

FREQUENTLY ASKED QUESTIONS

Nevada Charter School Program Grant (NCSP) Planning/Implementation Subgrant

- 1. I am interested in applying for the NCSP Planning/Implementation Subgrant. I am currently in the process of submitting an application to form a charter school. If I have submitted a letter of intent to apply for a charter contract with the charter school authorizer, am I eligible to apply for the NCSP Subgrant?**

Yes. A committee to form that has submitted a letter of intent to apply but has not yet submitted the full charter school application to the authorizer is eligible to apply for a NCSP Planning/Implementation Subgrant. However, if the NCSP application is selected for this funding cycle, the school would not be able to access the funds until the school entered into a charter contract with the authorizer, which would be October or November at the earliest depending on the authorizer. As a note, during the current funding cycle, the NDE plans on awarding 2 schools that are not yet open a NCSP Planning/Implementation subgrants. During the next funding cycle, there will be awards for 5 schools that are not yet open. The next RFA for the next funding cycle will be released in October 2016, with grantees receiving awards in January 2017.

- 2. I submitted and had provisional approval on a charter school application in Nevada four years ago, but we were not able to open and the provisional approval has expired. We do not currently have an application or letter of intent submitted to an authorizer; can I still apply for Planning/Implementation subgrant funds?**

No. In order to receive NCSP funds, a charter school must meet the definition in Section 5210 (1) of the Elementary and Secondary Education Act (ESEA). Therefore, eligible applicants for the NCSP Planning/Implementation Subgrant must have either (1) an approved charter school application, with a fully executed charter contract with performance framework; or (2) have submitted an application (or letter of intent) that is pending approval to an authorizer. Although developers (committees to form) with pending charters can apply, only those charter schools who demonstrate they have been approved by its sponsor/authorizer and have a written performance contract with the sponsor that includes a description of how student performance will be measured will be eligible to receive funds under this subgrant. (See [Non-Regulatory Guidance](#), Sections A-2, and B-1).

- 3. I am interested in applying for the NCSP Subgrants to expand the number of schools under our current charter. Can the NCSP funds be used in this way?**

No. The Nevada Department of Education (NDE) through the NCSP may not award start-up subgrants to multiple charter schools established under a single charter where the charter schools are merely extensions of each other (i.e., one charter school with multiple campuses).

This is also true for charter schools established under separate charters if, in fact, they are operated as one charter school. However, the NDE may award the NCSP start-up subgrants to multiple charter schools established under a single charter if each of the charter schools meets the federal definition of a “charter school” and the schools truly are separate and distinct from each other. Several factors are considered when determining whether multiples charter schools created under a single charter are separate schools or parts of the same charter school. You may wish to review these factors by reading the CSP [Non-Regulatory Guidance](#) document, Section C-1.

4. I have a question about the Charter School Enrollment Policy, with Lottery Protocol information that is to be included with the NCSP Subgrant application. Would my charter school be able to enroll at-risk students to the charter school prior to conducting a lottery for available seats?

No. A charter school receiving NCSP funds must use a lottery if more students apply for admission to the charter school than can be admitted. A charter school with fewer applicants than spaces available does not need to conduct a lottery. While all eligible applicants for admission to the school generally must be included in the lottery, a school may exempt certain categories of applicants from their lottery within its Enrollment Policy:

- Students who are enrolled in a public school at the time it is converted into a public charter school;
- Students who are eligible to attend, and are living in the attendance area of, a public school at the time it is converted into a public charter school;
- Siblings of students already admitted to or attending the same charter school;
- Children of a charter schools founders, teachers, and staff (so long as the total number of students allowed under this exemption constitutes only a small percentage of the schools total enrollment); and
- Children of employees in a work-site charter school, (so long as the total number of students allowed under this exemption constitutes only a small percentage of the school's total enrollment).

A school would not be able to enroll certain populations of “at-risk” students prior to holding a lottery and would also not be able to hold any type of preference lottery prior to conducting a full lottery. The Non-Regulatory Guidance does say that schools can include additional recruitment efforts towards groups that might otherwise have limited opportunities to participate in a charter school.

5. We currently do not have anyone on our board with grant writing experience. If we hire a professional grant writer to assist us in writing the subgrant application, would we be reimbursed for the costs associated with writing the application?

No. Pursuant to Section 5204(4)(3) of the ESEA, charter schools may use NCSP start-up subgrant funds *only for post-award planning and design of the educational program, and initial implementation of a charter school*. Any costs incurred prior to the subgrant award are not reimbursable. [20 U.S.C. 7221c(f)(3)]

6. We are a charter school who opened for students during the 2014-15 school year. What type of expenses would we be eligible for? For example, could we use CSP grant funding to pay off debts we incurred at the initial implementations stage?

