



NEVADA
LEGISLATIVE
COUNSEL BUREAU

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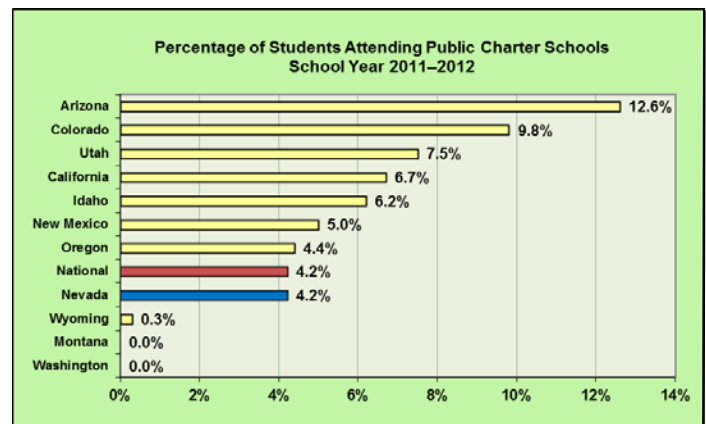
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RESEARCH BRIEF ON CHARTER SCHOOLS

BACKGROUND

Charter schools are independent public schools, responsible for their own governance and operation. In exchange for this independence, there is increased accountability for their performance. The first charter school legislation in Nevada was enacted in 1997 through the passage of Senate Bill 220 (Chapter 480, *Statutes of Nevada*), and Nevada’s charter school law was amended substantially in subsequent sessions. While private schools can “convert” to a charter school, homeschools may not.

Charter schools—western states enrollment



Source: United States Department of Education, National Center for Education Statistics, *The Condition of Education 2014* (NCES 2014-083), May 2014.

SPONSORS

Until the 2011 Legislative Session, local school boards, the State Board of Education, and institutions of the Nevada System of Higher Education were authorized to be sponsors of charter schools in Nevada. Through the passage of Senate Bill 212 (Chapter 381, *Statutes of Nevada*), the

2011 Legislature created the State Public Charter School Authority (SPCSA) to replace the State Board as a sponsor. In addition to sponsoring charter schools, the SPCSA is expected to act as a model of best practices for all charter schools in Nevada.

GOVERNANCE

Each charter school is overseen by a governing body, which must include teachers and may include parents, or representatives of nonprofit organizations, businesses, or higher education institutions. The 2013 Legislature passed Assembly Bill 205 (Chapter 484, *Statutes of Nevada*), requiring Nevada's charter schools to begin operating under performance-based contracts, rather than written charters. Critical to accountability, charter school contracts include performance measures for student achievement and proficiency; attendance and re-enrollment rates; graduation rates; financial and governance outcomes; and indicators that are specific to a school's mission.

In the 2015 Legislative Session, Senate Bill 509 (Chapter 516, *Statutes of Nevada*) passed giving the SPCSA limited regulatory authority, which will lead to improvements in the quality and diversity of Nevada's charter schools. Some of the bill's provisions include:

- Allowing nonprofit charter management organizations—which are among some of the most effective charter school operators nationally—to operate in Nevada;
- Providing additional options when a charter school persistently underperforms; and
- In the event it is necessary to terminate a school's contract or charter, allowing the reconstitution of the school's board of

directors and the retention or termination of employees.

REVENUE AND EXPENDITURES

Charter schools receive the full per-pupil State funding for their students. School districts are obligated to share any State or federal funds, such as for special education students, on a proportional basis. There is no tuition to attend a charter school, but students may pay fees for certain activities—just as they would in a traditional school.

The SPCSA was created as a local education agency (LEA), as defined in federal law for the schools it sponsors. This LEA status allows it to receive and distribute State and federal categorical aid, such as Title I funds for disadvantaged students, to its State-sponsored charter schools. Under Nevada's previous structure, federal law prohibited our State-sponsored charter schools from receiving such funding.

To provide more access to funding resources for charter schools, the 2013 Legislature passed Senate Bill 384 (Chapter 335, *Statutes of Nevada*), which provided charter schools with access to the public bond market, enabling them to raise capital for improved facilities and to repay their debt over longer periods.

