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ACTION MEMORANDUM

TO: SPCSA Authority Board
FROM: Danny Peltier, Management Analyst III
SUBJECT: Nevada Virtual Academy – Charter Amendment Request to Change Education Management Organization
DATE: April 14, 2023

Summary of Request and Recommendation

Nevada Virtual Academy (NVVA) has submitted an amendment application requesting that the State Public Charter School Authority (SPCSA) approve a change in Education Management Organization. More specifically, NVVA is requesting approval to terminate its Education Management Organization (EMO) agreement with Stride (formerly K12) and to enter into a new EMO agreement with Accel Online West LLC (Accel).

SPCSA staff has reviewed the application, and recommends that the Authority approve the request, with conditions. A proposed motion along with conditions can be found on page 7 of this memo.

Background and Overview of the Amendment

NVVA is a full-time, virtual charter school serving students statewide. As of Validation Day 2022, NVVA had 2153 students enrolled in grades 6 – 12.

According to the amendment application, NVVA seeks the Authority’s approval to terminate its existing EMO contract with Stride (formerly K12). According to the amendment application, the mission of NVVA will continue to be “providing Nevada students with a world class education grounded in high academic standards which will help them achieve their full academic and social potential and help them become productive members of society.” If approved to separate from Stride (formerly K12), NVVA plans to contract with Accel for

curriculum, platform, instructional support services, student computers and technology assistance services, and school support services. NVVA will continue to use Virtual Technologies Group (VTG) for technology support services as well.

In addition to plans to contract with Accel, NVVA plans to contract with the Charter School Management Company (CSMC) for back-office support.

The following table lists the responsibilities that were held by Stride (formerly K12) which will now be handled by CSMC, Accel, and VTG according to information provided to SPCSA through the amendment.

	<u>Responsibilities of Stride (formerly K12) within Approved Charter Application</u>	<u>NVVA’s Proposed Plan with Accel and Charter School Management Company</u>
Assessments (Testing Computers and Equipment)	<ul style="list-style-type: none"> • Testing computers and equipment • VTG, invoiced through Stride. 	<ul style="list-style-type: none"> • NVVA will continue to use VTG through Accel.
Education and Instruction-Related Services	<ul style="list-style-type: none"> • Student curriculum (including use of a synchronous communication platform, currently Newrow, for use with that curriculum) 	<ul style="list-style-type: none"> • Accel will provide to the School the following educational services (the “Educational Services”): <ul style="list-style-type: none"> • Curriculum. Provide support for implementation of educational programs designed to achieve the goals set forth in the Charter Contract (the “Educational Program”). In the event Accel determines it is necessary to materially modify the Educational Program, Accel shall inform the School of any such proposed material changes and obtain School approval, and if required under the Charter Contract, approval of the Sponsor (it being agreed that the School shall cooperate in obtaining such approval). • Coordination of curriculum and related training to be provided by instructional and administrative personnel, and the School’s leadership team and its teachers and support staff, all in accordance with ARTICLE VI below. • Selection of instructional tools, equipment and supplies, including computers, curriculum, software and multi-media teaching tools

	<ul style="list-style-type: none"> Teacher access 	<ul style="list-style-type: none"> Accel will provide training in its instructional methods, curriculum, educational program and support technology to the School’s personnel on a regular and continuous basis. The training will enable the School’s instructional staff to provide in-service training to each other.
	<ul style="list-style-type: none"> Grade 6-12 Physical and Digital Materials 	<ul style="list-style-type: none"> Accel Management Platform (“AMP”), which provides an integrated system for education and school operation. It includes integration of rigorous and research-based online courses and functions as a powerful learning management system; a comprehensive student information system and reporting system; a live Webinar tool; a balanced student assessment system; and instructional data integration and presentation tools. AMP is a single sign-on experience that hosts synchronous and asynchronous lessons allowing for student-centered learning. AMP is capable of providing real-time progress monitoring, and can allow teachers instantaneous access to standards-aligned and performance-based data about each student. Using AMP, teachers can better identify students who need small group or one-on-one instructional support.
	<ul style="list-style-type: none"> Student computers and technical support 	<ul style="list-style-type: none"> NVVA will lease from Accel computers and related technology equipment.
Business Operations	<ul style="list-style-type: none"> IT Operations 	<ul style="list-style-type: none"> During the Term, Accel or its Affiliates will provide or cause to be provided to the School the following technology products and services (the “Technology Services”): <ul style="list-style-type: none"> Monitor production services, i.e., the learning management and content management systems; Monitor and analyze data to fix production issues as they arise; Generate reports on student academic performance, attendance and progress; Seek and secure competitive pricing and centralized purchase discounts for computers, monitors, printers, software and other peripherals (“Computer Equipment”) for use by the School’s students and staff working for the School; Determine hardware configurations (including software and operating systems) for the School’s technology needs; Provide support for School administration in troubleshooting system errors; and Other technology support services requested and mutually agreed upon by

