

SENATE BILL NO. 212—COMMITTEE ON EDUCATION

MARCH 1, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing charter schools. (BDR 34-900)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to education; revising provisions relating to sponsorship of charter schools; creating the State Public Charter School Authority; prescribing the membership, duties and powers of the State Public Charter School Authority; repealing the Subcommittee on Charter Schools of the State Board of Education; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the formation of charter schools and authorizes school
2 districts, the State Board of Education and colleges and universities within the
3 Nevada System of Higher Education to sponsor charter schools. (NRS 386.500-
4 386.610) **Sections 25-35.5** of this bill create the State Public Charter School
5 Authority and prescribe the membership of the State Public Charter School
6 Authority. **Section 38** of this bill removes the authority of the State Board of
7 Education to sponsor charter schools and authorizes the State Public Charter School
8 Authority to sponsor charter schools. **Sections 43 and 49** of this bill authorize the
9 State Public Charter School Authority to adopt certain regulations relating to
10 charter schools and eliminate the authority of the Department of Education and the
11 State Board of Education to adopt certain regulations relating to charter schools.
12 **Section 2** of this bill transfers the duty to prepare an annual report of accountability
13 information of each charter school in this State from the board of trustees of a
14 school district to the sponsor of that charter school. **Sections 59 and 60** of this bill
15 require the Director of the State Public Charter School Authority and other persons
16 employed by the State Public Charter School Authority to be appointed or hired, as
17 appropriate. **Section 61** of this bill requires the members of the State Public Charter
18 School Authority to be appointed. **Section 64** of this bill transfers the sponsorship
19 of all charter schools sponsored by the State Board of Education to the State Public
20 Charter School Authority.

21 **Section 57** of this bill repeals the Subcommittee on Charter Schools of the State
22 Board of Education.



1 WHEREAS, The Legislature recognizes that each child in this
2 State should be afforded the opportunity to receive a high-quality
3 education from the public schools of this State; and

4 WHEREAS, Some children perform better in different learning
5 environments, and the educational programs in public schools
6 should be designed to fit the individual needs of those children; and

7 WHEREAS, It is the intent of the Legislature to provide teachers
8 and other educational personnel, parents, legal guardians and other
9 persons who are interested in the system of public education in this
10 State the opportunity to:

11 1. Improve the learning of pupils by creating public schools
12 with rigorous standards for the academic achievement of pupils;

13 2. Close the achievement gaps between high-performing and
14 low-performing groups of pupils;

15 3. Increase the opportunities for learning for all pupils;

16 4. Increase access to alternative educational programs for
17 pupils who are identified as being at risk for academic failure; and

18 5. Encourage diverse approaches to public education and the
19 use of innovative teaching methods that have proven effective; and

20 WHEREAS, The Legislature finds that the success of charter
21 schools in this State depends upon the support of high-quality
22 sponsors, effective charter associations and resource centers,
23 effective educational personnel and parents and legal guardians of
24 pupils enrolled in the charter schools; and

25 WHEREAS, The Legislature finds that the sponsors of successful
26 charter schools maintain high standards for the sponsor and the
27 charter schools they sponsor, preserve autonomy for the charter
28 schools they sponsor and protect the interests of the pupils enrolled
29 in the charter schools and the communities they serve; and

30 WHEREAS, The Legislature finds that the creation of a State
31 Public Charter School Authority can serve as a model of the best
32 practices in sponsoring charter schools and can foster high-quality
33 public school choice through the charter schools it sponsors by
34 providing pupils with an opportunity to maximize their academic
35 potential; now, therefore,
36

37 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
38 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

39
40 **Section 1.** NRS 385.005 is hereby amended to read as follows:
41 385.005 1. The Legislature reaffirms its intent that public
42 education in the State of Nevada is essentially a matter for local
43 control by local school districts. The provisions of this title are



1 intended to reserve to the boards of trustees of local school districts
2 within this state such rights and powers as are necessary to maintain
3 control of the education of the children within their respective
4 districts. These rights and powers may only be limited by other
5 specific provisions of law.

6 2. The responsibility of establishing a statewide policy of
7 integration or desegregation of public schools is reserved to the
8 Legislature. The responsibility for establishing a local policy of
9 integration or desegregation of public schools consistent with
10 the statewide policy established by the Legislature is delegated to
11 the respective boards of trustees of local school districts and to the
12 governing body of each charter school.

