

## 2022 New Charter School Application Report and Recommendation

# Mind Your Books Charter School

### General Information

Proposed School Name	Mind Your Books Charter School: The Jackie Collins Campus
Proposed EMO/CMO	N/A
Proposed Mission	The foundation and mission of the proposed Mind Your Books Charter School is to improve the academic achievement of at-risk students, encourage the use of effective and innovative methods of teaching, and provide an accurate measurement of educational achievement. We pioneer a wrap-around model of high-quality educational best practices, and the development of social-emotional wellness strategies in a holistic and therapeutic approach.
Proposed Grade Configuration	Opening: K-7 Full Scale: K-8
Proposed Opening	August 2023
Proposed Location	Clark County; 4300 Las Vegas Blvd N
Proposed Zip Codes to be Served	Primary: 89115; Secondary: 89101, 89104, 89110, 89121, 89142, 89156

### Planned Enrollment

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29
<b>K</b>	60	60	60	60	60	60
<b>1</b>	30	60	60	60	60	60
<b>2</b>	30	30	60	60	60	60
<b>3</b>	30	30	30	60	60	60
<b>4</b>	30	30	30	30	60	60
<b>5</b>	30	30	30	30	30	60
<b>6</b>	60	60	60	60	60	60
<b>7</b>	30	60	60	60	60	60
<b>8</b>	0	30	60	60	60	60
<b>9</b>						
<b>10</b>						
<b>11</b>						
<b>12</b>						
<b>Total</b>	300	390	450	480	510	540

## Executive Summary and Recommendation

The SPCSA conducts a rigorous review of new charter school applications. This process includes the submission to the SPCSA of a written notice of intent to submit a new charter school application 90 days prior to the submission of the new charter school application; the submission to the SPCSA of the actual new charter school application between April 15 and April 30 of each year; the review of the new charter school application by the SPCSA – including the review of the new charter school application by outside reviewers and a capacity interview with the applicant team. There is also an opportunity for an unsuccessful new charter school applicant to resubmit its charter school application, as well as an opportunity for an unsuccessful applicant to appeal the denial of its application. For more details regarding the SPCSA’s application process, please see Appendix A.

The review committee, which included two members of the SPCSA staff and two external reviewers, identified shortcomings in all four components of the submitted application. The review committee and SPCSA staff find that the proposed *Meeting the Need, Academic, Operations, and Financial Plans* do not meet the standards as outlined in the charter application rubric.

The review committee and SPCSA staff find that the *Meeting the Need* section of the application ‘Approaches the Standard’ as defined by the charter application rubric. The committee to form proposes a unique educational model aimed at providing rigorous academics alongside social-emotional supports. This approach is bolstered by a documented partnership with the University of Nevada Las Vegas (UNLV) to provide social work interns would offer individual, group, and family therapy. The committee to form proposes to locate in the 89115 zip code and serve students living in and around that community. While this zip code aligns with the Academic and Demographic Needs Assessment, the application lacks sufficient details regarding how the school would effectively serve at-risk students. In addition, the narrative provides little detail regarding how the proposed model meets the needs of the community and it does not appear that input from the community, including prospective families, has been incorporated into the proposal.

Both the review committee and SPCSA staff find that the proposed *Academic Plan* ‘Approaches the Standard’ as outlined in the charter application rubric. While the narrative identifies key features of the school, the application is lacking details regarding the implementation of these key features, raising concerns about the cohesiveness of the proposal. Similarly, the narrative does not include detailed information regarding the plans to provide differentiated support to teachers to enable effective implementation of the model. While the committee to form has been thoughtful in including goals related to student social-emotional competence, the academic goals are very low and on par with the performance of surrounding low-performing schools based on the Nevada School Performance Framework (NSPF), raising concerns about whether the proposed school could achieve a 4- or 5-star rating. Plans for serving at-risk students, students with disabilities, and English language learners are underdeveloped, and the budget and staffing plan do not appear to allocate sufficient staff to meet the needs of these student populations. While the narrative references policies to be developed by the school’s board, including a Promotion and Retention Policy and a Discipline Policy, limited details about these policies are provided. In addition, the narrative is lacking information about how the culture of the school would be established and how students would learn the norms and expectations.

Overall, the *Operations Plan* was rated as ‘Approaches the Standard’ by the review committee and SPCSA staff. While the proposed board is comprised of eight members who bring a range of experiences and expertise, questions remain about how the board will operate, support the proposed Executive Director, and hold her accountable. The staffing plan includes a few discrepancies with the budget and concerns exist as to whether sufficient staff have been allocated to meet the needs of special education students and English language learners. While the narrative describes a variety of community outreach strategies, evidence provided by the applicant shows demand from at most 28 students, significantly less

that then expected first year enrollment of 300 students. The incubation year plan is significantly underdeveloped and is missing expected milestones for the launch of a new school. In addition, the budget does not account for any incubation year revenues or expenses. While the committee to form has identified a proposed facility, the specifications of this facility do not appear to meet the needs of the proposed school and it is not clear that the facility will work within the proposed budget.

