

**PROPOSED REGULATION OF THE  
DEPARTMENT OF EDUCATION**

**LCB File No. R074-07**

August 29, 2007

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 386.540.

A REGULATION relating to charter schools; revising provisions relating to certain policies of insurance required for charter schools; and providing other matters properly relating thereto.

**Section 1.** NAC 386.215 is hereby amended to read as follows:

386.215 1. Except as otherwise provided in subsection 4 of NAC 386.140, a committee to form a charter school shall obtain insurance from an authorized insurer as follows:

(a) Industrial insurance coverage in accordance with the applicable provisions of the Nevada Industrial Insurance Act, chapters 616A to 616D, inclusive, of NRS.

(b) ~~[General]~~ *Except as otherwise provided in subsection 2, general* liability insurance with a minimum coverage of \$1,000,000. The general liability insurance policy must include coverage for *molestation and* sexual abuse, ~~[molestation, and sports and athletic participation]~~ and have a broad form policy, with the named insureds as follows:

- (1) The sponsor of the charter school;
- (2) All employees of the charter school, including, without limitation, former, present and future employees;
- (3) Volunteers at the charter school; and
- (4) Directors of the charter school, including, without limitation, executive directors.

- (c) Umbrella liability insurance with a minimum coverage of ~~[\$10,000,000.]~~ **\$3,000,000.**
- (d) Educators' legal liability insurance with a minimum coverage of \$1,000,000.
- (e) Employment practices liability insurance with a minimum coverage of \$1,000,000.
- (f) Employment benefits liability insurance with a minimum coverage of \$1,000,000.
- (g) Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.
- (h) ~~[Automobile]~~ ***If applicable, motor vehicle*** liability insurance with a minimum coverage of \$1,000,000.
- (i) ***If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000.***

↪ The cost of insurance required by this ~~[section]~~ ***subsection*** must be provided to the proposed sponsor by the authorized insurer and included in each budget submitted pursuant to subsection 4 of NAC 386.180 and NAC 386.370.

2. ***The sponsor of a charter school may waive all or part of the general liability insurance required pursuant to paragraph (b) of subsection 1 if the sponsor determines that such a waiver is reasonable based upon the risk profile of the charter school or the conditions of the insurance market, or both, including, without limitation, a determination that the cost of obtaining the insurance is excessive or that the insurance is not available because of special circumstances of the charter school.***

3. If an application to form a charter school is approved, the governing body of the charter school shall maintain the insurance required by this section.

4. ***As used in this section, "motor vehicle" has the meaning ascribed to it in NRS 485.050.***