13 3. The State Board shall, and *the State Public Charter School*
14 *Authority*, each board of trustees of a local school district, the
15 governing body of each charter school and any other school officer
16 may, advise the Legislature at each regular session of any
17 recommended legislative action to ensure high standards of equality
18 of educational opportunity for all children in the State of Nevada.

19 **Sec. 2.** NRS 385.347 is hereby amended to read as follows:

20 385.347 1. The board of trustees of each school district in
21 this State, in cooperation with associations recognized by the State
22 Board as representing licensed educational personnel in the district,
23 shall adopt a program providing for the accountability of the school
24 district to the residents of the district and to the State Board for the
25 quality of the schools and the educational achievement of the pupils
26 in the district, including, without limitation, pupils enrolled in
27 charter schools ~~fin~~ *sponsored by* the school district. The board of
28 trustees of each school district shall report the information required
29 by subsection 2 for each charter school ~~[that is located within the~~
30 ~~school district, regardless of the sponsor of the charter school.]~~
31 *sponsored by the school district.* The information for charter
32 schools must be reported separately . ~~[and must denote the charter~~
33 ~~schools sponsored by the school district, the charter schools~~
34 ~~sponsored by the State Board and the charter schools sponsored by a~~
35 ~~college or university within the Nevada System of Higher~~
36 ~~Education.]~~

37 2. The board of trustees of each school district shall, on or
38 before August 15 of each year, prepare an annual report of
39 accountability concerning:

40 (a) The educational goals and objectives of the school district.

41 (b) Pupil achievement for each school in the district and the
42 district as a whole, including, without limitation, each charter school
43 ~~fin~~ *sponsored by* the district. The board of trustees of the district
44 shall base its report on the results of the examinations administered
45 pursuant to NRS 389.015 and 389.550 and shall compare the results



1 of those examinations for the current school year with those of
2 previous school years. The report must include, for each school in
3 the district, including, without limitation, each charter school ~~that~~
4 *sponsored by* the district, and each grade in which the examinations
5 were administered:

6 (1) The number of pupils who took the examinations.

7 (2) A record of attendance for the period in which the
8 examinations were administered, including an explanation of any
9 difference in the number of pupils who took the examinations and
10 the number of pupils who are enrolled in the school.

11 (3) Except as otherwise provided in this paragraph, pupil
12 achievement, reported separately by gender and reported separately
13 for the following groups of pupils:

14 (I) Pupils who are economically disadvantaged, as
15 defined by the State Board;

16 (II) Pupils from major racial and ethnic groups, as defined
17 by the State Board;

18 (III) Pupils with disabilities;

19 (IV) Pupils who are limited English proficient; and

20 (V) Pupils who are migratory children, as defined by the
21 State Board.

22 (4) A comparison of the achievement of pupils in each group
23 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
24 annual measurable objectives of the State Board.

25 (5) The percentage of pupils who were not tested.

26 (6) Except as otherwise provided in this paragraph, the
27 percentage of pupils who were not tested, reported separately by
28 gender and reported separately for the groups identified in
29 subparagraph (3).

30 (7) The most recent 3-year trend in pupil achievement in
31 each subject area tested and each grade level tested pursuant to NRS
32 389.015 and 389.550, which may include information regarding the
33 trend in the achievement of pupils for more than 3 years, if such
34 information is available.

35 (8) Information that compares the results of pupils in the
36 school district, including, without limitation, pupils enrolled in
37 charter schools ~~that~~ *sponsored by* the district, with the results of
38 pupils throughout this State. The information required by this
39 subparagraph must be provided in consultation with the Department
40 to ensure the accuracy of the comparison.

41 (9) For each school in the district, including, without
42 limitation, each charter school ~~that~~ *sponsored by* the district,
43 information that compares the results of pupils in the school with the
44 results of pupils throughout the school district and throughout this
45 State. The information required by this subparagraph must be



1 provided in consultation with the Department to ensure the accuracy
2 of the comparison.

3 (10) Information on whether each school in the district,
4 including, without limitation, each charter school ~~in~~ *sponsored by*
5 the district, has made progress based upon the model adopted by the
6 Department pursuant to NRS 385.3595.