The review committee and SPCSA staff find that the *Financial Plan* 'Does Not Meet the Standard' as outlined in the charter application rubric. As noted in previous sections, concerns remain regarding the lack of projected incubation year expenses or revenues in the budget, discrepancies between the staffing plan and budget, and insufficient resources allocated to meet the needs of at-risk students. In addition, the cash flow statement for the first year of operation shows a cash flow deficit starting in August and going until December. When asked about it during the capacity interview, the committee to form indicated that a business loan would have to be secured but was unable to speak to details of this loan. The budget, including cashflow statement, raises significant concerns about the financial viability of the proposed school.

For these major reasons, in addition to those outlined throughout this document, staff's recommendation is to deny the Mind Your Books Charter School application.

***Proposed motion:*** Deny the Mind Your Books Charter School application as submitted during the 2022 Application Cycle based on a finding that the applicant has failed to satisfy the requirements contained in NRS 388A.249(3) in that the applicant has failed to demonstrate competence in accordance with the criteria for approval prescribed by the SPCSA that will likely result in a successful opening and operation of the charter school. Designate Director Feiden and Director Modrcin to meet and confer with the applicant.

# Summary of Application Section Ratings

Rating options for each section are Meets the Standard; Approaches the Standard; Does not Meet the Standard. A detailed description of each rating option can be found in Appendix A.

Application Section	Rating
<b>Meeting the Need</b>	<b>Approaches the Standard</b>
Mission and Vision	Meets the Standard
Targeted Plan	Approaches the Standard
Parent and Community Involvement	Approaches the Standard
<b>Academic Plan<sup>1</sup></b>	<b>Approaches the Standard</b>
Transformational Change	Does Not Meet the Standard
Curriculum & Instructional Design	Approaches the Standard
Promotion & High School Graduation Requirements	Does Not Meet the Standard
Driving for Results	Does Not Meet the Standard
At-Risk Students and Special Populations	Does Not Meet the Standard
School Structure: Culture	Approaches the Standard
School Structure: Student Discipline	Approaches the Standard
School Structure: Calendar and Schedule	Meets the Standard
<b>Operations Plan</b>	<b>Approaches the Standard</b>
Board Governance	Approaches the Standard
Leadership Team	Approaches the Standard
Staffing Plan	Approaches the Standard
Human Resources	Approaches the Standard
Student Recruitment and Enrollment	Approaches the Standard
Incubation Year Development	Does Not Meet the Standard
Services	Approaches the Standard
Facilities	Does Not Meet the Standard
Ongoing Operations	Approaches the Standard
<b>Financial Plan</b>	<b>Does Not Meet the Standard</b>

<sup>1</sup> The Mind Your Books Charter School proposal did not contemplate Distance Education, Pre-Kindergarten or Dual Credit Partnerships. Therefore, the corresponding sections of the rubric were not scored.

## Meeting the Need: Approaches the Standard

Meeting the Need	Approaches the Standard
Mission and Vision	Meets the Standard
Targeted Plan	Approaches the Standard
Parent and Community Involvement	Approaches the Standard

### Summary of Findings

The committee to form proposes a unique educational model that includes rigorous academics paired with social-emotional supports, including on-campus clinical services. The narrative articulates a compelling vision whereby students are academically prepared and “demonstrate creativity, think critically, collaborate with peers and adults, and communicate effectively.” Through a proposed partnership with the University of Nevada Las Vegas (UNLV), social work interns would provide individual, group, and family therapy, enabling students to “demonstrate social emotional competence through emotional regulation, positive social interactions, rapport, and trust.” During the capacity interview, the committee to form spoke passionately about the importance of social emotional supports for students in response to national and local trends.

The committee to form proposes to locate in the 89115 zip code and serve students living in and around that community. The application includes information indicating that many surrounding elementary and middle schools are currently rated as 1- or 2-stars. Additionally, based upon demographics of the neighborhood schools, the committee to form anticipates that the proposed school would serve a substantial population of students identified as English language learners and that the vast majority of students would qualify for free- or reduced-price lunch. While committee to form spoke during the capacity interview about national trends and needs in the greater Las Vegas community, they did not provide compelling rationale and data as to why the proposed model meets the needs of the community in and around the 89115 zip code. Additionally, despite the stated commitment to serve students zoned to 1- and 2-star schools and historically underserved student groups, the application lacks sufficient details regarding how the school would effectively serve students with disabilities and English language learners.

The committee to form has established a memorandum of understanding (MOU) with the UNLV School of Social work to provide social work interns. Based on the proposed model, this is a critical partnership to ensure the success of the school. Additionally, the application includes over ten letters of support from potential community partners, with the majority of these letters outlining specific commitments should the school be approved. However, the committee to form does not provide evidence of how the community has informed the development of the plan. When asked about the community’s role during the capacity interview, the committee to form indicated that the model was based on the work of the existing non-profit organization that has provided supplemental supports to students. While one member of the committee to form resides in the 89115 zip code, ties between the committee to form and the community appear limited, and the narrative does not demonstrate how the proposed school will build upon community assets.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as ‘Approaches the Standard.’

### Mission and Vision: Meets the Standard

#### Rubric Criteria Rated as Meets the Standard:

- 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 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.

#### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

#### Targeted Plan: Approaches the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- Clear and compelling rationale for the selected community based on academic or demographic need
- 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:
  - Demographic Needs
    - 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.

#### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- Clear and comprehensive explanation of how the proposed model meets identified community needs
- 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.

#### Parent and Community Involvement: Approaches the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- 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.”<sup>2</sup>
- 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.

**Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

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<sup>2</sup> <https://www.leg.state.nv.us/Register/2016Register/R131-16AP.pdf>

# Academic Plan: Approaches the Standard

Academic Plan <sup>3</sup>	Approaches the Standard
Transformational Change	Does Not Meet the Standard
Curriculum & Instructional Design	Approaches the Standard
Promotion & High School Graduation Requirements	Does Not Meet the Standard
Driving for Results	Does Not Meet the Standard
At-Risk Students and Special Populations	Does Not Meet the Standard
School Structure: Culture	Approaches the Standard
School Structure: Student Discipline	Approaches the Standard
School Structure: Calendar and Schedule	Meets the Standard

## Summary of Findings

The committee to form provides a compelling, well-articulated theory of change and describes an educational strategy aligned to the mission. The narrative identifies several key features of the proposed school such as project-based learning and a therapeutic program supported through interns from the UNLV school of social work. However, the application lacks details around the implementation of specific strategies. For example, the narrative provides little information how about project-based learning would be implemented and how this instructional strategy with be supported by the selected curricula and instructional coaching. This raises questions about how the key features of the proposed school would be implemented coherently. Additionally, the narrative includes statements about the effectiveness of the proposed program but does not provide evidence of previous success.

The narrative indicates that the school evaluate students for additional gifted supports and will extend their learning offerings through the development of differentiated educational plans. The committee to form states that the curriculum, aligns to the Nevada Academic Content Standards and the Next Generation Science Standards, and the proposed school will teach all required subjects at each grade level. However, evidence of alignment to standards is lacking for several of the identified curricula. In response to clarifying questions, the committee form affirmed a commitment to aligning curriculum to standards but did not provide additional evidence. With regard to supporting teachers with the implementation of the instructional program, the narrative includes a list of professional development that will be provided to teachers which appears to align to key components of the model and curriculum. However, the narrative lacks a detailed plan for providing professional development and does not address the systems or structures for observing teachers, identifying teachers that may need additional support, and providing additional support to those teachers.

The narrative states that the board will adopt a promotion and retention policy but provides little information as to what the policy will entail. During the capacity interview, the committee to form spoke generally about reviewing a variety of data to ensure the correct placement for students, however, the standards for promotion and graduation remain underdeveloped. The committee to form commits to implementing interventions for any student identified as needing possible retention. However, the narrative does not demonstrate structures are in place for students at risk of retention or performing significantly below grade level. For example, the application references assessing and monitoring students, but does not provide specifics on the assessments and the systems for monitoring.

The committee to form provides goals for students to demonstrate age-appropriate social-emotional development on the Collaborative for Academic, Social, and Emotional Learning (CASEL) Framework, which aligns with the focus on social-emotional competence. However, the committee to form does not demonstrate a clear process for setting, monitoring and revising internal leading indicator

<sup>3</sup> The Mind Your Books Charter School proposal did not contemplate Distance Education, Pre-Kindergarten or Dual Credit Partnerships. Therefore, the corresponding sections of the rubric were not scored.



academic goals and it is not clear how the targets and goals have been set. Of particular concern, the proficiency goals established in the application are very low and on par with the proficiency of surrounding low-performing schools as measured by the NSPF. When asked about how the academic goal targets were set, the committee to form did not provide a clear answer but indicated they would need to be revised. As presented, these goals are unlikely to lead to a 4- or 5-star rating if achieved. In addition, while the narrative describes professional development and support to teachers with writing internal assessments, no information is provided about how the proposed school will ensure validity and reliability of these assessments. While the narrative repeatedly states that the school will monitor student data, and there are references to providing support to teachers, little information is provided about the structures that will be used to monitor student academic performance.

The committee to form states a commitment to utilize differentiated support for each student in collaboration with the students' parents, fellow teachers, and with support, as needed, from other school staff. The application describes a process for identifying at-risk students, including those with academic and behavioral needs. Additionally, the application references counseling and restorative practices that would be used to support students struggling with behavior. However, the committee to form does not provide detailed strategies that they would use to assess their needs of and provide supports to students identified as at risk. While the narrative includes a list of possible strategies that could be used for at-risk students it does not outline a clear plan of the strategies the school would use. With regard to serving students with disabilities, the committee to form provides very limited information regarding the proposed special education program. For example, the narrative does not provide the details on plans for developing Individualized Educational Plans (IEPs) and monitoring progress for students with IEPs. In addition, while there is mention of using resource specialists and self-contained settings, very little information is provided regarding the continuum of services that would be available nor how these services would be delivered. While the narrative provides some information about identification and services to students identified as English learners (EL), the application is lacking details regarding the specific services and strategies that will be used to support these identified students. There are additional concerns that the proposed staffing model and budget does not provide adequate staff capacity to support the needs of EL students and students with IEPs. The narrative indicates that 35% of students, or 105 students in the first year, are expected to be identified as EL students, and 15%, or 45 students in the first year, are expected to have IEPs. However, the budget and staffing plan only include one EL teacher/Reading Specialist in the first year and one special education director. Finally, while the application includes some information regarding the processes for identifying students experiencing homelessness during the enrollment process, little information is provided regarding identification outside of enrollment and there is not discussion of training staff to ensure proper identification.