		the Board and Accel
	<ul style="list-style-type: none"> School specific reporting 	<ul style="list-style-type: none"> Charter School Management Company (CSMC) will provide support. NVVA’s operations team will continue to be primarily responsible for state reporting.
	<ul style="list-style-type: none"> Program administration. 	<ul style="list-style-type: none"> NVVA’s Academic leaders (principals, APs, SPED Director, Instructional Coaches) will be responsible for supervising the academic program.
	<ul style="list-style-type: none"> Business administration and financial management 	<ul style="list-style-type: none"> CSMC

Additionally, according to the amendment application, NVVA will use supplemental programs such as Brain Pop, Newsela, Flocabulary, Gizmos, and more, to meet student needs. The academic calendar will not be affected by this transition, and NVVA notes in the amendment submission that the testing calendar aligns with the state testing calendar windows. According to the amendment application, NVVA employs a Special Program Director who oversees all special programs and all special education teachers, general resource teachers, and alternative special education teachers, hold the appropriate licensing and will not be affected by the change.

Legal Authority

Existing charter schools that are sponsored by the SPCSA may submit a charter school contract amendment application to the SPCSA – which is reviewed by SPCSA staff and presented for SPCSA Board action – in order to, among other things, increase enrollment, add grade levels above and beyond what the charter school is approved to serve, or add a new campus. When determining whether to approve an amendment request, the sponsor considers the charter school’s compliance with applicable local, state and federal laws and regulations and evidence relating to the academics, finance and organization of the charter school. (See NAC 388A.400(8) and NRS 388A.276).

Analysis and Staff Recommendation

When reviewing an amendment application, SPCSA staff reviews the academic, financial and organizational performance of the applicant charter school. Academically, NVVA was most recently rated as 3-stars for both the middle and high school. The NVVA middle school received 37.2 points and the high school received 44.1 points on the 2021-2022 SPCSA Academic Performance Framework, neither of which met the standard.

According to the most recent organizational data, NVVA earned 100 points (out of 100) on the 2021 – 22 Organizational Framework which was approved at the December 16, 2022 SPCSA Board meeting. NVVA was also rated as Meets the Standard on the SPCSA Financial Framework which was approved at the March 3, 2023 SPCSA board meeting. Given the recent academic, organizational, and financial performance under SPCSA Performance Frameworks, SPCSA staff finds that overall, Nevada Virtual Academy is meeting performance expectations.

Regarding this amendment request, SPCSA staff’s analysis is broken down by section here, and corresponds to the three sections within the chart on page 3.

Assessments (Testing Computers and Equipment)

According to the amendment application, and as previously stated in this memo, NVVA will continue using VTG for testing computers and equipment as it previously did when it was contracting with its previous provider.

SPCSA staff has no issues with NVVA continuing to use VTG in future school years.

Education and Instruction- Related Services

According to the amendment application, and as stated earlier in this memo, NVVA plans to contract with Accel for curriculum, platform, instructional support services, student computers and technology assistance services, school support services where needed, and state testing. NVVA provided SPCSA staff with a proposed contract between the school and Accel and also provided SPCSA staff with Accel's AMP¹ 2023-24 course catalog. Additionally, NVVA noted in its amendment application that the majority of courses have been approved by the Nevada Department of Education. The remaining courses expected to be approved by May 1, 2023 are: 9 – 12 chemistry, 9 – 12 honors chemistry, 6 – 12 credit recovery chemistry, Intro to Networking, Computer Maintenance I, Culinary Arts I, Digital Design I, Digital Media Fundamentals I, Hospitality and Tourism I, Hospitality and Tourism II, Management I, Network Security Fundamentals I, Principles of Business Marketing I, and Workplace and Internships Readiness. Once approved NVVA will provide this evidence to the SPCSA along with an updated course list. Additionally, according to the amendment application, Accel has chosen an instructional design plan that balances various methods within a high-quality digital curriculum to support academic excellence. Instructional strategies include the Backwards Design Method (BDM).