7 ↪ A separate reporting for a group of pupils must not be made
8 pursuant to this paragraph if the number of pupils in that group is
9 insufficient to yield statistically reliable information or the results
10 would reveal personally identifiable information about an individual
11 pupil. The State Board shall prescribe the mechanism for
12 determining the minimum number of pupils that must be in a group
13 for that group to yield statistically reliable information.

14 (c) The ratio of pupils to teachers in kindergarten and at each
15 grade level for each elementary school in the district and the district
16 as a whole, including, without limitation, each charter school ~~in~~
17 *sponsored by* the district, and the average class size for each core
18 academic subject, as set forth in NRS 389.018, for each secondary
19 school in the district and the district as a whole, including, without
20 limitation, each charter school ~~in~~ *sponsored by* the district.

21 (d) Information on the professional qualifications of teachers
22 employed by each school in the district and the district as a whole,
23 including, without limitation, each charter school ~~in~~ *sponsored by*
24 the district. The information must include, without limitation:

25 (1) The percentage of teachers who are:

26 (I) Providing instruction pursuant to NRS 391.125;

27 (II) Providing instruction pursuant to a waiver of the
28 requirements for licensure for the grade level or subject area in
29 which the teachers are employed; or

30 (III) Otherwise providing instruction without an
31 endorsement for the subject area in which the teachers are
32 employed;

33 (2) The percentage of classes in the core academic subjects,
34 as set forth in NRS 389.018, that are not taught by highly qualified
35 teachers;

36 (3) The percentage of classes in the core academic subjects,
37 as set forth in NRS 389.018, that are not taught by highly qualified
38 teachers, in the aggregate and disaggregated by high-poverty
39 compared to low-poverty schools, which for the purposes of this
40 subparagraph means schools in the top quartile of poverty and the
41 bottom quartile of poverty in this State;

42 (4) For each middle school, junior high school and high
43 school:

44 (I) ~~[On and after July 1, 2005, the]~~ *The* number of
45 persons employed as substitute teachers for 20 consecutive days or



1 more in the same classroom or assignment, designated as long-term
2 substitute teachers, including the total number of days long-term
3 substitute teachers were employed at each school, identified by
4 grade level and subject area; and

5 (II) ~~{On and after July 1, 2006, the}~~ *The* number of
6 persons employed as substitute teachers for less than 20 consecutive
7 days, designated as short-term substitute teachers, including the total
8 number of days short-term substitute teachers were employed at
9 each school, identified by grade level and subject area; and

10 (5) For each elementary school:

11 (I) ~~{On and after July 1, 2005, the}~~ *The* number of
12 persons employed as substitute teachers for 20 consecutive days or
13 more in the same classroom or assignment, designated as long-term
14 substitute teachers, including the total number of days long-term
15 substitute teachers were employed at each school, identified by
16 grade level; and

17 (II) ~~{On and after July 1, 2006, the}~~ *The* number of
18 persons employed as substitute teachers for less than 20 consecutive
19 days, designated as short-term substitute teachers, including the total
20 number of days short-term substitute teachers were employed at
21 each school, identified by grade level.

22 (e) The total expenditure per pupil for each school in the district
23 and the district as a whole, including, without limitation, each
24 charter school ~~{in}~~ *sponsored by* the district. If this State has a
25 financial analysis program that is designed to track educational
26 expenditures and revenues to individual schools, each school district
27 shall use that statewide program in complying with this paragraph.
28 If a statewide program is not available, each school district shall use
29 its own financial analysis program in complying with this
30 paragraph.

31 (f) The curriculum used by the school district, including:

32 (1) Any special programs for pupils at an individual school;
33 and

34 (2) The curriculum used by each charter school ~~{in}~~
35 *sponsored by* the district.

36 (g) Records of the attendance and truancy of pupils in all grades,
37 including, without limitation:

38 (1) The average daily attendance of pupils, for each school in
39 the district and the district as a whole, including, without limitation,
40 each charter school ~~{in}~~ *sponsored by* the district.

41 (2) For each elementary school, middle school and junior
42 high school in the district, including, without limitation, each charter
43 school ~~{in}~~ *sponsored by* the district that provides instruction to
44 pupils enrolled in a grade level other than high school, information
45 that compares the attendance of the pupils enrolled in the school



1 with the attendance of pupils throughout the district and throughout
2 this State. The information required by this subparagraph must be
3 provided in consultation with the Department to ensure the accuracy
4 of the comparison.