The committee to form commits to ensuring an engaging "positive learning environment that encourages students to succeed at all levels while reducing incidences of school violence, self-harming practices, and disruptive behaviors." The application includes an MOU with UNLV to provide social work interns who would provide individual, group, and family therapy. The application includes age-appropriate dress code and/or uniform policy. While the application describes the committee to form's expectations for the social emotional wellbeing of students the application provides few details of how the school's culture would be established and how students would learn norms and expectations for the school. In addition, while the narrative indicates that school culture surveys will be used, the committee to form has not established school culture goals.

The committee to form emphasizes positive behavior encouragement and socio-emotional supports as approaches for managing student behavior and references the use of Positive Behavioral Interventions and Supports (PBIS), Social-Emotional Learning (SEL) curriculum, restorative circles, and therapy as restorative approaches to discipline. Additionally, the committee to form provides clear designation of staff responsible for implementing the discipline plan. Although the applicant references thoughtful strategies for supporting students, its not clear how those strategies would be implemented. While the narrative

references a code of conduct and states that the discipline policy would be reviewed by the board annually, there is little information about what these policies would entail. In addition, the application does not describe how the school would ensure that certain student populations are not disproportionately impacted by discipline policies.

The calendar and schedule provided by the committee to form is aligned to the school model and meets or exceeds the minimum of 180 (or equivalent) days of instruction. The application provides sound policies for student attendance and truancy and outlines strategies for communicating with parents of students that are absent as well as rewarding those students with strong attendance. The committee to form has established an attendance goal of 95% and provided details as to the processes that will be followed to help reach the goal.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as 'Approaches the Standard'.

### Transformational Change: Does Not Meet the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- Compelling, well-articulated theory of change and clear educational strategy aligned to the mission and critical to the schools' success

#### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

### Curriculum & Instructional Design: Approaches the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- 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.

#### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.
- 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.
- Systems or structures exist for observing teachers, identifying teachers that may need additional support, and providing additional support to those teachers.

## Promotion & High School Graduation Requirements: Does Not Meet the Standard

### **Rubric Criteria Rated as Meets the Standard:**

*None*

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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

## Driving for Results: Does Not Meet the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- 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.

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.
- 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).

## At-Risk Students and Special Populations: Does Not Meet the Standard

### **Rubric Criteria Rated as Meets the Standard:**

#### *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 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).

#### *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).

#### *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.

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- Devotes adequate resources and staff to meeting the needs of all students.
- 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.

#### *At Risk Students*

- 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.

#### *Special Education*

- 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*

- 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 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.

### School Structure: Culture: Approaches the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- 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.
- 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.

#### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

### School Structure: Student Discipline: Approaches the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- 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.
- 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.

#### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- Presents sound policies for student discipline, suspension, and expulsion including procedures for due process.
- A plan to ensure that certain student populations are not disproportionately impacted by discipline policies.

### School Structure: Calendar and Schedule: Meets the Standard

#### **Rubric Criteria Rated as Meets the Standard:**

- 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 regulation<sup>4</sup> and are customized to the charter school.

**Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

*None*

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<sup>4</sup> NRS 392.122, NRS 392.130 and NRS 392.144.

## Operations Plan: Approaches the Standard

Operations Plan	Approaches the Standard
Board Governance	Approaches the Standard
Leadership Team	Approaches the Standard
Staffing Plan	Approaches the Standard
Human Resources	Approaches the Standard
Student Recruitment and Enrollment	Approaches the Standard
Incubation Year Development	Does Not Meet the Standard
Services	Approaches the Standard
Facilities	Does Not Meet the Standard
Ongoing Operations	Approaches the Standard

### Summary of Findings

The narrative clearly defines the role of the proposed board as establishing goals, setting policies, allocating resources, and providing meaningful oversight, while delegating day-to-day operations to the Executive Director. The proposed board is comprised of eight members who bring a range of experiences and expertise. Additionally, the narrative provides a detailed list of training topics for the board, accompanied by a training timeline. Despite these strengths, questions remain about the board structure. While the narrative does not specifically outline any board committees other than a Parent Advisory Council, the board roster lists six committees to which most board members are assigned raising questions about how the board and the committees would function. Additionally, while the narrative states that the board is responsible for holding the school leader accountable, the application does not articulate clear, ambitious, data driven standards and criteria that the school leader must satisfy, nor does it provide logical evidence that the school will achieve its target student outcomes.

The proposed Executive Director brings a range of experiences working in district and charter schools, as well as in founding and running the Mind Your Books Education nonprofit that currently provides supplemental supports to students. While the narrative describes plans for annual goal setting and evaluation of the Executive Director, it lacks information regarding how the Executive Director will be developed and supported. Additionally, the job descriptions for leadership roles appear to include gaps in covering key responsibilities such as reporting and legal compliance. There also appear to be some inconsistencies between the job descriptions and the proposed model as several of the job descriptions lack desired competencies aligned to the school’s mission and program. There are several references to other schools and school districts within the job descriptions raising questions about whether they have been adapted to the school model.

The staffing plan includes a few unique positions that are directly aligned to the proposed model and providing counseling and mental health services on campus. However, there are discrepancies between the staffing plan and budget with regard to the number of classroom teachers and the plan does not appear to allocate sufficient staff to meet the needs of special education students and English language learners. When asked about this during the capacity interview, the committee to form indicated that adjustments would need to be made in order to adequately meet the needs of the expected student population but did not provide specifics. Additionally, the staffing plan only includes one Mental Health Intern, which may be sufficient in the first few years, but does not appear to be adequate to support the proposed model once enrollment reaches 540 students, raising feasibility questions.

