



STATE PUBLIC CHARTER SCHOOL AUTHORITY

1749 North Stewart Street Suite 40
Carson City, Nevada 89706-2543
(775) 687-9174 · Fax (775) 687-9113

2080 East Flamingo Road Suite 230
Las Vegas, Nevada 89119-5164
(702) 486-8895 · Fax (702) 486-5543

ACTION MEMORANDUM

TO: SPCSA Board
FROM: Danny Peltier, Management Analyst
Mike Dang, Manager of Organizational and Financial Performance
SUBJECT: Nevada Virtual Academy request to relocate that will not affect enrollment
DATE: July 29, 2022

Summary of Request and Recommendation

Nevada Virtual Academy (NVVA) is requesting that the State Public Charter School Authority (SPCSA) grant a Good Cause Exemption request and approve an amendment request to relocate to a new facility that will not affect enrollment. According to the amendment application NVVA's lease ended in June of 2021. NVVA is a full-time, virtual charter school and primarily utilizes its facility to offer in-person instructional supports and remediation for students. The school was unable to locate a suitable building for these student services prior to the lease ending and it was extended through June of 2022. NVVA has acquired a building site to lease at 8645 S. Eastern Avenue, Las Vegas, 89123. This building is move-in ready with eight large classroom spaces, four more than NVVA currently has. The site also has additional space for a possible culinary kitchen in the future, and office space for staff. NVVA is requesting to begin operations in this new facility for the 2022-2023 school year. NVVA's tentative timeline for approval of the Special Use Permit and updated Certificate of Occupancy is September 20, 2022. Once NVVA has been granted approval, SPCSA staff will work with the school to complete a walkthrough of the approved facility pursuant to NRS 388A.360. Once the facility meets all necessary requirements, NVVA will begin having students on campus as part of its blended learning instructional support and remediation for students.

SPCSA staff has reviewed the application and recommends that the Authority grant the school's request for a Good Cause Exemption and approve the school's amendment proposal as outlined within this memo.

Background and Analysis

NVVA was renewed by the SPCSA on November 30, 2018, for a five year term beginning on July 1, 2019, and ending on June 30, 2024. NVVA serves grades 6th – 12th and its enrollment was 2,027 as of the October 2021 validation day.

The mission and vision of NVVA is to make a difference by meeting the unique needs of our diverse students, preparing them for college or career in the 21st century through high quality instruction in our virtual platform; serving every student, every day.

While providing instruction in a full-time, virtual setting to students statewide, NVVA has also offered supplemental student supports out of its facility at 4801 S. Sandhill in Las Vegas. The amendment states that while the school serves students throughout Nevada, it primarily serves students and families in Clark County and will continue to target students statewide. The school is seeking to have its offices, and campus for its blended program, in a part of Las Vegas that has accessibility to public transportation, nearby highways, and where parents would feel safe bringing their students.

According to the amendment application, the school has outgrown the facility for both students and staff. Additional classrooms to accommodate the face-to-face blended program, space for its expanding CTE program, as well as additional office space is needed.

The new facility at 8645 S. Eastern in Las Vegas is move-in ready and the school has already provided SPCSA staff with an executed lease. The amendment states that NVVA's board has entered into a 3-year lease with Diamond Creek Holdings where the school's facility manager will be responsible for the maintenance and upkeep of the interior of the building and the HOA is responsible for the outside of the building. The amendment goes on to note that the school does not believe there are any known relationships between the current owner and anyone affiliated with the school.

The projected costs of the proposed facility were assessed against the SPCSA's financial framework pro-forma and current projections within the submitted amendment show NVVA meeting standard in the Authority's eight measures.

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 application¹.

Applicant Eligibility

For this specific type of Amendment request, the sponsor of the charter school shall review the written request to determine if the written request: (a) Complies with NRS 388A.010 to 388A.640, inclusive, and the regulations applicable to charter schools; and (b) Is complete in accordance with regulations of the Department. This review also includes an assessment of the charter school's compliance with regards to such applicable law, regulations and SPCSA requirements including those described in the Academic Performance Framework, Organizational Performance Framework, and the Financial Performance Framework.

When reviewing an amendment application, SPCSA staff reviews the academic, organizational and financial performance of the applicant charter school. Academically, the current Nevada School Performance Framework (NSPF) Report Card for the middle and high school indicate the school is performing at a 3-star level. A table

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.

summarizing the academic performance of NVVA is provided below. According to the most recent organizational data, NVVA earned 100 points on the 2021 – 22 Organizational Framework, meeting performance standards for the past school year. Additionally, the school was determined to be meeting performance standards under the SPCSA Financial Framework for the most recent year. Given the historic academic, organizational, and financial performance under SPCSA Performance Frameworks, SPCSA staff finds Nevada Virtual Academy to be eligible for this amendment request.

Recommendation

Overall, since NVVA’s renewal the school has continued to show that both the middle school and high school programs are capable of producing academic outcomes that are at least adequate as measured by the NSPF. NVVA returned to good financial standing on the SPCSA’s 2020-2021 Financial Framework and meets standards in the SPCSA’s Organizational Framework as well. SPCSA staff is supportive of NVVA’s request to relocate to a new location that will not affect its approved enrollment.

Proposed Motion:

Grant Nevada Virtual Academy a Good Cause Exemption and approve the request to relocate to a new location that will not affect enrollment with the following condition:

- **That the school complete the pre-opening process, which requires permitting, a Certificate of Occupancy be provided to the SPCSA prior to occupying the permanent facility at 8645 S. Eastern Avenue, Las Vegas NV, 89123, and a walkthrough by SPCSA staff pursuant to NRS 388A.360.**

Historical Performance and Demographic Information

Nevada School Performance Framework (NSPF) – Nevada Virtual Academy

Year	NSPF Ratings
2017 – 2018	Elementary – 1 star Middle – 2 Stars High – 3 Stars
2018 – 2019	Elementary – 2 star Middle – 3 Stars High – 3 Stars
2019 – 2020 ²	Middle – 3 stars High – 3 stars
2020 - 2021 ³	Middle – 3 stars High – 3 stars

² 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.

³ 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.

School Total Enrollment and Demographics since 2017⁴

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
17-18	2097	5.5%	17.2%	48.7%	24.2%	1.5%	0%	2.7%	11.6%	*	46.9%
18-19	1840	5.1%	16.6%	45.7%	28.2%	1.1%	0%	3%	11.1%	*	51.4%
19-20	1461	5%	15%	44.4%	31.9%	1%	0%	2.3%	11.7%	*	53.4%
20-21	2187	4.7%	18.9%	43.1%	28.7%	0.7%	1.3%	2.3%	11.1%	*	62.5%
21-22	2027	5.4%	21.5%	37.2%	31.9%	1.1%	0%	2.6%	11.4%	*	56.7%

A – Asian

B – Black

C - White

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

* - Suppressed data due to n-count

⁴ *indicates a population size >0 and <10; count and rate data are suppressed to protect privacy. <5 is shown for rates below 5% to protect student privacy.