is explicitly aligned to both budget narrative assumptions and to budget calculations.
- Staffing plan aligns to the applicant’s commitment to meet the needs identified in the Academic and Demographic Needs Assessment.
- Staffing plan aligns with student-teacher ratios specified in application and those required in statute:
 - For example: 22:1 for students with severe disabilities (see NAC 388.150).
- Sound understanding of staffing needs necessary for the new school(s) proposed.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
●		
Weaknesses of the Applicant’s Response:		
●		
Clarifying Questions (<i>may be best suited for a written response</i>):		
●		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):		
●		

Human Resources

A strong response will have the following characteristics:

- Articulates process for recruiting and hiring high quality teachers and leaders.
- Articulates a recruitment and hiring plan that will result in a school staff reflective of the student body.
- School staffing structure that ensures high-quality teacher support/development, student/family support, effective school operations, and compliance with all applicable policies and procedures.
- School performance management system is likely to retain and promote talented staff, allows for re-structuring and removal of staff as needed, creates opportunities for leadership development, and sets clear expectations.
- School performance management system identifies low-performing teacher or leader performance, provides plans, support, and training for improvement, and provides the steps the school leadership will take in instances of persistent low-performance
- Essential functions and processes, including background checks, payroll, benefits, and employee relations, are accounted for.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
●		
Weaknesses of the Applicant’s Response:		
●		
Clarifying Questions (<i>may be best suited for a written response</i>):		
●		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):		
●		

Student Recruitment and Enrollment

A strong response will have the following characteristics:

- The enrollment plan reflects an understanding of the Nevada context.
- The enrollment plan, including annual growth, is reasonable and supported by a clear rationale.
- The enrollment plan prioritizes the academic achievement of students above other factors
- The enrollment plan addresses lotteries, weighted lotteries, enrollment preferences, student attrition and mandatory backfilling⁴.
- The enrollment plan is aligned with the staffing plan and budget, including projected recruitment expenses.
- Articulates proactive plan for recruiting eligible students to the school and describes specific actionable steps for ensuring the school is fully enrolled.
- Includes outreach and recruitment strategies that demonstrates an understanding of the community likely to be served and is likely to allow the school to enroll sufficient numbers of students who are representative of either the surrounding zoned schools or a mission-specific educationally disadvantaged population.
- Complies with Nevada laws and regulations regarding enrollment, including but not limited to
 - Mailers sent to all households with children within a 2-mile radius of each facility.
 - Minimum 45-day notification period followed by 45-day enrollment period OR a combined 90-day notification and enrollment period.
- Campaign leverages grassroots, data-driven outreach and recruitment strategies such as door-to-door visits, open houses and forums, and community conversations versus the internet, social media, or other passive tactics which disproportionately benefit more advantaged populations.
- Demonstrated interest and intent to enroll commitments by a significant number of parents for Year 1. These forms should include the following information at minimum:
 - Parent name and contact information

⁴ Relevant law and regulations include: R 131-16, Section 12 (approved regulation of the Nevada Department of Education) and Nevada Revised Statutes (NRS) 388A.453 & 456

- Zip code of residency
- Student name(s) and grade levels for the proposed opening year

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

Incubation Year Development

A strong response will have the following characteristics:

- Provides key milestones for the planning year, as well as concrete actions and accountability, that will ensure that the school is ready for a successful launch. These plans should identify the individuals responsible for leading Year 0 initiatives. If a third party (EMO/CMO) is going to implement portions of the Year 0 plan, the committee to form has provided documentation that articulates related terms and services.
- Outlines comprehensive leadership development plans that include training aligned with incubation year goals as well as stated academic goals (these may be either designed by or outsourced by the operator)
- Outlines the function of any employees in Year 0, as well as the funding source for associated compensation
- The staffing outlined for Year 0 will enable the school to reach its Year 0 milestones and goals
- Startup expenses are reflected in the budget narrative assumptions and the budget calculations

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
●		
Weaknesses of the Applicant’s Response:		
●		
Clarifying Questions <i>(may be best suited for a written response)</i>:		
●		
Probing Questions <i>(may be best suited for a verbal response during capacity interview)</i>:		
●		

Services

A strong response will have the following characteristics:

