



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Mark Modrcin, Director of Authorizing
SUBJECT: Somerset Academy of Las Vegas request to:
- Reduce the grade levels served at the North Las Vegas campus from K-8 to K-5
- Implement a weighted lottery
DATE: February 15, 2022

Summary of Request:

Somerset Academy of Las Vegas (Somerset) is requesting a Good Cause Exemption for its amendment submission which seeks an amendment to modify the existing grade levels at the North Las Vegas campus. Somerset, located in Clark County, is a brick-and-mortar public charter school serving students in grades K – 12 and has an enrollment of 9,596 students across seven campuses according to the validation day numbers for the current school year. Additionally, Somerset Academy seeks to implement a new weighted lottery policy.

According to the amendment application, the Somerset board is seeking to change the grade level configuration from a K – 8 to a K – 5 campus for a few reasons, including: to maximize elementary student achievement, to address transiency rates at the North Las Vegas campus believed to be caused by facility limitations and sibling transfers, and to avoid higher lease rates at the portion of the building which is not owned by the Somerset network.

The requested change in grade configurations will reduce the enrollment at the North Las Vegas campus, bringing the enrollment cap down to 750 students for grades K – 5 as outlined in the amendment. The amendment notes that the Losee campus traditionally has had an 80% retention rate over the past three years, and through natural attrition and reducing the number of classes at the elementary level at this campus, all middle school students at the North Las Vegas campus will have available seats at the Losee campus. As such, the amendment does not seek to increase the enrollment cap at the Losee campus.

After a review of the amendment request, SPCSA staff recommends that the Authority grant Somerset a Good Cause Exemption and approve the requests to modify the grade configuration and enrollment caps at the North Las Vegas campus as well implement a weighted lottery policy across the network. A proposed motion can be found on page 4 of this memo.

Background Information

Somerset Academy of Las Vegas first opened in 2011, and is in the final year of its second charter term. As noted in the amendment, Somerset opened as an affiliate of the Somerset System, a SACS-CASI accredited institution, and implements the same best practices and commits to meeting the same standards and quality indicators and achieved system accreditation from AdvancED Accreditation Commission in 2019. On December 3, 2021, the Authority renewed Somerset for a new four-year term which begins on July 1, 2022. As previously noted, Somerset serves 9,596 students across seven campuses according to the validation day numbers for the current school year.

As noted in the summary section of this memo, Somerset is seeking to change the grade levels at the Somerset North Las Vegas campus from a K – 8 to a K – 5 campus for three primary reasons according to the submitted amendment. First, Somerset recognizes the need to maximize the elementary student achievement at the North Las Vegas campus, particularly at the elementary level. As the Authority is aware, the North Las Vegas elementary program was issued a Notice of Breach in 2019 as a result of consecutive 2-star ratings under the NSPF. This notice remains in effect for the North Las Vegas campus, meaning that the school is currently in level two of the SPCSA intervention ladder. A 2-star rating under the NSPF identifies a school that has partially met the state's standard for performance. Students and subgroups often meet expectations for academic performance but may have multiple areas that require improvement. Areas requiring significant improvement are uncommon. As a result of this two-star rating, SPCSA staff have implemented heightened oversight at this campus, including additional performance reporting and additional site evaluations at this campus. In short, Somerset has communicated with SPCSA staff that it understands the importance of improving the academic performance of the elementary program at the North Las Vegas campus, and believes that narrowing the grade level configuration at that campus will help with improving academic outcomes for this program.

The second reason Somerset is pursuing this change is to address a high student transiency rate at the North Las Vegas campus as noted in the amendment. Somerset believes this is the result of facility limitations at that campus as well as sibling transfers. The amendment states that an expected outcome of this proposed change, if approved, is a reduction of transiency at the North Las Vegas campus created by middle school students and their siblings who transfer out to Somerset campuses with larger grade spans. Additionally, the amendment states that a second expected outcome is a stronger alignment between the grades and facilities that may not be otherwise available. The current structure at the Somerset North Las Vegas Campus has created some unique challenges since opening in 2011 as detailed in the submission. The North Las Vegas Campus is the only Somerset facility not specifically built for school use; therefore, the building creates some challenges when implementing certain programs such as suitable outdoor and indoor athletic practice space important for middle school programming.