5 (h) The annual rate of pupils who drop out of school in grade 8
6 and a separate reporting of the annual rate of pupils who drop out of
7 school in grades 9 to 12, inclusive, for each such grade, for each
8 school in the district and for the district as a whole. The reporting
9 for pupils in grades 9 to 12, inclusive, excludes pupils who:

10 (1) Provide proof to the school district of successful
11 completion of the examinations of general educational development.

12 (2) Are enrolled in courses that are approved by the
13 Department as meeting the requirements for an adult standard
14 diploma.

15 (3) Withdraw from school to attend another school.

16 (i) Records of attendance of teachers who provide instruction,
17 for each school in the district and the district as a whole, including,
18 without limitation, each charter school ~~§~~ *sponsored by* the district.

19 (j) Efforts made by the school district and by each school in the
20 district, including, without limitation, each charter school ~~§~~
21 *sponsored by* the district, to increase:

22 (1) Communication with the parents of pupils in the district;
23 and

24 (2) The participation of parents in the educational process
25 and activities relating to the school district and each school,
26 including, without limitation, the existence of parent organizations
27 and school advisory committees.

28 (k) Records of incidents involving weapons or violence for each
29 school in the district, including, without limitation, each charter
30 school ~~§~~ *sponsored by* the district.

31 (l) Records of incidents involving the use or possession of
32 alcoholic beverages or controlled substances for each school in the
33 district, including, without limitation, each charter school ~~§~~
34 *sponsored by* the district.

35 (m) Records of the suspension and expulsion of pupils required
36 or authorized pursuant to NRS 392.466 and 392.467.

37 (n) The number of pupils who are deemed habitual disciplinary
38 problems pursuant to NRS 392.4655, for each school in the district
39 and the district as a whole, including, without limitation, each
40 charter school ~~§~~ *sponsored by* the district.

41 (o) The number of pupils in each grade who are retained in the
42 same grade pursuant to NRS 392.033 or 392.125, for each school in
43 the district and the district as a whole, including, without limitation,
44 each charter school ~~§~~ *sponsored by* the district.



1 (p) The transiency rate of pupils for each school in the district
2 and the district as a whole, including, without limitation, each
3 charter school ~~fin~~ *sponsored by* the district. For the purposes of this
4 paragraph, a pupil is not transient if the pupil is transferred to a
5 different school within the school district as a result of a change in
6 the zone of attendance by the board of trustees of the school district
7 pursuant to NRS 388.040.

8 (q) Each source of funding for the school district.

9 (r) A compilation of the programs of remedial study that are
10 purchased in whole or in part with money received from this State,
11 for each school in the district and the district as a whole, including,
12 without limitation, each charter school sponsored by the district. The
13 compilation must include:

14 (1) The amount and sources of money received for programs
15 of remedial study for each school in the district and the district as a
16 whole, including, without limitation, each charter school ~~fin~~
17 *sponsored by* the district.

18 (2) An identification of each program of remedial study,
19 listed by subject area.

20 (s) For each high school in the district, including, without
21 limitation, each charter school ~~fin~~ *sponsored by* the district, the
22 percentage of pupils who graduated from that high school or charter
23 school in the immediately preceding year and enrolled in remedial
24 courses in reading, writing or mathematics at a university, state
25 college or community college within the Nevada System of Higher
26 Education.

27 (t) The technological facilities and equipment available at each
28 school, including, without limitation, each charter school ~~fin~~
29 *sponsored by the district*, and the district's plan to incorporate
30 educational technology at each school.

31 (u) For each school in the district and the district as a whole,
32 including, without limitation, each charter school ~~fin~~ *sponsored by*
33 the district, the number and percentage of pupils who received:

34 (1) A standard high school diploma, reported separately for
35 pupils who received the diploma pursuant to:

36 (I) Paragraph (a) of subsection 1 of NRS 389.805; and

37 (II) Paragraph (b) of subsection 1 of NRS 389.805.

38 (2) An adjusted diploma.

39 (3) A certificate of attendance.

40 (v) For each school in the district and the district as a whole,
41 including, without limitation, each charter school ~~fin~~ *sponsored by*
42 the district, the number and percentage of pupils who failed to pass
43 the high school proficiency examination.

