

LCB File No. R135-07

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

(Note: This draft replaces the one posted September 18, 2007; the majority of this regulation has been removed and is now located in R169-07)

**AB 591**

Sec 15 regards circumstances under which a charter school shall submit to a “performance audit” once every three years, rather than annually.

New regulation needs to be written: Per the statute, schools that have “demonstrated improvement in the achievement of pupils enrolled in the charter school, as indicated by **annual measurable objectives determined by the State Board...**” qualify for performance audits every three years rather than annually.

*1. The AB 591, Section 15, “performance audit” is defined as the NRS 386.610(1) progress evaluation, and the NAC 386.410 annual report of compliance; and the “financial audit” is defined as the NAC 386.380 Certified Public Accountant-prepared annual audit.*

*2. To meet the AB 591, Section 15, 1(c) criterion for improvement in the achievement of pupils enrolled in a charter school, the school must reduce by 10% its number of nonproficient students from the previous year’s number of nonproficient students. The measure must be based on English language arts, mathematics and science criterion-referenced test results for all the school’s subpopulations, regardless of the size of the subpopulation, for the most recent testing cycle.*

*3. A charter school that seeks exemption from the annual performance audit pursuant to Section 15 of AB 591 shall submit a written request for exemption to the school’s sponsor by November 15 of the school year which is the first school year for which the school is exempt from the performance audit. Documentation that the school has met all the criteria of subsection 1(a-e) of Section 15 of AB 591 must accompany the request.*

*4. To meet the AB 591, Section 15, 1(e) criterion, a pupil must have passed all sections of the high school proficiency examination.*