No. Pursuant to Section 5204(4)(3) of the ESEA, charter schools may use NCSP start-up subgrant funds *only for post-award planning and design of the educational program, and initial implementation of a charter school*. Any costs incurred prior to the subgrant award are not reimbursable. [20 U.S.C. 7221c(f)(3)]

Initial implementation activities may include: (a) informing the community about the school; (b) acquiring necessary equipment and educational materials and supplies; (c) acquiring or developing curriculum materials; and (d) other operational costs that cannot be met from state or local sources. Types of costs that qualify as other operational costs that cannot be met from state or local sources may include, but are not necessarily limited to, the following:

- (a) Costs associated with creating and implementing office functions, such as accounting systems, attendance and registration systems, and human resources policies;
- (b) Costs associated with the installation of computers, data systems, networks, and telephones;
- (c) Personnel expense incurred either before or after the school's opening, provided that these expenses are associated with initial operating activities (i.e., as opposed to ongoing operations), such as program and curriculum development and integration, and teacher and staff recruiting; and
- (d) Rental or occupancy costs for the school facility for a reasonable period of time in preparation for the school's opening.

You may wish to review these factors by reading the [CSP Non-Regulatory Guidance](#) document, Sections D-2 through D-5.

7. Can we use NCSP subgrant funds to pay for rental expenses for the school facility?

Yes. This type of expense would be considered an initial implementation activity, and would fall under the category of "other initial operational costs that cannot be met from state or local sources." Therefore, rental or occupancy costs for the school facility for a reasonable period of time in preparation of the school's opening are an allowed expense under certain circumstances. This expense may only be incurred for the immediate three months prior to the opening of the charter school.

Rental and occupancy costs are allowable under the NCSP only to the extent that they are related to the initial implementation of the charter school and cannot be met from state or local sources. A charter school that has received state or local funds would have to demonstrate that the state or local funds are unavailable to cover the expense at issue. If the charter school can show that the state or local funds it has received are necessary to meet expenses other than the rental or occupancy costs, then the charter school has met its burden of showing that the "other initial operational cost" cannot be met from state or local sources

and, therefore, is allowable under the NCSP subgrant. [[CSP Non-Regulatory Guidance](#), Section D-3; 20 U.S.C. 7221c(f)(3)(B)(iv)]

8. When does the planning phase end and the implementation phase begin?

The end of the planning phase and the beginning of the implementation phase is **three months prior to the first day of instruction**. In the Planning/Implementation Subgrant Request for Application (RFA), on page 6, under Duration of Subgrants, the document states that “the planning phase will end one month prior to the first day of instruction when the subgrantee will enter the implementation phase.” After careful consideration, the NCSP has determined that one month is not a sufficient amount of time, and has amended that time period to three months.

9. How should I write the budget for the Planning/Implementation Subgrant application?

The average award amounts that are included in the request for applications (RFA) are estimated averages for each year of the subgrant. For applicants seeking Planning/Implementation money from the NCSP, please complete a separate budget document for each phase of the subgrant (i.e., planning, implementation 1, and/or implementation 2). In creating your budget document, be sure that the items budgeted for are expenditures that are allowable during that specific phase of the subgrant. For example, purchasing items for student use, such as desks, computers, or textbooks, is not considered a planning phase activity. The budget document should include very detailed explanations for how the proposed figure is generated, and how the items requested support the project goals.

The implementation phase will begin three months prior to the first day of school, so if your school starts in August 2017, your implementation phase would begin in May 2017. At the end of the planning phase of the subgrant, subgrantees will be asked to complete a progress report and update on project goals prior to being allowed to move into the implementation phase. Any money that is not expended during the initial planning phase may be rolled over to the following budget period, upon submission of an amended budget form and budget narrative, and verification of overall compliance with and progress toward the goals established in the approved subgrant application.

10. An allowable activity for the Planning/Implementation subgrant is to be able to contract with a provider to assist in curriculum development, marketing, accounting, IT, HR, and other administrative functions. Can I contract with a for-profit EMO to perform these tasks for them using CSP funds?

Yes. In general, as long as the activity is allowable under the NCSP and the charter school itself is the one administering the grant, they can pay a for-profit company to do work to help with their charter school. The EMO however cannot manage the grant in any way, shape or form, and there should be an arm’s length agreement in place. Specifically, the contract should make sure all materials developed with NCSP funds belong to the charter school and not to the EMO. However, only the set up and establishment of these items (versus

maintenance or ongoing operations) would be an allowable cost under the NCSP. [Sections B-12, B-13, G-1, and G-2 of the Non-Regulatory Guidance]

11. Can my charter school use a weighted lottery to give preference to certain categories of at-risk students?

No. At this time, a charter school may not use any type of weighted lottery system to give preference to certain categories of at-risk students in the State of Nevada. Nevada Revised Statutes (NRS) 388A.459 gives the Nevada Department of Education the authority to adopt regulations to establish weighted lotteries for charter schools under certain circumstances. However, at this time, a public hearing has not yet been held by the State Board of Education to adopt the regulations. In addition, in order for a charter school to receive NCSP subgrant funds, the regulations adopted by the State of Nevada would need to be reviewed and approved by the U.S. Department of Education to ensure that they are in compliance with federal law. Until this process is completed, we are unable to allow the use of weighted lotteries by charter schools receiving NCSP funds.

