

**ADOPTED REGULATION OF THE
STATE PUBLIC CHARTER SCHOOL AUTHORITY**

LCB File No. R088-16

Effective December 21, 2016

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

AUTHORITY: §1, NRS 388A.229.

A REGULATION relating to charter schools; establishing requirements relating to the reporting of data to the State Public Charter School Authority; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the sponsor of a charter school to ensure the collection, analysis and reporting of certain data and authorizes the State Public Charter School Authority, which acts as a sponsor of charter schools, to adopt regulations concerning the reporting of data. (NRS 388A.229) This regulation requires a charter school sponsored by the State Public Charter School Authority to use a unique identification number to identify itself and to use a unique campus identification number for each campus of the charter school. This regulation also requires each such charter school to maintain and report certain data to the State Public Charter School Authority both as aggregate data for the charter school as a whole and separately for each campus in a format that allows for the evaluation of each campus of the charter school and of the charter school as a whole using certain data.

Section 1. Chapter 388A of NAC is hereby amended by adding thereto a new section to read as follows:

1. Each charter school sponsored by the State Public Charter School Authority shall, when maintaining and reporting the data required pursuant to NRS 388A.229, identify itself using the unique identification number assigned by the Department or, if no such number exists, by the State Public Charter School Authority.

2. Each charter school sponsored by the State Public Charter School Authority shall, in addition to the aggregate data for the charter school as a whole that is maintained and reported pursuant to subsection 1, separately maintain and report the data required pursuant to NRS 388A.229 for each campus operated by the charter school. Each campus operated by the charter school must be identified using the unique campus identification number assigned by the Department or, if no such number exists, by the State Public Charter School Authority.

3. The data maintained and reported pursuant to this section must be maintained and reported in a format that allows:

(a) Each campus of the charter school to be evaluated against specific performance goals for academic achievement according to the performance framework adopted by the State Public Charter School Authority pursuant to NRS 388A.273 which applies to the charter school; and

(b) The charter school to be evaluated as a whole based on a weighted average of data concerning pupil achievement and school performance specified by the State Public Charter School Authority pursuant to NRS 388A.229 for each campus of the charter school and for each group of grade levels served by the charter school.

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement

LCB File No. R088-16

- 1. A clear and concise explanation of the need for the adopted regulation.**
SB509, codified in NRS 388A, permits the State Public Charter School Authority to adopt regulations establishing requirements concerning the manner in which it reports data including, without limitation, the manner in which data must be aggregated or disaggregated in any report. The proposed regulation requires that a charter school sponsored by the State Public Charter School Authority will use a unique identifier to identify itself and use a unique identified for any campus of a charter school. The regulation also provides for each such charter school shall maintain and report certain data to the State Public Charter School Authority both as aggregate data for the charter school as a whole and separately for each campus of the charter school in a format that allows for both the evaluation of each campus of the charter school and the charter school as a whole. By implementing this regulation the Authority will be able to better report and performance manage outcomes for the schools it sponsors on a campus level and for the charter school as a whole. This will allow the Authority to provide more information to interested stakeholders, including but not limited to parents, regarding academic results at both individual campuses and the charter school as a whole and it clarifies how the Authority determines the performance level of a campus or an entire school for accountability purposes and for recognizing and rewarding exemplary performance.
- 2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**
The SPCSA held a regulation workshop on January 8, 2016 to solicit public comment on the proposed regulation. The SPCSA sent the proposed regulation to interested stakeholders and published to the SPCSA website on October 5, 2016 for further comment from the public. The SPCSA held public comment at the November 4, 2016 Regulation hearing where interested parties were welcome to submit testimony regarding the proposed regulations.
- 3. The number of persons who:**

 - (a) Attended each hearing:** Carson City – 2 / Las Vegas - 10
 - (b) Testified at each hearing:** Carson City – 1 / Las Vegas - 1
 - (c) Submitted written comments:** None
- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

 - (a) Name;**
Victoria Neer
Kara Hendricks
 - (b) Telephone number;**
Neer: 775-826-4200
Hendricks: 702-792-3773

- (c) **Business address;**
 Neer: 555 Double R Blvd Reno NV 89508
 Hendricks: 3773 Howard Hughes Parkway #400 North, Las Vegas, NV 89169
- (d) **Business telephone number;**
 SEE B
- (e) **Electronic mail address;**
 Neer: N/A
 Hendricks: hendricksk@gtlaw.com
- (f) **Name of entity or organization represented.**
 Neer: Nevada Connections Academy
 Hendricks: Nevada Virtual Academy

Both Ms. Neer and Ms. Hendricks provided comment during the regulation hearing, but it did not pertain to this proposed regulation.

5. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**
 The SPCSA posted the proposed regulation, notice of intent to act and small business impact statement on its website. It called for interested parties including small businesses for explanation of how the proposed regulations may impact their business.
6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**
 The Authority Board determined that the regulation did not need material changes and agreed with staff's assessment that the regulation was ready for adoption.
7. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:**
 - (1) **Both adverse and beneficial effects;**
 NONE
 - (2) **Both immediate and long-term effects.**
 NONE
8. **The estimated cost to the agency for enforcement of the proposed regulation:**
 There is no cost to the agency for the enforcement of the proposed regulation.
9. **A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**
 There is no duplication or overlap of regulations of state or local government agencies

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The proposed regulation does not include provisions that are more stringent than a federal regulation that regulates the same activity.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The proposed regulation does not establish a new fee or increases an existing fee of the State Public Charter School Authority.