- Operations plan includes logical plans for all essential and program-specific non-academic services, including, but not limited to:
 - Supporting transportation, food service, facilities management, nursing, and purchasing processes, and school safety.
 - Staff structure/plan is adequate for the proposed school and aligns with the educational program; lines of authority are clear.
- IT plans should include consideration of:
 - User access control policies, limitation of access rights and procedures for removing access from departing employees.
 - Policies for data stored on personal and portable devices aimed at minimizing inadvertent disclosing of information, such as theft or misplaced equipment.
 - Strategy for information backups and disaster recovery.
 - Intruder prevention strategies, including physical and electronic intrusion.
 - Malware and malicious software prevention and removal strategy.
 - An effective plan for managing student information, including Infinite Campus, evidence of contact with the vendor to price and arrange for training, and the provision of appropriate on-site on contract staffing and support resources and an information security plan for staff, students, parents, and contractors.
 - Clear plans that confirm compliance with [NRS 385A.800](#)
- Costs of services are realistic and align with budget and academic program.
- Committee to form articulate clear metrics and process for evaluating effectiveness of services.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		

-

Weaknesses of the Applicant's Response:

-

Clarifying Questions (*may be best suited for a written response*):

-

Probing Questions (*may be best suited for a verbal response during capacity interview*):

-

Facilities

A strong response will have the following characteristics:

- Identifies a viable educational facility or facilities that meets the needs of the students and accommodates the programmatic and operational needs of the school(s) over the charter term as described throughout the application—OR—outlines in detail the plan and timeline to identify and secure facilities as needed
- Provides facilities costs including, as applicable, cost of purchasing, leasing, building, or renovating an educational facility that conforms to applicable health, safety, and occupancy requirements
- If a facility has been identified
 - Evidence that facility will be appropriate for the educational program of the school and adequate for the projected student enrollment
 - Adequate reflection of the costs associated with the proposed facility in the budget including rent, utilities, insurance and maintenance.
 - Assurance that the proposed facility will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).
 - A sound plan to identify needed startup costs and renovations as well as the funds and a timeline for the completion of those renovations.
 - Evidence that the applicant has engaged with local jurisdiction(s) and municipalities.
- If a facility has not yet been identified
 - Description of anticipated facilities needs including evidence that the facility will be appropriate for the educational program of the school and adequate for the projected student enrollment
 - Inclusion of costs associated with the anticipated facilities needs in the budget including renovation, rent, utilities, insurance and maintenance.
 - Evidence to indicate that facilities-related budget assumptions are realistic based on anticipated location, size, etc.
 - Assurance that the proposed location will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).

- Plan for finding a location including a proposed schedule for doing so.
- A clear, time bound plan to engage with local jurisdiction(s) and municipalities.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

Ongoing Operations

A strong response will have the following characteristics:

- Safety and security plans likely to ensure a safe environment for people and property that corresponds with the core elements of the state-mandated school safety plan and the requirements in statute and regulation.⁵
- Provides for adequate insurance coverage that meets the mandatory minimums for each charter school and scales depending on the size the school and number of proposed campuses.⁶
 - General liability insurance with a minimum coverage of \$1,000,000.
 - including coverage for molestation and sexual abuse
 - broad form policy, with the named insureds as follows:
 - The sponsor of the charter school;
 - All employees of the charter school, including, without limitation, former, present and future employees;
 - Volunteers at the charter school; and
 - Directors of the charter school, including, without limitation, executive directors.
 - Umbrella liability insurance with a minimum coverage of \$3,000,000.
 - Educators' legal liability insurance with a minimum coverage of \$1,000,000.
 - Employment practices liability insurance with a minimum coverage of \$1,000,000.
 - Employment benefits liability insurance with a minimum coverage of \$1,000,000.
 - Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.
 - If applicable, motor vehicle liability insurance with a minimum coverage of \$1,000,000.

