

LCB File No. R057-04

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

NAC 386.360 Maintenance of records. (NRS 386.540)

1. A charter school shall maintain a permanent record for each pupil in a separate file. The permanent record must contain:

- (a) The record of attendance of the pupil;
- (b) The grades received by the pupil;
- (c) The certificate of immunization of the pupil; and
- (d) Any other records related directly to the academic progress of the pupil.

2. Records maintained pursuant to subsection 1 must be kept in a location that is safe, secure and affords reasonable protection from:

- (a) Fire;
- (b) Misuse; and
- (c) Access by unauthorized persons.

3. If the governing body of a charter school plans to close the school or otherwise terminate the operation of the school, the governing body shall, not less than 30 days before the date of closure or termination:

(a) Notify the department and the sponsor of the charter school of that fact. ~~[-and]~~ *The notification shall include:*

- (1) The reason for the closure;*
- (2) The date of the closure; and*
- (3) The date of the governing body meeting at which the decision to close the school was made; and*

(b) Submit to the sponsor of the charter school all records pertinent to:

- (1) The indebtedness of the charter school, if any; ~~[and]~~
- (2) Any property of the charter school that is encumbered ~~[-]~~
- (3) Notify by U.S. mail the parents or guardians of pupils enrolled in the charter school and the employees of the school of that fact. The notification shall include information on transferring pupils and records to another school;*
- (4) Notify any district that has pupils enrolled in the charter school that may receive pupils from the closing charter school;*
- (5) Ensure that all information required by SAIN has been entered into the system and is current up to the date of the school's closure;*
- (6) Return any remaining restricted assets, such as grant funds and restricted categorical funds, to their source.*
- (7) Identify a trustee who will, through the process of closing the school and for a term of one year after, assume responsibility for school, student and employee records in case these records were not properly attended to at the time of the school's closure. The Trustee must be one of the licensed teachers on the governing body. The governing body shall notify the school's sponsor of the name and contact information for the trustee.*

(8) Create a current and projected payroll and payroll benefits commitment, listing each employee, job, and funds required to complete contracts. A report of the status of the school's employees' income tax documentation must be submitted to the school's sponsor.

(9) Remain intact long enough after the closing of the school to oversee the settling of remaining obligations, including but not limited to unemployment compensation, completion of the lease agreement, and final billings for utilities and other costs.

4. If a charter school closes, the charter school shall, for each pupil enrolled in the charter school, forward the permanent record of the pupil to the office of pupil records of the school district in which the pupil resides.

5. *If a charter school closes, the charter school shall provide to the department and the sponsor:*

(a) An independent audit within six months of closure. The audit shall determine the net assets or net liabilities of the school.

(b) The annual report of budget required pursuant to NRS 386.600.

6. *Failure to comply with sections 1, 2, and 3 may result in revocation of the teaching license of the teacher members of the governing body.*

7. *If a charter school closes, the department and the sponsor shall notify the school of any liabilities the school owes the department or the sponsor.*

8. *All equipment and supplies purchased with state or federal funds are property of the state or federal government, and must remain in the school unless the school is directed otherwise by the school's sponsor, the state or federal government. Such property may be removed only by the school's sponsor, or the state or federal government. Only equipment obtained with personal funds, or through other personal means, or donated to the school, or purchased with funds donated to the school by non-state or non-federal entities may be removed from the school's premises by charter school staff, subject to the conditions, terms and limitations imposed by the entity that donated the items or funds with which the items were purchased.*

9. *A current inventory of the charter school's equipment, supplies and textbooks shall be maintained by the charter school. The inventory shall identify the source of funds used to purchase each item, or the name of the entity that donated the item, or the owner of the item if it was neither donated to the school nor purchased with state, federal, or donated funds.*

10. *Upon either notification by the charter school of its intent to close, or upon the decision to revoke the charter of the charter school, the sponsor shall inspect the school to confirm all equipment, supplies and textbooks listed in the inventory are on the school's premises.*

11. *Property and equipment purchased using money received from the state becomes the property of the state when the school ceases to operate.*

12. *Any remaining funds of the charter school shall be assigned to the state. Such funds shall be placed in an escrow account with the department for the purpose of meeting any unexpected obligations that would be presented. After one year, the balance remaining in the escrow account would be dispersed to the state general fund through the distributive school account.*

5. If a pupil graduates or withdraws from a charter school, the charter school shall forward the permanent record of the pupil to the office of pupil records of the school district in which the pupil resides.