The narrative outlines a clear process for recruiting and hiring staff and the committee to form describes several strategies for a hiring staff that is reflective of the student body. The narrative goes on to describe how questions about candidates’ experiences working with diverse populations would be incorporated into the interview process. While the application includes some information about the teacher

evaluation process, it is lacking details about ongoing support. For example, while observation and walk-throughs are mentioned, limited details are provided, and it is not clear how support to teachers would be differentiated. Additionally, the narrative mentions the use of an action plan in the event of unsatisfactory performance, but it is not clear how this action plan would be implemented. Ultimately, concerns remain about the proposed performance management systems.

The committee to form proposes to use a variety of methods to recruit students including community events, prospective parent nights, and social media. The applicant team recognizes the importance of marketing in both English and Spanish. While the application articulates some thoughtful strategies for recruiting eligible students to the school, it does not describe specific actionable steps for ensuring the school is fully enrolled. In addition, the committee to form provided results from a survey that included 28 responses, though some of the responses appear to be from individuals who do not have students in the grade levels that the proposed school plans to offer. This represents a very small portion of the proposed first-year enrollment of 300 students, raising concerns about whether there is sufficient demand for the proposed school. In addition, while the narrative indicates that a lottery will be held if needed, no details regarding the lottery process are provided.

The incubation year plan identifies some milestones for year zero but appears to have substantial gaps that would undermine a successful launch. For example, the only milestone noted for facilities is to arrange for the purchase of furniture. No milestones are included for negotiating the final lease, determining and completing necessary renovations, nor ensuring proper permitting. Additionally, the budget does not account for any incubation year revenues or expenses. When asked about this during the capacity interview, the committee to form indicated that they had applied for grants and anticipated that a business loan would need to be secured, but they were unable to provide any details regarding the expected amount of the loan. Finally, the narrative includes some brief information about training for the Executive Director from third-party organizations during the incubation year, but does not provide a comprehensive leadership development plan.

The narrative outlines plans for providing key services including transportation, food service, and nursing. Additionally, the committee to form provides information about how the proposed school would ensure proper management and security of technology and information. However, there are inconsistencies between the proposed plan and budget. For example, the narrative describes providing transportation to special education students who require transportation, along with students experiencing homelessness, however, the budget does not account for these costs. Additionally, the committee to form does not articulate metrics and a process for evaluating the effectiveness of services.

The committee to form has identified a potential facility to lease within the 89115 zip code and provided evidence of engagement with the facility's owner and a real estate broker. However, there are concerns about whether this represents a viable facility for the proposed school. While the narrative states that the school would need approximately 16,500 square feet in the first year and ultimately 29,700 square feet, this facility appears to offer only 12,651 square feet. In response to clarifying questions, the committee to form indicated that the facility may necessitate reducing the enrollment from 300 to 200 in the first year, raising questions about the overall proposal. Also, in response to clarifying questions, the committee to form indicated that the lease rate has not been agreed to, leaving concerns about the allocated amount in the proposed budget. Finally, the narrative does not provide detailed plans for the preparation of this facility.

The narrative demonstrates an understanding of the requirements for emergency planning and provides high-level information about how the plan would be developed, including personnel, technology, equipment, and policies. While the applicant provides an insurance quote that meets many of the requirements for coverage for charter schools, the quote does not appear to include sufficient coverage for the umbrella liability insurance, nor does it appear to include any coverage for the errors and omissions of the sponsor and governing body of the charter school. In response to clarifying questions, the committee to



form indicated the intention of finding an alternative insurance provider in order to meet insurance requirements for the partnership with UNLV.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as 'Approaches the Standard.'

## Board Governance: Approaches the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- 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 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.
- 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
- 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.

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.
- 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 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.
- Board goals are clear and measurable, and contribute to improved academic outcomes for students and overall advancement of the organization
- 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.

## Leadership Team: Approaches the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- The organizational chart clearly indicates all positions delineating board and management roles and lines of authority.
- 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.
- Provides thoughtful and proactive approach to succession planning for school leadership position(s).

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.
- 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.
- Provides a comprehensive plan for coaching, support and evaluation of school leadership.

## Staffing Plan: Approaches the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- Staffing plan aligns to the mission, vision, and proposed academic program.

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

## Human Resources: Approaches the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- 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.
- Essential functions and processes, including background checks, payroll, benefits, and employee relations, are accounted for.

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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 restructuring 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

## Student Recruitment and Enrollment: Approaches the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- 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
- 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.

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- The enrollment plan addresses lotteries, weighted lotteries, enrollment preferences, student attrition and mandatory backfilling.
- 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.
- 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
  - Zip code of residency
  - Student name(s) and grade levels for the proposed opening year

## Incubation Year Development: Does Not Meet the Standard

### **Rubric Criteria Rated as Meets the Standard:**

*None*

### **Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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

## Services: Approaches the Standard

### **Rubric Criteria Rated as Meets the Standard:**

- 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

**Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

Facilities: Does Not Meet the Standard

**Rubric Criteria Rated as Meets the Standard:**

*None*

**Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.

Ongoing Operations: Approaches the Standard

**Rubric Criteria Rated as Meets the Standard:**

- 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.<sup>5</sup>
- 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.<sup>6</sup>
  - General liability insurance with a minimum coverage of \$1,000,000.