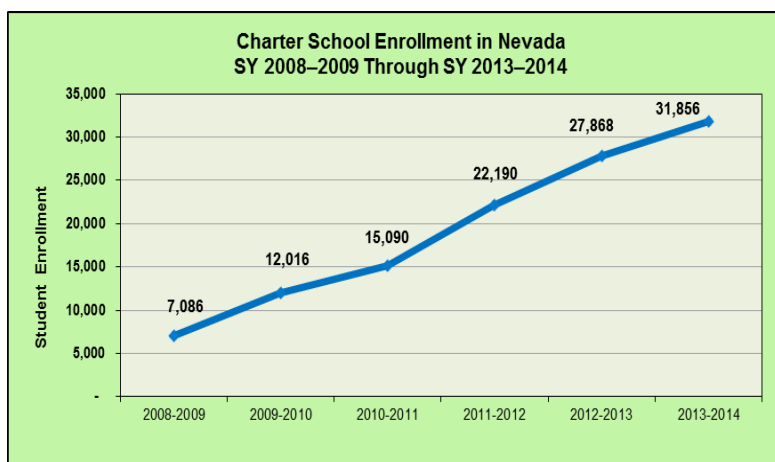
In 2015, Assembly Bill 351 (Chapter 412, *Statutes of Nevada*) was passed, requiring existing charter schools seeking bond funding to be rated “three-star” or better, for two consecutive school years, before being able to access public bonds.

CHARTER SCHOOL ENROLLMENT

In Nevada, there were 41 charter schools operating during School Year (SY) 2014–2015. Local school boards

sponsored 16 schools, and the SPCSA sponsored the remaining 25 schools. The SPCSA is effectively Nevada's third largest school district. It is also the State's fastest growing district and is projected to surpass Washoe County in size by 2019.

Charter schools—Nevada enrollment



Source: Nevada's Department of Education.

SUMMARY OF RECENT LEGISLATION

The 2015 Legislative Session saw an emphasis on K–12 education, with many key pieces of legislation focusing on charter schools.

Charter school operations

Senate Bill 460 (Chapter 429, *Statutes of Nevada*) changed the auto-closure provisions for persistently underperforming charter schools to include those receiving the lowest possible annual rating for any three years in a five-year period (a change from the prior law, which was three consecutive years). The bill also added the restarting of the school as an alternative to school closure for persistently underperforming charter schools.

Assembly Bill 448 (Chapter 539, *Statutes of Nevada*) created the Achievement

School District. Each year, up to six underperforming schools can be transferred from their local school district to the Achievement School District, which will be managed by Nevada's Department of Education. These schools will be converted to charter schools and will undergo substantial change, typically including a replacement of the principal and many of the teaching staff. The bill specifies how the schools will be operated, staffed, and financed, as well as the process for schools to leave the Achievement School District, after a minimum of six years.

Charter school enrollment

Senate Bill 208 (Chapter 238, *Statutes of Nevada*) required newly established or expanding charter schools to notify families in the local area that the school will be accepting applications for enrollment. Before a new or expanding charter school begins accepting student applications, the school is required to make a reasonable effort to notify households within two miles of the school about the process to apply for enrollment. Small charter schools and those located in rural areas are given flexibility to develop alternative notification plans.

Senate Bill 200 (Chapter 56, *Statutes of Nevada*) authorized charter schools to give enrollment preference to the children of individuals who reside or work on a military base. Senate Bill 390 (Chapter 258, *Statutes of Nevada*) permitted charter schools to offer enrollment preference to students currently attending schools that are at overcapacity or underperforming. If offered, the preference goes first to students living within two miles of the charter school, and then to all students in the district.

Charter school safety

Assembly Bill 321 (Chapter 324, *Statutes of Nevada*) required the board of trustees of a school district to enter into a contract to provide school police officers to a charter school, if the governing body of a charter school made such a request. A law enforcement agency contacted for assistance by a public or private school without school police must respond as it would to a call for assistance from the general public. The Department of Education is also required by Senate Bill 205 (Chapter 44, *Statutes of Nevada*) to develop a model plan for school emergency management. This model plan must include emergency procedures, plans, and information, and be utilized by each school district and charter school.

Charter school “harbor master”

Senate Bill 491 (Chapter 485, *Statutes of Nevada*) created what is termed a charter school “harbor master.” Through a request for proposals, the State will grant funds to a nonprofit organization to act as harbor master. The organization is required to match the State funds it receives and recruit individuals for leadership roles in the formation and operation of high-quality charter schools. These charter schools must serve pupils whose household incomes are below the federal poverty level.