⁵ See: NRS 388.229-266

⁶ See: NRS 388A.190

- If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

Financial Plan

Financial Plan

The SPCSA requires operators to demonstrate budgeting and financial management as well as fiscal responsibility and transparency at each the school and network level (if applicable). Therefore, a strong response will have the following characteristics:

- The financial manager⁷ has the appropriate expertise to provide accurate and timely financial information to decision-makers.
- The charter committee to form protects mission-critical expenses when faced with budget cuts.
- There is appropriate segregation of financial duties which align to organizational chart and job descriptions.
- Control systems ensure that only allowable expenses will be made and that all expenses will be coded appropriately.
- Projections are based on accurate, conservative, and legally compliant. This includes appropriate allocations for required expenditures such as sponsorship fee, PERS contributions, etc.
- Budget priorities are aligned with school and expansion plan (if applicable)
- School level budget priorities are consistent with the operator’s model, including but not limited to: educational program, staffing, and facility
- Both school and network level budgets present balanced, realistic, evidence-based revenue and expenditure assumptions (including, if applicable, any plan to incur and repay allowable debt)
- Sufficient detail and specificity of assumptions for ALL budget line items to allow for the assessment of fiscal viability
- Commitment to maintaining the financial viability of each school individually and the network as a whole (if applicable)
- Clear understanding of monthly cash flow for both individual school sites and the network/region as a whole (if applicable)
- Demonstrates sufficient financial health of the network through audited financial documents (if applicable)
- Current ratio of at least 1.1 on a monthly basis for network (if applicable) and schools are either 1.1 or better or is between 1.0 and 1.1 and trending positive from the immediately prior year

⁷ This is the individual who is responsible for managing the school’s finances, whether they are employed directly by the school, the EMO/CMO, or a third-party service provider such as an accounting firm.

- The debt-to-asset ratio is less than 0.9.
- Sufficient cash reserves to cover operations for EACH school and for network or regional operations (if applicable), required minimum of 15-days in Year 1 and increasing each year
- Projections are based on accurate, conservative, and legally compliant assumptions.
- All funds from external sources are guaranteed with money in hand or letter of award and grant terms.
- No essential services are funded at amounts that would preclude the committee to form from implementing their plan.
- There is no evidence that the school ever will become insolvent or lack access to the necessary amount of liquidity.
- There are no material findings in the two most recent audited financial statements of CMO/EMO or any CMO and EMO schools (If applicable).
- Assumptions about facilities in all financial statements correspond to a conservative facility plan and account for possible contingencies.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

Addendum

These standards correspond with the addendum that you are required to submit if you are either:

- A start-up applicant (committee to form) seeking to contract with a non-profit charter management organization (CMO) or for-profit educational management organization (EMO), OR
- An experienced Non-Profit CMO Applicant

If you are not sure whether you are required to complete this Addendum, please contact Mark Modrcin at mmodrcin@spcsa.nv.gov prior to final submission.

Readiness for Growth (If Applicable)

A strong response will have the following characteristics:

- CMO/EMO criteria for evaluating readiness for expansion are comprehensive and demonstrate high expectations for academic, financial, and organizational performance.
- Evidence is provided that that CMO/EMO is ready to expand according to the articulated criteria for evaluating readiness.
- Academic Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to 4- or 5-star performance on the NSPF.
- Finance Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to a rating of ‘meets standard’ on the SPCSA’s Financial Performance Framework.
- Organizational Performance data for schools affiliated with the CMO/EMO demonstrate strong performance equivalent to a rating of ‘meets standard’ on the SPCSA’s Organizational Performance Framework.
- The three most recent audits of the EMO/CMO and existing schools show no material findings.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		

-

Weaknesses of the Applicant's Response:

-

Clarifying Questions (*may be best suited for a written response*):

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Probing Questions (*may be best suited for a verbal response during capacity interview*):

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Scale Strategy (If Applicable)

A strong response will have the following characteristics:

- The plan to scale the model to new sites is adequately resourced and staffed appropriately at both the CMO/EMO and school levels.
- Plans for sourcing and training potential school leaders, including qualifications and competencies, is aligned with the mission and programs.
- Previous scale-up endeavors are shown to have been successful with student performance data and organizational financial data (if applicable).
- Includes plan to infuse Nevada school(s) with the essential elements of EMO/CMO model.
- EMO/CMO has sufficient infrastructure (or plan to develop same) to support the proposed network of schools, including shared services and the costs associated with them.
- Organization charts clearly indicate lines of authority between the board, EMO/CMO, and schools.