Accel will also be responsible for delivering computers to students at NVVA. NVVA will continue to use VTG for technical support which the school has used in previous years. According to the amendment application, NVVA teachers will have access to curriculum, platform, training, supplemental programs, data reports, assessments, etc. needed to deliver quality instruction through Accel.

According to the amendment application, NVVA will continue to use its Response to Intervention (RTI) process which teachers implement to address specific student's academic and behavioral concerns. Regarding special student populations described in the amendment application, NVVA will continue the same continuum of services which have been used in previous years.

SPCSA finds the transition strategy provided by NVVA with regard to education and instruction - related services to fill in gaps left by the elimination of the previous service provider and maintain existing implementations the school used for the previous school years.

Business Operations

The majority of changes due to the elimination of the contract with Stride (formerly K12) will occur in the business operations of NVVA. According to the amendment application, one of the

¹ Accel Management Platform ("AMP"), which provides an integrated system for education and school operation

key reasons for the decision to terminate the agreement with Stride (formerly K12) was due to financial impacts on NVVA by continuing to contract with Stride (formerly K12). NVVA described in their amendment application that the financial costs of continuing its contract with Stride (formerly K12) was a key driver of this decision and terminating that contract would affect back office support the most. As previously stated, NVVA will replace the services provided by Stride (formerly K12) with CSMC regarding business administration and financial management. According to the amendment application, CSMC has already begun to transfer and upload all financial data into its accounting system as part of the start of the transition. According to representatives of CSMC, during this time CSMC will also verify all Year-to-Date expenses, status of grant and restricted funds expenditures, and reporting. CSMC has also begun work to gain a comprehensive understanding of all financial and compliance matters specific to NVVA. The primary goal of this initial work and transfer will be for CSMC to bring better transparency and clarity to school leaders and the board of NVVA which was an issue under the previous provider.

Regarding state and federal compliance reporting, CSMC will assist when needed. NVVA already has an employee dedicated to reporting on behalf of the school and was found to be meeting standards under the SPCSA's Organizational Performance Framework, thus SPCSA staff sees no issue with the school continue to utilize this setup.

Under the previous agreement, Stride (formerly K12) was tasked with the administration of the academic program. NVVA's academic leaders (principals, APs, SPED Director, Instructional Coaches) will now be responsible for supervising the academic program. According to the amendment application, the current leadership team has been in place for close to four years and consists of Executive Director Dr. Yolanda Hamilton, Middle School principal Dr. Andre Denson, and High School Principal Dawna Alexander.

Overall, SPCSA staff has been in close communication with leaders at NVVA and is supportive of the school's amendment request. SPCSA staff understands that this decision by NVVA represents a significant shift in the school and its operations. It is apparent that school leadership and the governing board engaged in significant thought and planning to determine the best path forward for the school. NVVA has determined that termination of the previous service agreement will benefit students, families, and staff of the school by allowing leadership to have more control over its direction and will allow for the school to maintain a stronger financial position moving forward. While NVVA has had academic and financial challenges in the past, the school continues to show improvement and remains dedicated to providing a quality option for students across the state of Nevada. The leadership of the school has found a beneficial partner in CSMC who will help to fill in any gaps that may occur with the termination of the agreement with Stride (formerly K12).

SPCSA staff would also note that since Accel is defined as an EMO pursuant to [NRS 388A.030](#)² the NVVA board will be responsible for oversight and compliance reporting such as the EMO Revenue and Expenditure Report and the EMO evaluation annually.

Finally, SPCSA staff will request that the school submit its final, NDE-approved, distance

² <https://www.leg.state.nv.us/nrs/NRS-388A.html#NRS388ASec030>

education application, the executed contract with the new EMO, Accel, and the NDE-approved course list of Accel courses in the coming months which can be found as conditions in the proposed motion below. SPCSA staff recommends the Authority approve NVVA’s request to approve its termination of the contract with Stride, Stride (formerly K12).