44 (w) The number of habitual truants who are reported to a school
45 police officer or law enforcement agency pursuant to paragraph (a)



1 of subsection 2 of NRS 392.144 and the number of habitual truants
2 who are referred to an advisory board to review school attendance
3 pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each
4 school in the district and for the district as a whole.

5 (x) The amount and sources of money received for the training
6 and professional development of teachers and other educational
7 personnel for each school in the district and for the district as a
8 whole, including, without limitation, each charter school ~~that~~
9 *sponsored by* the district.

10 (y) Whether the school district has made adequate yearly
11 progress. If the school district has been designated as demonstrating
12 need for improvement pursuant to NRS 385.377, the report must
13 include a statement indicating the number of consecutive years the
14 school district has carried that designation.

15 (z) Information on whether each public school in the district,
16 including, without limitation, each charter school ~~that~~ *sponsored by*
17 the district, has made adequate yearly progress, including, without
18 limitation:

19 (1) The number and percentage of schools in the district, if
20 any, that have been designated as needing improvement pursuant to
21 NRS 385.3623; and

22 (2) The name of each school, if any, in the district that has
23 been designated as needing improvement pursuant to NRS 385.3623
24 and the number of consecutive years that the school has carried that
25 designation.

26 (aa) Information on the paraprofessionals employed by each
27 public school in the district, including, without limitation, each
28 charter school ~~that~~ *sponsored by* the district. The information must
29 include:

30 (1) The number of paraprofessionals employed at the school;
31 and

32 (2) The number and percentage of all paraprofessionals who
33 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
34 reporting requirements of this subparagraph apply to
35 paraprofessionals who are employed in positions supported with
36 Title I money and to paraprofessionals who are not employed in
37 positions supported with Title I money.

38 (bb) For each high school in the district, including, without
39 limitation, each charter school *sponsored by the district* that
40 operates as a high school, information that provides a comparison of
41 the rate of graduation of pupils enrolled in the high school with the
42 rate of graduation of pupils throughout the district and throughout
43 this State. The information required by this paragraph must be
44 provided in consultation with the Department to ensure the accuracy
45 of the comparison.



1 (cc) An identification of the appropriations made by the
2 Legislature that are available to the school district or the schools
3 within the district and programs approved by the Legislature to
4 improve the academic achievement of pupils.

5 (dd) For each school in the district and the district as a whole,
6 including, without limitation, each charter school ~~in~~ *sponsored by*
7 the district, information on pupils enrolled in career and technical
8 education, including, without limitation:

9 (1) The number of pupils enrolled in a course of career and
10 technical education;

11 (2) The number of pupils who completed a course of career
12 and technical education;

13 (3) The average daily attendance of pupils who are enrolled
14 in a program of career and technical education;

15 (4) The annual rate of pupils who dropped out of school and
16 were enrolled in a program of career and technical education before
17 dropping out;

18 (5) The number and percentage of pupils who completed a
19 program of career and technical education and who received a
20 standard high school diploma, an adjusted diploma or a certificate of
21 attendance; and

22 (6) The number and percentage of pupils who completed a
23 program of career and technical education and who did not receive a
24 high school diploma because the pupils failed to pass the high
25 school proficiency examination.

26 (ee) Such other information as is directed by the Superintendent
27 of Public Instruction.

28 3. *The State Public Charter School Authority and each*
29 *college or university within the Nevada System of Higher*
30 *Education that sponsors a charter school shall, on or before*
31 *August 15 of each year, prepare an annual report of*
32 *accountability of the charter schools sponsored by the State Public*
33 *Charter School Authority or institution, as applicable, concerning*
34 *the accountability information prescribed by the Department*
35 *pursuant to this section. The Department, in consultation with the*
36 *State Public Charter School Authority and each college or*
37 *university within the Nevada System of Higher Education that*
38 *sponsors a charter school, shall prescribe by regulation the*
39 *information that must be prepared by the State Public Charter*
40 *School Authority and institution, as applicable, which must*
41 *include, without limitation, the information contained in*
42 *paragraphs (a) to (ee), inclusive, of subsection 2, as applicable to*
43 *charter schools. The Department shall provide for public*
44 *dissemination of the annual report of accountability prepared*
45 *pursuant to this section in the manner set forth in 20 U.S.C. §*



1 **6311(h)(2)(E) by posting a copy of the report on the Internet**
2 **website maintained by the Department.**

3 **4.** The records of attendance maintained by a school for
4 purposes of paragraph (i) of subsection 2 **or maintained by a**
5 **charter school for purposes of the reporting required pursuant to**
6 **subsection 3** must include the number of teachers who are in
7 attendance at school and the number of teachers who are absent
8 from school. A teacher shall be deemed in attendance if the teacher
9 is excused from being present in the classroom by the school in
10 which the teacher is employed for one of the following reasons:

11 (a) Acquisition of knowledge or skills relating to the
12 professional development of the teacher; or

13 (b) Assignment of the teacher to perform duties for cocurricular
14 or extracurricular activities of pupils.