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<sup>5</sup> See: NRS 388.229-266

<sup>6</sup> See: NRS 388A.190

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

**Rubric Criteria Rated as Approaches or Does Not Meet the Standard:**

- 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.<sup>7</sup>
  - Umbrella liability insurance with a minimum coverage of \$3,000,000.
  - Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.

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<sup>7</sup> See: NRS 388A.190

## Financial Plan: Does Not Meet the Standard

Financial Plan	Does Not Meet the Standard
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### Summary of Findings

The committee to form plans to contract with Charter School Management Corporation, Inc. (CSMC) to provide support with accounting, bookkeeping, payroll, budgeting, financial reporting, forecasting, grant writing support, compliance, and data management services. The narrative describes the criteria used to select this vendor and states that at least three quotes were considered. The narrative provides a high-level summary of key policies to ensure proper segregation of duties and internal controls. While budget appears to include reasonable assumptions for state and federal revenue, as well as allocations for many of the expected expenditures, concerns remain about the viability of the financial plan. First, as mentioned in the *Operations Section*, the budget does not account for any incubation year revenues or expenses. When asked about this during the capacity interview, the committee to form indicated that they had applied for grants and anticipated that a business loan would need to be secured, but they were unable to provide any details regarding the expected amount of the loan. The cash flow statement for the first year of operation shows a cash flow deficit starting in August and going until December without any explanation of how this will be covered. When asked about it during the capacity interview, the committee to form again indicated that a business loan would have to be secured, though was not able to share how much the loan would be for or any potential avenues for the loan. Additionally, while the cashflow statement includes over \$60,000 in private fundraising during the first year and the budget narrative indicates that the committee to form intends to rely on grants should other revenue targets not be met, there is no evidence provided of any secured grants or fundraising. The budget, including cashflow statement, raises significant concerns about the financial viability of the proposed school.

For these reasons, as well as those detailed further below, the review committee and SPCSA staff rated this section as ‘Does Not Meet the Standard.’

### Financial Plan: Does Not Meet the Standard

#### Rubric Criteria Rated as Meets the Standard:

- The financial manager has the appropriate expertise to provide accurate and timely financial information to decision-makers.
- 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.
- Budget priorities are aligned with school and expansion plan (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
- 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

#### Rubric Criteria Rated as Approaches or Does Not Meet the Standard:

- The charter committee to form protects mission-critical expenses when faced with budget cuts.
- Projections are based on accurate, conservative, and legally compliant. This includes appropriate allocations for required expenditures such as sponsorship fee, PERS contributions, etc.
- School level budget priorities are consistent with the operator’s model, including but not limited to: educational program, staffing, and facility
- Sufficient detail and specificity of assumptions for ALL budget line items to allow for the assessment of fiscal viability
- 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.
- Assumptions about facilities in all financial statements correspond to a conservative facility plan and account for possible contingencies.

# Application Process Details

## Timeline

- August 18, 2021<sup>8</sup> – Mind Your Books Charter School Notice of Intent is received
- March 1, 2022 – New Charter Application Training
- April 30, 2022 – Mind Your Books Charter School Application is received
- May 17, 2022 – Memo sent to CCSD soliciting input.<sup>9</sup>
- June 29, 2022 – Clarifying Questions sent to applicant; responses received within 4 business days
- July 20, 2022 – Mind Your Books Charter School Capacity Interview is conducted
- August 22, 2022 – Input expected from CCSD
- August 29, 2022 – Recommendation is presented

## Capacity Interview

Based on the independent and collective review of the application, the review committee conducted a virtual capacity interview of the applicant to assess the capacity to execute the application’s overall plan. The capacity interview for Mind Your Books Charter School was conducted on July 20, 2022 and lasted approximately 120-minutes. All but one member of the Committee to Form attended the interview. Questions during the capacity interview focused primarily on these areas:

Targeted Plan	Leadership Team
Parent and Community Involvement	Staffing Plan
Curriculum and Instructional Design	Student Recruitment and Enrollment
Driving for Results	Incubation Year Development
At Risk and Special Populations	Financial Plan
Board Governance	

Prior to the capacity interview, the review committee sent the applicant team a list of clarifying to provide an additional opportunity for details and information to be presented. These responses were considered by the review team and were used to better inform the capacity interview.

Lastly, the capacity interview included a scenario-based question that probed the Committee to Form’s capacity to review an academic performance report and identify action steps for the Board and Executive Director.

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<sup>8</sup> On December 21, 2021, the Legislative Commission approved amended regulations that changed the new charter school applications timelines. At the time when these regulations were approved, Mind Your Books Charter School had already submitted a Notice of Intent for the previously scheduled January 2022 application window, which did not occur due to the change in regulations. The Notice of Intent submitted by September 15, 2021 was therefore automatically moved to the April 2022 application cycle.

<sup>9</sup> Pursuant to NRS 388A.249, the SPCSA solicited input from the Clark County School District regarding this application. NRS 388A.249(2)(a) requires that “[t]he proposed sponsor of a charter school shall, in reviewing an application to form a charter school...If the proposed sponsor is not the board of trustees of a school district, solicit input from the board of trustees of the school district in which the proposed charter school will be located.”