The Applicant’s Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant’s Response:		
●		
Weaknesses of the Applicant’s Response:		
●		
Clarifying Questions (may be best suited for a written response):		
●		
Probing Questions (may be best suited for a verbal response during capacity interview):		
●		

School Management Contracts (If Applicable)

A strong response will have the following characteristics:

- Clear rationale for selection of Educational Management Organization (EMO/CMO)/Charter Management Organization (CMO)
- Clear, appropriate delineation of roles and responsibilities between the management organization and the school site(s)
- Demonstrates capacity and commitment of the governing board to oversee the EMO/CMO effectively:
 - Plan for board to monitor/evaluate the EMO/CMO's performance
 - Appropriate internal controls guide the relationship
 - Describes how the governing board will ensure fulfillment of performance expectations
 - Discloses and addresses any potential conflicts of interest (real or perceived)
- Clearly outlines the roles/responsibilities of the EMO/CMO in the year prior to the school's opening. The committee to form provides a Memorandum of Understanding (MOU) or agreement that lists specific services and fees for this period of time.
- If school leadership is employed by the EMO/CMO, there are provisions in the contract, bylaws, and organizational structure that ensure board approval, provides evidence of EMO/CMO's demonstrated track record of success in serving a similar population using the same academic model and its track record in managing financial and organizational outcomes to levels consistent authorizer financial and organizational frameworks expectations.
- There are no prohibited familial relationships between charter holder board members and EMO/CMO employees within the third degree of consanguinity or affinity nor any supervisory or business relationships between charter holder board members or relatives of such and relatives of EMO/CMO employees within the third degree of consanguinity or affinity.
- Clearly defined contract terms including: contract duration; roles and responsibilities of the school governing board, school staff, and EMO/CMO-specific services and resources to be provided by the EMO/CMO; performance evaluation measures and mechanisms; compensation to be paid to the provider; financial controls and oversight; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract, and alignment of the key performance indicators for the EMO/CMO and the hierarchy of sanctions for poor performance with the SPCSA academic, financial, and organizational frameworks and intervention ladder. SB509 requires that a management relationship and a management contract may not jeopardize a school's eligibility to qualify for 501c3 status. The IRS has several criteria which are used by the Authority:

- A charter school must show that contracts, especially comprehensive management contracts, have been negotiated at arm's length and are for the benefit of the school rather than the service provider. The IRS has determined that boilerplate contracts may be an indicator that the terms of the contract were not the subject of negotiations between independent parties; the applicant must provide clear and compelling evidence that the contract submitted is not a boilerplate contract.
- Representation of both the school and the management by the same attorney or payment of the school's attorney by the EMO/CMO is also an indication of the absence of arm's length negotiations.
- When reviewing a charter school contract for management services, determine whether the terms are consistent with fulfillment of the school's exempt purposes. Some contract terms may result in a finding that the school is operated for the benefit of the management and preclude exemption. Areas of concern include:
 - A management contract is subordinate to the charter contract. In the event of any conflict between the management contract and the charter contract or current law or regulation, the charter contract, law, or regulation governs.
 - Length of Contract -A contract's length can greatly influence the board's ability to monitor and evaluate the management's performance. There is a need to balance management company's interest in a long-term contract with the school's need for flexibility in changing companies and meeting its fiduciary responsibility and its responsibilities under the charter contract, law, and regulation. Nevada requires that all management contracts must initially be for two years and no management contract can have a term that extends beyond the charter term. A management contract must cease in the event that a school is reconstituted or restarted. Cancellation of a management contract may be a requirement for renewal.
 - Board Policies -The general policies concerning the operation and management of a charter school may not be contracted away. These broad policies help define the school's identity.
 - Services - Comprehensive school contract packages place much of the control of the day-to-day operations in the hands of the management. Responsibilities of both the company and the school must be clearly stated in the contract.
 - Personnel – Up to 30 percent of principals, teachers and staff may be employed directly by the school or may be employees of the management. However, the existence of an anti-compete clause that prevents a school from hiring the personnel that it has utilized in operating its school (principals, teachers, etc.) for a specific length of time after termination of the management contract is impermissible, as this practice serves the private interests of the management and limits the school's ability to terminate the contract.
 - Compensation - management fees must be reasonable and commensurate with the services provided. A management fee structure should not be based on total income (i.e., all fees, grants, contributions, and unusual receipts).

Compensation should not be above the market rate generally charged for the service provided. This can be established through evidence of comparative shopping for services. An applicant must provide clear and compelling evidence of due diligence related to the market rates for such services.