Lastly, the amendment submission notes that the North Las Vegas facility is approaching a lease renewal period for the 20,000 square foot portion of the 60,000 square foot building that is not owned by the charter school. As previously noted, this is the only facility in the Somerset system that was not specifically built for school use. Somerset expects that the lease rate for this portion of the facility to climb in the years ahead, and anticipates that this could be a 6 – 7% increase for 2022 – 23 along as noted in the amendment. The amendment details that the leased space is on a ten-year lease which ends in the summer of 2022 making this an opportune time to make such a transition for not renewing the lease. Notice of renewal is required in April 2022 if Somerset intends to renew. The amendment goes on to detail that the building farthest to the east on the North Las Vegas campus is the leased space, and an escalation in rent costs to the school at a rate that outpaces current funding increases enhances the burden of rent to the school rather than focusing that funding on academic programming. Finally, the amendment states that the North Las Vegas campus shares parking/traffic with other businesses. The amendment surmises that by having a reduced student enrollment at the North Las Vegas campus, traffic and parking issues will diminish the congestion in and around the school during arrival and dismissal times.

Importantly, the amendment notes that the Somerset system is making seats available at the Losee campus by adjusting the number of students at each grade level in grades K-8 to accommodate students currently enrolled at the middle school program at the North Las Vegas campus. As described in the amendment, the Losee Campus traditionally has had an 80% retention rate over the past three years, and therefore, through natural attrition and reducing the number of classes at each grade level in grades K-5 and increasing the seats available in grades 6-8 from 180 to 240 students in each grade, all middle school students at the North Las Vegas Campus will have available seats at the Losee Campus. Because this is not an increase/decrease in total enrollment at the Losee Campus and simply an adjustment between

grade levels, the amendment states that Somerset is not requesting that the SPCSA increase the enrollment cap for this campus. In addition, the amendment goes on to detail that by reducing the number of elementary students at the Losee Campus there can also be an increased focus on student growth and achievement with lesser students.

The second request included in the Somerset amendment submission is to adopt a weighted lottery policy in place of their current, traditional lottery system. The proposed policy will provide a weighted preferences of 2.0 in its enrollment lotteries to students who qualify for free/reduced lunch services, and will be in effect at every campus where it is determined that the percentage of students at the Somerset campus who qualify for free and reduced lunch is less than 90% of the percentage of students eligible for free/reduced lunch services at the nearest school with like grade levels within the Clark County School District according to the amendment. The submission notes that if approved by the Authority, all Somerset campuses will be using a weighted lottery based on current data for the 2022 – 23 school year. A copy of the proposed policy is included in the amendment submission.

Legal Authority and Requirements Related to Amendment Requests

Existing charter schools that are sponsored by the SPCSA may submit a charter school contract amendment application to the SPCSA – which is reviewed by SPCSA staff and presented for SPCSA Board action – in order to, among other things, increase enrollment, add grade levels above and beyond what the charter school is approved to serve, or add a new campus. Only those existing charter schools that are meeting expectations in regard to academics (under both the Department of Education’s Nevada School Performance Framework -- the “Star Ratings” -- and the SPCSA’s Academic Performance Framework), are compliant in regard to the SPCSA’s Organizational Framework, and are fiscally sound may be approved for expansion. Furthermore, the academic, organizational, and financial performance of other charter schools that contract with the same Charter Management Organization or Educational Management organization is taken into account when reviewing an expansion application.¹

At this time, SPCSA staff finds that schools within the Somerset Academy of Las Vegas network are meeting expectations in regard to financial and organizational performance expectations, demonstrating compliance under the SPCSA’s Organizational Framework, and are fiscally sound as validated by the SPCSA’s Financial Framework. It is important to note that the majority of Somerset campuses are also meeting performance expectations under the Nevada School Performance Framework (NSPF). While the Somerset – North Las Vegas campus is currently operating under an active Notice of Breach, a primary reason for this requested change is to address ongoing academic performance at this campus. Thus, despite this active notice, SPCSA staff finds more than sufficient evidence that the Somerset academic programs have been performing at or above adequate levels. More information on past performance can be found on pages 5 and 6 of this memo.

