

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

LCB File No. R207-07

January 14, 2008

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

AUTHORITY: §§1 and 2, NRS 386.525 and 386.540.

A REGULATION relating to education; prescribing the requirements for the review of applications to form charter schools proposed for sponsorship by a college or university within the Nevada System of Higher Education; and providing other matters properly relating thereto.

Section 1. Chapter 386 of NAC is hereby amended by adding thereto a new section to read as follows:

1. If a college or university within the Nevada System of Higher Education reviews an application to form a charter school pursuant to subsection 1 of NRS 386.525, the president of the college or university shall:

(a) Within 5 days after receipt of the application, designate one or more employees of the college or university to verify the contents of the application by:

(1) Performing a physical inspection of the location of the proposed charter school;
(2) Interviewing the members of the committee to form the charter school and, when appropriate, the proposed administrators and staff members of the proposed charter school;
and

(3) Performing any other investigation necessary or useful in verifying the contents of the application.

(b) At the meeting described in subsection 1 of NRS 386.525, consider the application along with any reports generated by the employees of the college or university pursuant to paragraph (a) and determine whether the application complies with all applicable state and federal statutes and regulations.

(c) Within 5 working days after the meeting described in subsection 1 of NRS 386.525, provide written notice to the applicant of the determinations of the college or university with regard to:

(1) The completeness of the application; and

(2) The application's compliance with applicable state and federal statutes and regulations.

(d) If the college or university denies the application, forward a copy of the written notice of the denial, including, without limitation, the reasons for the denial, to the Department within 5 days after the decision to deny the application is made.

2. If an application to form a charter school is approved by the college or university, the:

(a) Written charter must include the application, as approved by the sponsor, and a written agreement signed by the sponsor and the charter school.

(b) Written notice provided to the Department pursuant to NRS 386.527 indicating approval of the application must include the written charter.

Sec. 2. NAC 386.010 is hereby amended to read as follows:

386.010 As used in NAC 386.010 to 386.445, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 386.015 to 386.050, inclusive, have the meanings ascribed to them in those sections.