15 ~~[4.]~~ **5.** The annual report of accountability prepared pursuant
16 to subsection 2 **or 3, as applicable,** must:

17 (a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations
18 adopted pursuant thereto; and

19 (b) Be presented in an understandable and uniform format and,
20 to the extent practicable, provided in a language that parents can
21 understand.

22 ~~[5.]~~ **6.** The Superintendent of Public Instruction shall:

23 (a) Prescribe forms for the reports required pursuant to
24 ~~[subsection 2]~~ **subsections 2 and 3** and provide the forms to the
25 respective school districts ~~[]~~ , **the State Public Charter School**
26 **Authority and each college or university within the Nevada System**
27 **of Higher Education that sponsors a charter school.**

28 (b) Provide statistical information and technical assistance to the
29 school districts , **the State Public Charter School Authority and**
30 **each college or university within the Nevada System of Higher**
31 **Education that sponsors a charter school** to ensure that the reports
32 provide comparable information with respect to each school in each
33 district , **each charter school** and among the districts **and charter**
34 **schools** throughout this State.

35 (c) Consult with a representative of the:

36 (1) Nevada State Education Association;

37 (2) Nevada Association of School Boards;

38 (3) Nevada Association of School Administrators;

39 (4) Nevada Parent Teacher Association;

40 (5) Budget Division of the Department of Administration;

41 ~~[and]~~

42 (6) Legislative Counsel Bureau ~~[]~~ ; **and**

43 (7) **Charter School Association of Nevada,**



1 ↳ concerning the program and consider any advice or
2 recommendations submitted by the representatives with respect to
3 the program.

4 ~~[6.]~~ 7. The Superintendent of Public Instruction may consult
5 with representatives of parent groups other than the Nevada Parent
6 Teacher Association concerning the program and consider any
7 advice or recommendations submitted by the representatives with
8 respect to the program.

9 ~~[7.]~~ 8. On or before August 15 of each year ~~[, the]~~ :

10 (a) *The* board of trustees of each school district shall submit to
11 each advisory board to review school attendance created in the
12 county pursuant to NRS 392.126 the information required in
13 paragraph (g) of subsection 2.

14 ~~[8.]~~ (b) *The State Public Charter School Authority and each*
15 *college or university within the Nevada System of Higher*
16 *Education that sponsors a charter school shall submit to each*
17 *advisory board to review school attendance created in a county*
18 *pursuant to NRS 392.126 the information regarding the records of*
19 *the attendance and truancy of pupils enrolled in the charter school*
20 *located in that county, if any, in accordance with the regulations*
21 *prescribed by the Department pursuant to subsection 3.*

22 9. On or before August 15 of each year ~~[, the]~~ :

23 (a) *The* board of trustees of each school district , *the State*
24 *Public Charter School Authority and each college or university*
25 *within the Nevada System of Higher Education that sponsors a*
26 *charter school* shall ~~[~~

27 ~~—(a) Provide]~~ *provide* written notice that the report required
28 pursuant to subsection 2 *or 3, as applicable*, is available on the
29 Internet website maintained by the school district, *State Public*
30 *Charter School Authority or institution*, if any, or otherwise
31 provide written notice of the availability of the report. The written
32 notice must be provided to the:

- 33 (1) Governor;
- 34 (2) State Board;
- 35 (3) Department;
- 36 (4) Committee; and
- 37 (5) Bureau.