Staff Recommendation: Approve with Conditions

As previously mentioned, SPCSA staff has exercised heightened oversight of the Somerset – North Las Vegas campus due to the consecutive 2-star ratings at the elementary level and the active Notice of Breach. In fact, SPCSA staff conducted a site evaluation at the North Las Vegas campus on October 6, 2021 which resulted in a deficiency being issued due to elementary program focused on classroom management and Tier 1 instruction. SPCSA staff plans to continue heightened oversight of the North Las Vegas in the upcoming charter term, and as approved by the Authority when renewal of the Somerset contract was approved in December.

While significant academic performance concerns remain, SPCSA staff does appreciate that the Somerset leadership team and board are taking proactive steps to address the performance issues at the North Las Vegas campus. SPCSA staff is optimistic that the potential cost savings to be realized by relocating the middle school students of the North Las Vegas campus can be repurposed to support academic growth at the elementary level. Additionally, SPCSA staff

¹ There are limited exceptions to these eligibility requirements for those charter schools that have been approved by the State Board of Education and the SPCSA Board to be rated under Nevada’s Alternative Performance Framework.

believes that the implementation of a weighted lottery across the Somerset network can positively address current demographic gaps when compared to local community schools as well as the SPCSA and Clark County averages. For all of these reasons, SPCSA staff is recommending that the Authority approve the requests of Somerset, with conditions, to reconfigure the grade levels at the North Las Vegas campus to K – 5th grade beginning in the 2022 – 23 school year, and adopt a weighted lottery policy for applications and enrollment for the 2022 – 23 school year.

Proposed Motion:

Grant Somerset Academy of Las Vegas a Good Cause Exemption and approve the amendment submitted by the school to:

- **Modify the grade configuration of the North Las Vegas campus to K – 5 and adjust the enrollment cap in alignment with this change starting in the 2022 – 23 school year; and**
- **Adopt a weighted lottery policy for the application and enrollment period for the 2022 – 23 school year.**

As a reminder, SPCSA staff will continue heightened oversight, such as those activities referenced within this memo, over the network, specifically for the North Las Vegas elementary school program as directed to by the Authority at the time of renewal. In the event of continued academic underperformance the Authority may impose additional oversight.

If approved, Somerset Academy of Las Vegas would have the following enrollment caps and grade configurations at each campus for the upcoming charter term:

Campus	Grades Served	2022-2023	2023-2024	2024-25	2025-26
Aliante	K – 8	1,110	1,110	1,110	1,110
Lone Mountain	K – 8	960	960	960	960
Losee	K – 12	2,400	2,400	2,400	2,400
North Las Vegas	K – 5	750	750	750	750
Skye Canyon	K – 8	960	960	960	960
Sky Pointe	K – 12	2,200	2,200	2,200	2,200
Stephanie	K – 8	950	950	950	950
Total		9,330	9,330	9,330	9,330

Nevada School Performance Ratings (NSPF) - Somerset Academy of Las Vegas

Year	NSPF Rating
2021 ²	Aliante Campus elementary: 2 stars Aliante Campus middle: 5 stars Lone Mountain Campus elementary: 5 stars Lone Mountain Campus middle: 5 stars Losee Campus elementary: 2 stars Losee Campus middle: 2 stars Losee Campus high: 2 stars North Las Vegas Campus elementary: 2 stars North Las Vegas Campus middle: 4 stars Skye Canyon Campus elementary: 5 stars Skye Canyon Campus middle: 5 stars Sky Pointe Campus elementary: 5 stars Sky Pointe Campus middle: 5 stars Sky Point Campus high: 2 stars Stephanie Campus elementary: 5 stars Stephanie Campus middle: 5 stars
2020 ³	Aliante Campus elementary: 2 stars Aliante Campus middle: 5 stars Lone Mountain Campus elementary: 5 stars Lone Mountain Campus middle: 5 stars Losee Campus elementary: 2 stars Losee Campus middle: 2 stars Losee Campus high: 2 stars North Las Vegas Campus elementary: 2 stars North Las Vegas Campus middle: 4 stars Skye Canyon Campus elementary: 5 stars Skye Canyon Campus middle: 5 stars Sky Pointe Campus elementary: 5 stars Sky Pointe Campus middle: 5 stars Sky Point Campus high: 2 stars Stephanie Campus elementary: 5 stars Stephanie Campus middle: 5 stars
2019	Aliante Campus elementary: 2 stars Aliante Campus middle: 5 stars Lone Mountain Campus elementary: 5 stars Lone Mountain Campus middle: 5 stars Losee Campus elementary: 2 stars Losee Campus middle: 2 stars Losee Campus high: 2 stars North Las Vegas Campus elementary: 2 stars North Las Vegas Campus middle: 4 stars Skye Canyon Campus elementary: 5 stars Skye Canyon Campus middle: 5 stars Sky Pointe Campus elementary: 5 stars Sky Pointe Campus middle: 5 stars Sky Point Campus high: 2 stars

² Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2020 – 21 school year waiver from the US 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 Nevada School Performance Framework (NSPF) school ratings for the 2020 – 21 school year.

