

LCB File No. R063-03

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

(This proposed regulation was previously adopted as section 4 of LCB File No. T015-03)

SECTION 1. NAC 386.240 Issuance of written charter to applicant not prepared to commence operation on date of issuance; expiration, effect and contents of charter; supplemental application. (NRS 386.527, 386.540)

1. The board of trustees of a school district or the state board of education may issue a written charter pursuant to subsection 4 of NRS 386.527 if the board of trustees or state board, as applicable, determines that the applicant is not prepared to commence operation on the date of issuance of the written charter. A written charter issued pursuant to subsection 4 of NRS 386.527 *for a non at-risk charter school* expires 1 year after the date of issuance and is nonrenewable. *A written charter issued pursuant to subsection 4 of NRS 386.527 for an at-risk charter school expires 2 years after the date of issuance and is nonrenewable* . If a written charter is issued pursuant to subsection 4 of NRS 386.527, a governing body must be selected and the provisions of NRS 386.549 and NAC 386.345 apply to the governing body.

2. A written charter issued pursuant to subsection 4 of NRS 386.527 must include:

(a) A notation indicating ~~[that]~~ *when* it expires ~~[1-year-after-the-date-of-issuance]~~ and *that it* is nonrenewable;

(b) Each reason why the charter school is not prepared to commence operation on the date of issuance of the charter;

(c) The conditions that the governing body of the charter school must satisfy to convert the written charter issued pursuant to subsection 4 of NRS 386.527 to a written charter issued pursuant to subsection 2 of NRS 386.527;

(d) The tasks that must be accomplished by the governing body of the charter school before it may submit a supplemental application to convert the written charter issued pursuant to subsection 4 of NRS 386.527 to a written charter issued pursuant to subsection 2 of NRS 386.527, including, without limitation, the timeline by which those tasks must be accomplished; and

(e) A statement by the governing body of the charter school indicating that it understands that:

(1) To receive apportionments from the state distributive school account, the charter school must have pupils enrolled and attending school at least 1 school day before the count day for the school district in which the charter school is located; and

(2) The count day for the charter school is the last day of the first school month, and is the same as the count day for the school district in which the charter school is located. The charter school must account for twenty days in the first school month; this may include days on which class is not in session, such as holidays, inservice days, and teacher conference days; and

~~(2)~~ (3) The governing body shall not authorize the attendance of pupils at the charter school unless the charter school has obtained a written charter issued pursuant to subsection 2 of NRS 386.527.

3. Before the expiration of a written charter issued pursuant to subsection 4 of NRS 386.527, the holder of the charter may submit a supplemental application to the sponsor requesting that the sponsor determine whether the charter school is eligible for a written charter issued pursuant to subsection 2 of NRS 386.527. The supplemental application must be submitted not less than 30 days before the expiration of the written charter issued pursuant to subsection 4 of NRS 386.527.