

**PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

(This proposed regulation was previously adopted as T043-05)

NAC 386.140 Application to form charter school: Inclusion of information regarding facility, personnel and equipment. (NRS 386.520, 386.540) In addition to the items required pursuant to subsection 2 of NRS 386.520, an application submitted to the Department pursuant to that subsection by a committee to form a charter school must also include certain information regarding the facility, personnel and equipment of the proposed charter school, including, without limitation:

1. The name of the proposed charter school.
2. If the facility that the charter school will occupy exists at the time of application and is suitable for use by the charter school, but is not owned by the school district in which the charter school will be located:
 - (a) The address of the charter school;
 - (b) The type of facility that the charter school will occupy;
 - (c) A floor plan of the facility that the charter school will occupy, including a notation of the size of the facility which is set forth in square feet;
 - (d) The name and address of the owner of the facility that the charter school will occupy;
 - (e) If the facility that the charter school will occupy will be leased or rented, a copy of the proposed lease or rental agreement;
 - (f) If available at the time that the application is submitted, a copy of the certificate of occupancy for the facility; and
 - (g) Documentation which demonstrates that the proposed sponsor of the charter school is satisfied with the type and amount of insurance or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (l) of subsection 1 of NRS 386.550. *The following types of insurance must be obtained by the proposed charter school for at least the following minimum limit amounts:*

- 1. Workers' compensation, statutory limits*
- 2. General liability insurance including the sponsor as additional insured, \$1,000,000. The general liability insurance policy shall include coverage for sexual abuse/molestation, and sports/athletic participation. The general liability insurance policy shall have a Broad Form Named Insured including trustees, board members, employees, volunteers, directors, executive directors, and former, present and future employees*
- 3. Umbrella liability, \$10,000,000*
- 4. Educators legal liability, \$1,000,000*
- 5. Employment practices liability, \$1,000,000*
- 6. Employment benefits liability, \$1,000,000*
- 7. School board errors and omissions, \$1,000,000*
- 8. Automobile liability, \$1,000,000*

The cost of the insurance must be provided to the proposed sponsor by the insurance provider, and included in the budget that is submitted pursuant to NAC 386.180(4).

3. If the facility that the charter school will occupy is, at the time of application, being used as a public school, the name and location of that school and documentation which sets forth the specific days and times during which the charter school is authorized to use the facility.

Documentation which demonstrates that the proposed sponsor of the charter school is satisfied with the type and amount of insurance or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (l) of subsection 1 of NRS 386.550 must be submitted with the application. The following types of insurance must be obtained by the proposed charter school, for at least the following minimum limit amounts:

1. Workers' compensation, statutory limits

2. General liability insurance including the sponsor as additional insured, \$1,000,000. The general liability insurance policy shall include coverage for sexual abuse/molestation, and sports/athletic participation. The general liability insurance policy shall have a Broad Form Named Insured including trustees, board members, employees, volunteers, directors, executive directors, and former, present and future employees

3. Umbrella liability, \$10,000,000

4. Educators legal liability, \$1,000,000

5. Employment practices liability, \$1,000,000

6. Employment benefits liability, \$1,000,000

7. School board errors and omissions, \$1,000,000

8. Automobile liability, \$1,000,000.

The cost of the insurance must be provided to the proposed sponsor by the insurance provider, and included in the budget that is submitted pursuant to NAC 386.180(4).

4. If the proposed charter school has not obtained a suitable facility, personnel or equipment:

(a) A statement in writing describing why the proposed charter school has not obtained a suitable facility, personnel or equipment;

(b) A plan for obtaining a suitable facility, personnel or equipment, including, without limitation, as applicable:

(1) A statement in writing that explains whether an existing facility will be remodeled or a new facility will be built; and

(2) A schedule for completing or obtaining a suitable facility, personnel and equipment, including, without limitation, if applicable, a description of and time schedule for any plan to raise funds for completing or obtaining the facility, personnel and equipment;

(c) The date on which it is anticipated that the charter school will open;

(d) A description of the equipment that will be used at the charter school, including, without limitation:

(1) Office furniture and equipment;

(2) Computer equipment;

(3) Musical instruments;

(4) Equipment to be used in a machinery shop; and

(5) Supplies and other items necessary for the use of equipment described in this paragraph; and

(e) If applicable, evidence in writing that the acceptance of the application by the proposed sponsor of the charter school is necessary to obtain a facility, equipment or personnel.

(f) A written estimate of insurance cost provided by a qualified insurance provider. The cost must be included in the budget that is submitted pursuant to NAC 386.180(4). The estimated cost must be for the following types and

minimum limit amounts of insurance:

- 1. Workers' compensation, statutory limits*
- 2. General liability insurance including the sponsor as additional insured, \$1,000,000.*

The general liability insurance policy shall include coverage for sexual abuse/molestation, and sports/athletic participation. The general liability insurance policy shall have a Broad Form Named Insured including trustees, board members, employees, volunteers, directors, executive directors, and former, present and future employees

- 3. Umbrella liability, \$10,000,000*
- 4. Educators legal liability, \$1,000,000*
- 5. Employment practices liability, \$1,000,000*
- 6. Employment benefits liability, \$1,000,000*
- 7. School board errors and omissions, \$1,000,000*
- 8. Automobile liability, \$1,000,000.*

NAC 386.355 Apportionment of funding: Count of pupils; prerequisite. (NRS 386.540, 386.570)

1. The count day for a charter school is the same as the count day for the school district in which the charter school is located and is the last day of the first school month of that school district.

2. To receive apportionments from the State Distributive School Account, a charter school must have pupils enrolled and attending school and account for at least 20 school days in the first school month, which may include days on which class is not in session, including, without limitation, ~~Legal holidays,~~ in-service days and conference days for teachers.

3. If an individual pupil is enrolled and attending a charter school at least 1 school day before the count day, that pupil will be counted.