³ 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.

	Stephanie Campus elementary: 5 stars Stephanie Campus middle: 5 stars
2018	Lone Mountain Campus elementary: 4 stars Lone Mountain Campus middle: 5 stars Losee Campus elementary: 3 stars Losee Campus middle: 3 stars Losee Campus high: Not Rated North Las Vegas Campus elementary: 2 stars North Las Vegas Campus middle: 3 stars Sky Pointe Campus elementary: 4 stars Sky Pointe Campus middle: 3 stars Sky Point Campus high: 3 stars Stephanie Campus elementary: 4 stars Stephanie Campus middle: 5 stars

Somerset Academy of Las Vegas Historical Enrollment (as of Validation Day)

Aliante

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	125	123	121	125
<u>1st</u>	124	125	128	126
<u>2nd</u>	126	124	128	128
<u>3rd</u>	123	124	128	129
<u>4th</u>	98	125	128	130
<u>5th</u>	100	123	130	130
<u>6th</u>	107	115	120	118
<u>7th</u>	28	93	120	120
<u>8th</u>		30	89	114
<u>TOTAL</u>	831	982	1,092	1,120

Lone Mountain

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	101	100	102	103
<u>1st</u>	99	100	103	104
<u>2nd</u>	100	100	104	104
<u>3rd</u>	100	100	104	103
<u>4th</u>	99	100	104	103
<u>5th</u>	100	100	104	103
<u>6th</u>	120	119	122	121
<u>7th</u>	120	120	124	123
<u>8th</u>	119	118	122	122
<u>TOTAL</u>	958	957	989	986

Losee

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	125	145	155	151
<u>1st</u>	125	148	155	155
<u>2nd</u>	125	148	152	147
<u>3rd</u>	125	146	154	149
<u>4th</u>	125	148	156	154
<u>5th</u>	125	149	156	150
<u>6th</u>	208	145	150	178
<u>7th</u>	211	208	151	167
<u>8th</u>	205	206	216	151
<u>9th</u>	207	207	235	296
<u>10th</u>	179	188	187	229
<u>11th</u>	118	144	136	150
<u>12th</u>	71	97	117	118
<u>TOTAL</u>	1,949	2,079	2,120	2,195

North Las Vegas

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	120	122	126	127
<u>1st</u>	125	122	126	127
<u>2nd</u>	124	121	126	129
<u>3rd</u>	125	123	128	124
<u>4th</u>	124	125	125	130
<u>5th</u>	124	125	129	127
<u>6th</u>	143	149	147	150
<u>7th</u>	142	141	144	150
<u>8th</u>	134	132	138	141
<u>TOTAL</u>	1,161	1,160	1,189	1,205

Skye Canyon

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	98	99	103	104
<u>1st</u>	100	100	104	104
<u>2nd</u>	101	100	104	104
<u>3rd</u>	100	100	104	104
<u>4th</u>	126	100	103	104
<u>5th</u>	125	125	104	104
<u>6th</u>	110	120	123	124
<u>7th</u>	70	120	124	123
<u>8th</u>	25	90	124	124
<u>TOTAL</u>	855	954	993	995

Sky Pointe

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	125	124	130	130
<u>1st</u>	125	125	130	128
<u>2nd</u>	125	125	129	130
<u>3rd</u>	125	125	130	131
<u>4th</u>	125	125	130	129
<u>5th</u>	125	125	129	130
<u>6th</u>	175	179	154	124
<u>7th</u>	177	179	186	154
<u>8th</u>	180	180	186	186
<u>9th</u>	204	247	270	270
<u>10th</u>	179	199	243	259
<u>11th</u>	126	157	189	206
<u>12th</u>	118	109	140	161
<u>TOTAL</u>	1,908	1,999	2,146	2,138

