

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

LCB File No. R076-14

June 26, 2014

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

AUTHORITY: §§1-3, NRS 385.080 and 386.527.

A REGULATION relating to charter schools; revising the process for changing the sponsorship of a charter school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes a charter school to request a change in sponsorship and requires the State Board of Education to adopt: (1) a process for a charter school to request such a change; and (2) objective criteria under which a request may be granted. (NRS 386.527) This regulation amends the process and criteria.

FIRST
PARALLEL
SECTION

Section 1. NAC 386.323 is hereby amended to read as follows:

386.323 1. Except as otherwise provided in subsection 2, the governing body of a charter school may request a change in the sponsorship of the charter school pursuant to NRS 386.527.

2. A request for a change in sponsorship may not be made if:

(a) The proposed sponsor is a school district other than the school district in which the charter school is located.

(b) The proposed sponsor is the State ~~Board~~ *Public Charter School Authority* and the charter school will use facilities in more than one county.

3. A written request for a change in sponsorship must be submitted to the proposed sponsor and must include:

(a) A copy of the most recently approved application to form a charter school; and

(b) A copy of the written agreement *or charter contract, as applicable*, with the current sponsor.

4. A request for a change in sponsorship must be considered by the proposed sponsor at a public meeting not later than 60 days after receipt of the request.

5. A proposed sponsor may approve a request for a change in sponsorship if:

(a) The *charter* school is in sound financial condition as determined by the most recent annual audit required by NAC 387.775;

(b) The *charter* school ~~is on the list of schools that are designated as demonstrating exemplary achievement, demonstrating high achievement or demonstrating adequate achievement, which is maintained by the Department, on~~ *was rated in the 25th percentile or higher during the last rating of the charter school pursuant to the statewide system of accountability for public schools immediately preceding* the date on which the request is submitted ~~through the period when the request is considered by the proposed sponsor at a public meeting;~~ *;* and

(c) ~~The school's most recent report of compliance required by NAC 386.410 does not indicate a noncompliant item; and~~

~~—(d)~~ The school agrees to ~~sign a new written agreement~~ *enter into a charter contract* with the new sponsor. The ~~written agreement~~ *charter contract* may differ from the written agreement *or charter contract, as applicable*, which the charter school signed with the current sponsor.

6. At the time a request for a change in sponsorship is submitted to the proposed sponsor, the governing body of a charter school shall submit a copy of the request to the current sponsor of the charter school.

Sec. 2. NAC 386.323 is hereby amended to read as follows:

386.323 1. Except as otherwise provided in subsection 2, the governing body of a charter school may request a change in the sponsorship of the charter school pursuant to NRS 386.527.

2. A request for a change in sponsorship may not be made if:

(a) The proposed sponsor is a school district other than the school district in which the charter school is located.

(b) The proposed sponsor is the State Public Charter School Authority and the charter school will use facilities in more than one county.

3. A written request for a change in sponsorship must be submitted to the proposed sponsor and must include:

(a) A copy of the most recently approved application to form a charter school; and

(b) A copy of the ~~written agreement or~~ charter contract ~~, as applicable,~~ with the current sponsor.

4. A request for a change in sponsorship must be considered by the proposed sponsor at a public meeting not later than 60 days after receipt of the request.

5. A proposed sponsor may approve a request for a change in sponsorship if:

(a) The charter school is in sound financial condition as determined by the most recent annual audit required by NAC 387.775;

(b) The charter school was rated in the 25th percentile or higher during the last rating of the charter school pursuant to the statewide system of accountability for public schools immediately preceding the date on which the request is submitted; and

(c) The school agrees to enter into a charter contract with the new sponsor. The charter contract may differ from the ~~written agreement or~~ charter contract ~~, as applicable,~~ which the charter school signed with the current sponsor.

6. At the time a request for a change in sponsorship is submitted to the proposed sponsor, the governing body of a charter school shall submit a copy of the request to the current sponsor of the charter school.

Sec. 3. 1. This section and section 1 of this regulation become effective upon filing with the Secretary of State.

2. Section 2 of this regulation becomes effective on January 1, 2020.