## Appendix A: New Charter School Application Review Process

### The Charter School Application “Notice of Intent”

The charter school application process begins with the submission of a written “notice of intent” to submit a new charter school application. See NAC 388A.260(2). This notice of intent is a brief document, submitted to the SPCSA 90 days prior to the submission of the applicant’s new charter school application, stating, among other things, the name of the proposed charter school, contact information for the applicant, the proposed location of the charter school, and the grade levels and number of students the proposed charter school seeks to serve.

### The SPCSA’s Proposed Charter School Application Window

In December 2021, Nevada’s Legislative Commission approved proposed regulation R043-21, which amended Nevada Administrative Code 388A.260(1). With this change, the SPCSA moved from two new charter school application windows each year (previously in January and July of each year), to a single annual application window. As a result, new charter school applications now must be submitted to the SPCSA between April 15 and April 30 of each year.

Part of the intent behind the change to NAC 388A.260(1), and the move from two annual application windows to a single application window in April of each year, was to allow sufficient time to ensure that a newly approved charter school opens successfully. That is, upon receipt of a new charter school application in April, the SPCSA’s review process (as described in greater detail below), typically takes four to eight months – meaning that a new charter school application that is received in April will be approved or denied by the SPCSA in August or November. This timeline allows a newly approved charter school nine to 12 months to successfully execute the charter school’s incubation year plan and ensures a successfully opening of the charter school.

Note that NAC 388A.260(1) still contains a “good cause” provision whereby a new charter school applicant may, for “good cause,” request that the SPCSA accept a new charter school application outside the annual April 15 – April 30 window. However, if the SPCSA approves a “good cause” exemption to submit a new charter school application outside of the annual April application window, a notice of intent to submit a new charter school application must still be submitted to the SPCSA 90 days prior to receipt of the actual application. In practice, this means that upon approval of a good cause exemption by the SPCSA, allowing a n applicant to submit a new charter school application outside of the typical April application window, a applicant will submit its new charter school application 90 days after approval of the good cause exemption and receipt of the applicant’s notice of intent.

### The Required Contents of a New Charter School Application

NRS 388A.246 and NAC 388A.135-160 detail the requirements related to a new charter school application. Note that these statutes and regulations related to the required contents of a new charter school applications are extensive.<sup>10</sup>

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<sup>10</sup> Although the following list is not all-inclusive, among the required contents of a new charter school application are the following:

- The name of the proposed charter school;
- The date on which the proposed charter school seeks to open;
- Grade levels and the proposed enrollment that the charter school seeks to serve;
- A summary of the plan for the proposed charter school, including the mission, vision and goals of the proposed charter school;

## Completeness Check

After receiving a new charter school application, the SPCSA, pursuant to NRS 388A.249(3)(a)(2) and NAC 388A.260(2) conducts a “completeness check” of the application to ensure that the new charter school application contains all the information required by NRS 388A.246 and NAC 388A.135-160. If a new charter school application does not contain all the information required by Nevada’s charter school statutes and regulations, if practicable, the SPCSA follows up with the applicant to obtain the required information. If not, the applicant is asked to submit anew, complete charter school application during the next application cycle.

## Withdrawal of a New Charter School Application

NAC 388A.260(3) allows an applicant to withdraw a new charter school application upon written notice to the SPCSA. An applicant may decide to withdraw its application due to significant concerns regarding the completeness of the application, or it is evident after a cursory review of the new charter school application that the proposed charter school application is not fully developed.

## The SPCSA’s Review of a New Charter School Application

Once a new charter school application is deemed complete in accordance with 388A.249(3)(a)(2) and NAC 388A.260(2), the SPCSA begins its substantive review of the new charter school application.

NRS 388A.249(2)(a) requires the SPCSA to conduct a “thorough review” of the new charter school application. This “thorough review” requires that the SPCSA establish a review team to review and evaluate the new charter school application and include in the review team persons with knowledge and expertise regarding the academic, financial, and organizational facets of charter school that are not

- 
- Information regarding the indicators, metrics and measures that the proposed charter school will use to evaluate the academic, organizational, and financial performance of the proposed charter school;
  - The organization structure of the proposed charter school;
  - Information regarding the committee to form and the proposed governance of the charter school;
  - Information regarding the proposed administrative head of the proposed charter school;
  - Information regarding how teachers and staff will be recruited and hired;
  - Course and curriculum information, including any dual-credit programs for high school students (if applicable);
  - Information regarding serving students with disabilities, students who are English language learners, an at-risk student;
  - The organization structure of the proposed charter school;
  - Information regarding the committee to form and the proposed governance of the charter school;
  - Information regarding the proposed administrative head of the proposed charter school;
  - Information regarding how teachers and staff will be recruited and hired;
  - The proposed charter school’s calendar;
  - Information regarding any proposed facility for the proposed charter school;
  - Equipment, furniture, and fixtures that the proposed charter school will utilize;
  - Transportation, if applicable;
  - Health and safety requirements;
  - Student records;
  - Extracurricular activities and dress code;
  - Discipline policies;
  - Budget;
  - Enrollment and any lottery process and procedures;
  - Information regarding required insurance

employed by the SPCSA – these persons are often referred to as “outside reviewers.” NRS 388A.249(2)(a) and NAC 388A.260(4).