Stephanie

	<u>2018 – 19</u>	<u>2019 – 20</u>	<u>2020 – 21</u>	<u>2021 – 22</u>
<u>K</u>	98	98	102	97
<u>1st</u>	98	100	104	102
<u>2nd</u>	100	99	104	104
<u>3rd</u>	100	100	103	103
<u>4th</u>	123	101	100	103
<u>5th</u>	125	125	104	100
<u>6th</u>	119	114	106	121
<u>7th</u>	117	118	122	113
<u>8th</u>	84	114	114	114
<u>TOTAL</u>	964	969	959	957

Demographic Breakdown

Aliante

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	5.4%	11.4%	32.9%	35.7%	0.6%	10.4%	3.3%	8.6%	*	17.9%
19-20	3.7%	11.5%	34.3%	36.3%	0.5%	10.6%	2.8%	11%	*	17%
20-21	4.4%	12.7%	32.3%	36.7%	0.1%	10.1%	3.3%	13%	*	22%
21-22	4.8%	11.5%	32.7%	37.5%	0.1%	10.5%	2.5%	15.5%2	*	23.4%

Lone Mountain

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	2.6%	6.3%	50.8%	30.6%	0.5%	7.7%	1.2%	9.3%	*	24.4%
19-20	3.2%	6.8%	48.4%	33.2%	0.3%	6.6%	1.1%	11.7%	*	23.8%
20-21	3%	7%	45%	36.6%	0.3%	7%	0.8%	11.3%	*	24.3%
21-22	2.8%	6.7%	42.4%	37.7%	0.3%	8.7%	1.1%	12.5%	*	24.2%

Losee

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	4.1%	17.7%	23%	45.5%	0.3%	7.5%	1.6%	11.5%	8.4%	44.9%
19-20	3.7%	18.7%	18.9%	48.8%	0.2%	7.7%	1.6%	10.8%	8.8%	43.2%
20-21	4.1%	20.6%	14.5%	51.3%	0.2%	7.1%	1.9%	10.6%	8.9%	39.4%
21-22	3.9%	20.2%	13.3%	52.9%	0.2%	7.6%	1.5%	10.7%	9.2%	45.1%

North Las Vegas

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	4%	22.7%	19.8%	43.3%	0%	7.7%	2.2%	10.7%	10.1%	43%
19-20	4%	24.5%	18.3%	41.1%	0%	9.8%	2%	11.1%	9.2%	44%
20-21	4.3%	25.8%	16.8%	41.7%	0%	9.7%	1.4%	11.4%	7.9%	43.5%
21-22	4.4%	26.1%	17.1%	40.7%	0%	10.4%	0.9%	11.4%	9.8%	47.1%

Skye Canyon

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	1.1%	1.5%	18.1%	24%	0%	54.6%	0.4%	8.3%	*	10.9%
19-20	5.5%	4.4%	52.6%	24.5%	0%	11.3%	1.5%	8.8%	*	13.3%
20-21	5.7%	4.6%	53.1%	23.4%	0%	11.6%	1.3%	10.5%	*	12.9%
21-22	5.1%	4.6%	52.9%	22.9%	0.2%	13.1%	1%	11.1%	*	15%

Sky Pointe

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	2%	7.1%	61.7%	19.4%	0.2%	8.2%	0.9%	12.2%	*	13.1%
19-20	2.3%	6.9%	57.5%	22.3%	0.3%	9.4%	1%	11.1%	*	16.8%
20-21	2.6%	7.7%	53%	25.4%	0.4%	9.4%	1.2%	12.2%	*	18.9%
21-22	3.3%	7.2%	50.8%	27.6%	0.3%	9.3%	1.2%	12.1%	*	20.7%

Stephanie

Year	A	B	C	H	I	M	P	IEP	ELL	FRL
18-19	5.2%	6.9%	47.6%	28%	0.5%	9.5%	2%	12%	*	35.4%
19-20	5.1%	7.2%	42.1%	32.5%	0.5%	10.6%	1.8%	13.9%	*	34.4%
20-21	4.6%	7.5%	39.7%	34.7%	0.3%	10.9%	2%	13.6%	*	33.3%
21-22	5.2%	7.7%	38.3%	35.1%	0.5%	11%	1.9%	14.9%	*	30.6%

A – Asian

B – Black

C – Caucasian

H – Hispanic

I – American Indian/Alaskan Native

M – Two or more races

P – Pacific Islander

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

ELL – English Language Learner

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