- Termination - A service contract should specify the provisions for termination and the procedure for evaluating when the terms of the contract are in default. Termination provisions that unreasonably restrict and limit the options of the school are evidence of private benefit to the service provider. No contract can have an automatic renewal provision. All contract evaluations must be aligned to the elements of the charter contract and performance framework (as amended) and current law and regulation for which the management organization provides supporting services.
- Consider name identification - In many cases, contractual provisions require a charter school to attach the management company's name to the school (i.e., Company X Charter School or Charter School, a Company X affiliate or Y Brand Charter School, where the brand is the property of Company X.) The IRS has determined that "Name branding" has no clear exempt purpose. It links management companies to exempt schools and allows the company to draw goodwill from the relationship. It allows the management companies to build name recognition without additional expense. It also places a contractual burden on the charter schools, making it more difficult for the school to terminate the relationship with the management company. A "name branding" requirement may be an indicator of private benefit depending upon the facts and circumstances. While "name branding" is not specifically forbidden by state law, it will be scrutinized heavily pursuant to SB509 due to the IRS concerns—both to ensure that 501c3 status is not delayed or jeopardized and to ensure that the school that is permitted to use a "name brand" can provide the IRS with evidence that this was scrutinized and determined to be appropriate by a public agency. "Name branding" is more likely to be allowed by the Authority in cases where the established brand name is associated with a proven school model with a lengthy track record of consistent achievement at the highest levels on the statewide accountability systems in each state where it is implemented. It is unlikely to be permitted in cases where the brand and associated model has a limited or mixed track record. A management contract must contain provisions regarding the change of school names which aligns with the charter contract, state law and regulation, and Authority expectations that the school name include the words "Public Charter School" or that the phrase "a public charter school" accompany the school's name on the school's website, signage, letterhead, and marketing materials in a prominent and consistent manner.
- Analyze ancillary services provided - Comprehensive school management companies may provide other services directly or through affiliates. These services may include cash advances for startup funds, capital loans, facility leasing, technology contracting, furnishings, fixtures, textbooks, and just about anything else a charter school may need. The IRS recognizes that such services can be essential for startup schools, but schools should maximize their use of other available funding mechanisms (including the Nevada revolving loan fund) with more competitive interest rates. However, the reviewer should scrutinize agreements and the narrative carefully for clear and compelling evidence to

determine whether the terms were the result of arm's length negotiation with an independent charter school board or are, in effect, adhesion contracts with a captive school board.

- There is no provision permitting the EMO/CMO to appoint members to the governing body or approve members.
- The contract does not allow for any form of leverage – including but not limited to severance fees and facilities ownership – by which the EMO/CMO can ensure renewal of their contract.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths of the Applicant's Response: <ul style="list-style-type: none"> • 		
Weaknesses of the Applicant's Response: <ul style="list-style-type: none"> • 		
Clarifying Questions (<i>may be best suited for a written response</i>): <ul style="list-style-type: none"> • 		
Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>): <ul style="list-style-type: none"> • 		

Charter Management Organizations Applying for Sponsorship Directly (If Applicable)

A strong response will have the following characteristics:

- The application clearly and logically explains the extent to which the governance model of the charter management organization requires a waiver from the governance provisions of the charter school law pursuant to NRS 388A.243.
- If the charter management organization is from another state, the application provides a comprehensive, actionable plan to ensure that the board will balance fidelity to its mission with appropriate input and oversight from Nevada residents.
- [If applicable] If the non-profit's current board will govern the charter school, the application outlines clear, logical, and comprehensive steps to transform its board membership, mission, and bylaws to assume its new duties.
- [If applicable] If a new board has been formed, the application clearly delineates the new board's relationship to the existing non-profit board and the governance responsibilities of both entities as it relates to the proposed school.

The Applicant's Response:

Meets the Standard	Approaches the Standard	Does Not Meet the Standard
<p>Strengths of the Applicant's Response:</p> <ul style="list-style-type: none"> ● 		
<p>Weaknesses of the Applicant's Response:</p> <ul style="list-style-type: none"> ● 		
<p>Clarifying Questions (<i>may be best suited for a written response</i>):</p> <ul style="list-style-type: none"> ● 		
<p>Probing Questions (<i>may be best suited for a verbal response during capacity interview</i>):</p> <ul style="list-style-type: none"> ● 		