As part of this “thorough evaluation” the SPCSA is required to conduct an “in-person interview” with the applicant to elicit clarifying or additional information about the proposed charter school and determine the ability of the applicant to establish a high-quality charter school – this is the “capacity interview” conducted by the SPCSA. NRS 388A.249(2)(b) and NAC 388A.260(4)(b)(2)

In its review of the charter school application, the SPCSA is required to evaluate the new charter school application based on documented evidence collected through the process of reviewing the application and the information gleaned during the capacity interview. See NRS 388A.249(2)(b) and (e).

The determination regarding whether to grant a new charter school application is to be based on the ability of the applicants to establish a high-quality charter school. NRS 388A.249(2)(b). The SPCSA may approve a new charter school application if:

- The application complies with all charter school laws and regulations;
- The application is complete;
- The applicant has demonstrated competence in accordance with the SPCSA’s new charter school application rubric demonstrating that approval of the new charter school application will likely result in a successful opening and operation of the charter school;
- The application meets the criteria contained in the SPCSA’s academic and demographic needs assessment; and
- Sufficient input has been received the public.

NRS 388A.249(3).

The North Star of the review team’s evaluation of the new charter school application is the SPCSA’s new charter school application rubric. NRS 388A.249(2)(b). The rubric is broken into four major sections, plus an addendum. Rating options for each section are Meets the Standard; Approaches the Standard; Does not Meet the Standard. These are defined as follows:

- **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.

Detailed descriptions of each rubric item can be found in the full rubric located on the SPCSA Application website: [http://charterschools.nv.gov/OpenASchool/Application\\_Packet/](http://charterschools.nv.gov/OpenASchool/Application_Packet/)

Once the review team reviews and scores the new charter school application, the SPCSA’s Executive Director, or his or her designee, forwards his or her recommendation to the SPCSA Board for its consideration. NAC 388A.260(6)

### The SPCSA’s Approval or Denial of a New Charter School Application

The SPCSA Board is required to consider a new charter school application at a public meeting held no more than 120 days (or later if agreed to by the applicant) after receipt of the new charter school application. NRS 388A.255(1).

## Resubmission and Appeal of a Denial of a New Charter School Application

If a new charter application is denied, an unsuccessful applicant will be provided with a written notice setting out the deficiencies contained in the new charter school application. If the applicant chooses to do so, the applicant may resubmit the applicant's new charter school application within 30 days after receiving the written notice of deficiencies. NRS 388A.255(2). Given the lengthy and rigorous application process utilized by the SPCSA in regard to charter applications, as well as the limited timeframe specified in NRS 388A.255(2) for an unsuccessful applicant to resubmit their charter application, the SPCSA encourages only those unsuccessful applicants that the SPCSA has found limited or specific areas where the application does not meet standards to resubmit their charter application. Unsuccessful applicants that the SPCSA has found numerous or significant issues within the application that do not meet standard are encouraged to submit a new charter application during the SPCSA's next application window.

If a new charter school application is denied after resubmission, the unsuccessful applicant may then appeal the denial to the district court in which the proposed charter school was to be located. NRS 388A.255(3).

# Appendix B: 2022 New Charter School Application Rubric Criteria

## Meeting the Need

### Mission and Vision

- 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.

### Targeted Plan

- 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:
  - Demographic Needs
    - 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.

### Parent and Community Involvement

- 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.”<sup>11</sup>
- 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.

## Academic Plan

### Transformational Change

- 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.

### Curriculum & Instructional Design

- 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/](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.

### Distance Education Requirements (Proposals Including Distance Education Only)

- 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.

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<sup>11</sup> <https://www.leg.state.nv.us/Register/2016Register/R131-16AP.pdf>

- 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.

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

- Addresses whether the school plans to offer Pre-K in it's 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.

### **Promotion & High School Graduation Requirements**

- 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

### **Dual Credit Partnerships**

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.

## **Driving for Results**

- 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).

## **At-Risk Students and Special Populations**

- 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.

### **School Structure: Culture**

- 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.

### **School Structure: Student Discipline**

- 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.

### **School Structure: Calendar and Schedule**

- 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 regulation<sup>12</sup> and are customized to the charter school.

## Operations Plan

### **Board Governance**

- 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.
- 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.
- 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

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<sup>12</sup> NRS 392.122, NRS 392.130 and NRS 392.144.

any supervisory or business relationships.

## **Leadership Team**

- 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).

## **Staffing Plan**

- 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.

## **Human Resources**

- 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.

## **Student Recruitment and Enrollment**

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

### **Incubation Year Development**

- 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

### **Services**

- 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.

### **Facilities**

- 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.

## Ongoing Operations

- 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.<sup>13</sup>
- 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.<sup>14</sup>
  - 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.
  - If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000.

## Financial Plan

- The financial manager 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

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<sup>13</sup> See: NRS 388.229-266

<sup>14</sup> See: NRS 388A.190

- 1.0 and 1.1 and trending positive from the immediately prior year
- 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.

## Addendum (for CMO Applicants and Committee for Form Applicants seeking to contract with a CMO or EMO)

### Readiness for Growth

- 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.

### Scale Strategy

- 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.

### School Management Contract

- 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.

#### **Charter Management Organizations Applying for Sponsorship Directly (If Applicable)**

- 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.