However, charter schools are strongly encouraged to use targeted marketing strategies related to outreach, recruitment, and retention for all students, including educationally disadvantaged student populations that the school is seeking to enroll. [Section E-3, E-3a of the Non-Regulatory Guidance]

12. Can a single charter management organization (CMO), with existing charter schools, each of which holds a separate charter, but is governed by a single governing board apply for Planning/Implementation Subgrant funds for the two charter school applications that are pending with the State Public Charter School Authority?

Yes. According to Section C-1 of the Non-Regulatory Guidance, start-up grants may be awarded to multiple charter schools established under a single charter if each of the charter school meets the federal definition of “charter school” and the schools are truly separate and distinct from each other. While the scenario of the question is slightly different, in that one CMO is operating multiple charter schools with separate charter contracts, the principle remains the same. **Each charter school must be separate and distinct from each other.**

Factors that will be considered when determining when charter schools created under a single charter, or multiple charter schools operated by a single CMO, are separate school or parts of the same charter school include:

- a) The terms of the charter;
- b) Whether the charter schools were established and are recognized as separate schools under Nevada’s charter school law;
- c) Whether the charter schools have separate performance agreements with their authorized public chartering agency;
- d) Whether each school separately reports its academic performance for ESEA reporting purposes;
- e) Whether the schools have separate facilities;

- f) Whether the charter schools have separate staffs; and
- g) Whether the charter schools' day-to-day operations are carried out by different administrators.

The existence or non-existence of any one of these factors, by itself, does not determine whether a particular charter school is a separate school or part of a larger school. The existence or non-existence of several factors, however, may inform the NCSP's determination of whether multiple charter schools created under a single charter, or in this instance, with charter contracts held under a single CMO, for all practical purposes, are operating as a single charter school. Additionally, each separate charter school must conduct an open enrollment process, with students applying for admission directly to the charter school, and selected by lottery if there are more applicants than spaces available. No preferences may be given to students from an affiliated school.

It is important to note that the charter school itself would be the subgrantee, and not the CMO entity. All costs associated with this subgrant must be directly attributed to the charter school receiving the award, and not any type of general administrative costs associated with the CMO. A non-profit CMO would not require the same arms-length agreement as a for-profit EMO, but the NCSP will verify that the costs in the subgrant are attributed only to the charter school awarded. For example, if the principal of the charter school is an employee of the CMO, then only the costs associated with the start-up activities for the charter school would be allowable. This is where time and effort documentation would need to be implemented to track the efforts associated with the planning and implementation activities of the subgrantee charter school.

13. What types of corollary, incidental or support costs can be included as part of the planning phase related to refining desired education results and methods for measuring progress and related to professional development of teachers and other staff?

It varies. Any incidental or support costs budgeted for the planning phase would need to be justified as to why they are planning costs. In general, as long as the expense is a necessary and reasonable one-time expense that is not ongoing, and the applicant can justify that it is a planning cost (rather than an implementation cost); it may be an allowable expense associated with the planning and program development of the charter school.

FREQUENTLY ASKED QUESTIONS
Nevada Charter School Program Grant (NCSP)
Dissemination Subgrant

- 1. Can the NCSP Dissemination Subgrant funds be used to hire employees for a year as part of a training program to learn the overall administrative, fiscal, and academic program of our charter school with the goal of these individuals opening another charter school with our program in another location?**

Yes. Under the federal CSP [Non-Regulatory Guidance](#), dissemination activities may include such activities as “assisting other individuals with the planning and start-up of one or more new public schools, including charter schools, that are independent of the assisting charter school and its developers and that agree to be held to at least as high a level of accountability as the assisting charter school” (Section B-5). However, the subgrant applicant would have to do a good job of demonstrating that it is a dissemination project that is designed to help other schools open. The application would need to specifically spell out the proposed training program, and provide sufficiently clear descriptions of exactly what the school was offering as training to make sure it wasn’t just using subgrant funds to hire new staff.

- 2. Can a nonprofit charter management organization (CMO) located in another state, without a school open in the State of Nevada apply for a Dissemination Subgrant in Nevada?**

No. Dissemination Subgrants are for schools that have been chartered in the State of Nevada for a minimum of three years, with successful academic, financial, and organizational records. The school itself needs to be applying for the dissemination subgrant not the CMO organization. Therefore, if a CMO does not currently have a school in Nevada, they could not disseminate best practices to Nevada. While their charter school model might be effective in another state, it may not be in Nevada. The CMO would not be eligible for a Dissemination Subgrant until the charter school is open and operational, with a track record of proven results in the state. All of the NCSP subgrants need to be associated with a specific school in Nevada.