Proposed Motion: Grant the Good Cause Exemption request of Nevada Virtual Academy and approve the school’s request to terminate its agreement with K12 Virtual Schools LLC (a wholly owned subsidiary of Stride, Inc.) with the following conditions:

- **That by May 1, 2023 NVVA provide SPCSA staff with the final, executed, contract between NVVA and Accel Online West LLC**
- **That by June 1, 2023 NVVA provide SPCSA staff with:**
 - **The Nevada Department of Education’s approval of NVVA’s distance education application; and**
 - **The State Board of Education’s final, approved course offering, for Accel.**

The currently approved enrollment cap for Nevada Virtual Academy is listed below. Under the proposed amendment, this would not change if approved³:

Grade Level	Maximum Enrollment
6	300
7	400
8	450
9	400
10	400
11	400
12	257

³ The maximum total enrollment at the Charter School shall not exceed 2,100 students (the “Maximum Enrollment Number”). In addition, the Charter School shall not enroll new students into the 12th grade after the first day of school for each school year. In the event that the number of students matriculating from the 11th grade to the 12th grade exceeds the maximum enrollment for 12th grade, there is no requirement to unenroll students, however, no new students could be enrolled into the 12th grade.

Historical Performance and Demographic Information – NVVA

School Total Enrollment and Demographics since 2017

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
17-18	2097	5.5%	17.2%	48.7%	24.2%	1.5%	0.0%	2.7%	11.6%	<5%	46.9%
18-19	1840	5.1%	16.6%	45.7%	28.2%	1.1%	0.0%	3.0%	11.1%	<5%	51.4%
19-20	1461	5.0%	15.0%	44.4%	31.9%	1.0%	0.0%	2.3%	11.7%	<5%	53.4%
20-21	2187	4.7%	18.9%	43.1%	28.7%	0.7%	1.3%	2.3%	11.1%	<5%	62.5%
21-22	2027	5.4%	21.5%	37.2%	31.9%	1.1%	0.0%	2.6%	11.4%	<5%	56.7%
22-23	2153	5.0%	22.8%	32.6%	35.1%	0.8%	0.2%	3.2%	12.3%	<5%	57.3%

A – Asian
 B – Black
 C – Caucasian
 H – Hispanic
 I – American Indian/Alaskan Native
 M – Two or more races
 P – Pacific Islander
 IEP – Individualized Education Plan – A student with a disability/special education student
 ELL – English Language Learner
 FRL – A student who qualifies for Free or Reduced-Price Lunch

Nevada Virtual Academy Financial Performance

Year	Rating
2021 – 2022	Meets the Standard
2020 – 2021	Meets the Standard
2019 – 2020	Notice of Concern

Nevada Virtual Academy Organizational Performance

Year	Rating
2021 – 2022	Meets the Standard
2020 – 2021	Meets the Standard
2019 – 2020	Meets the Standard

Nevada Virtual Academy Academic Performance

Year	Rating
2021 – 2022 Index Scores	MS: 42.0 HS: 53.5

2020 - 2021⁴	MS: 3 stars HS: 3 stars
2019 – 2020⁵	MS: 3 stars HS: 3 stars
2018 – 2019	MS: 3 stars HS: 3 stars
2017 – 2018	MS: 2 stars HS: 3 stars
2016 – 2017	MS: 3 stars HS: Not Rated

Nevada Virtual Academy 2021-22 SPCSA Academic Performance Framework Results⁶

Campus	2021-22 SPCSA Academic Framework Score	2021-22 SPCSA Academic Framework Rating
Nevada Virtual MS	37.2	DOES NOT MEET STANDARD
Nevada Virtual HS	44.1	DOES NOT MEET STANDARD

⁴ Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2020 – 21 school year waiver from the US Department of Education for certain requirements established by the Every Student Succeeds Act (ESSA). Nevada statewide assessments were administered in the 2020 – 21 school year, but the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings for the 2020 – 21 school year.

⁵ Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2019 – 20 school year waiver from the US Department of Education for certain assessment, accountability, school identification, and reporting requirements established by the Every Student Succeeds Act (ESSA). Accordingly, for the 2019 – 20 school year, Nevada statewide assessments were not administered and the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings

⁶ The Nevada Department of Education (NDE) calculated NSPF index scores for the 2021-22 school year but did not calculate corresponding star ratings (shown as N/A). 2021-22 NSPF details and rules can be found at: <http://nevadareportcard.nv.gov/DI/MoreDownload?filename=Nevada%20School%20Performance%20Framework>