38 (b) ~~[Provide]~~ *The board of trustees of each school district, the*
39 *State Public Charter School Authority and each college or*
40 *university within the Nevada System of Higher Education that*
41 *sponsors a charter school shall provide* for public dissemination of
42 the annual report of accountability prepared pursuant to subsection 2
43 *or 3, as applicable*, in the manner set forth in 20 U.S.C. §
44 6311(h)(2)(E) by posting a copy of the report on the Internet website
45 maintained by the school district, *the State Public Charter School*



1 *Authority or the institution*, if any. If a school district does not
2 maintain a website, the district shall otherwise provide for public
3 dissemination of the annual report by providing a copy of the report
4 to the schools in the school district, including, without limitation,
5 each charter school ~~that~~ *sponsored by* the district, the residents of
6 the district, and the parents and guardians of pupils enrolled in
7 schools in the district, including, without limitation, each charter
8 school ~~that~~ *sponsored by* the district.

9 ~~9.~~ *If the State Public Charter School Authority or the*
10 *institution does not maintain a website, the State Public Charter*
11 *School Authority or the institution, as applicable, shall otherwise*
12 *provide for public dissemination of the annual report by providing*
13 *a copy of the report to each charter school it sponsors and the*
14 *parents and guardians of pupils enrolled in each charter school it*
15 *sponsors.*

16 10. Upon the request of the Governor, an entity described in
17 paragraph (a) of subsection ~~8~~ 9 or a member of the general public,
18 the board of trustees of a school district , *the State Public Charter*
19 *School Authority or a college or university within the Nevada*
20 *System of Higher Education that sponsors a charter school, as*
21 *applicable*, shall provide a portion or portions of the report required
22 pursuant to subsection 2 ~~2~~
23 ~~—10.~~ *or 3, as applicable.*

24 11. As used in this section:

25 (a) “Highly qualified” has the meaning ascribed to it in 20
26 U.S.C. § 7801(23).

27 (b) “Paraprofessional” has the meaning ascribed to it in
28 NRS 391.008.

29 **Sec. 3.** NRS 385.349 is hereby amended to read as follows:

30 385.349 1. The board of trustees of each school district , *the*
31 *State Public Charter School Authority and each college or*
32 *university within the Nevada System of Higher Education that*
33 *sponsors a charter school* shall prepare a summary of the annual
34 report of accountability prepared pursuant to NRS 385.347 on the
35 form prescribed by the Department pursuant to subsection 3 or an
36 expanded form, as applicable. The summary must include, without
37 limitation:

38 (a) ~~The~~ *If prepared by a school district, the* information set
39 forth in subsection 1 of NRS 385.34692, reported for the school
40 district as a whole and for each school within the school district;

41 (b) *If prepared by the State Public Charter School Authority or*
42 *a college or university within the Nevada System of Higher*
43 *Education, the information set forth in subsection 1 of NRS*
44 *385.34692, reported for the charter schools sponsored by the State*
45 *Public Charter School Authority or the institution, as applicable.*



1 (c) Information on the involvement of parents and legal
2 guardians in the education of their children; and

3 ~~[(e)]~~ (d) Other information required by the Superintendent of
4 Public Instruction in consultation with the Bureau.

5 2. The summary prepared pursuant to subsection 1 must:

6 (a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations
7 adopted pursuant thereto; and

8 (b) Be presented in an understandable and uniform format and,
9 to the extent practicable, provided in a language that parents will
10 likely understand.

11 3. The Department shall, in consultation with the Bureau ,
12 ~~[and]~~ the school districts, *the State Public Charter School
13 Authority and each college or university within the Nevada System
14 of Higher Education that sponsors a charter school*, prescribe a
15 form that contains the basic information required by subsection 1.
16 The board of trustees of a school district , *the State Public Charter
17 School Authority or a college or university* may use an expanded
18 form that contains additions to the form prescribed by the
19 Department if the basic information contained in the expanded form
20 complies with the form prescribed by the Department.

21 4. On or before September 7 of each year, the board of trustees
22 of each school district , *the State Public Charter School Authority
23 and each college or university within the Nevada System of Higher
24 Education that sponsors a charter school* shall:

25 (a) Submit the summary in an electronic format to the:

26 (1) Governor;

27 (2) State Board;

28 (3) Department;

29 (4) Committee;

30 (5) Bureau; and

31 (6) Schools within the school district ~~[H]~~ *or charter schools,*
32 *as applicable.*

33 (b) Provide for the public dissemination of the summary *of the
34 school district, the State Public Charter School Authority or the
35 college or university, as applicable*, by posting a copy of the
36 summary on the Internet website maintained by the school district,
37 *the State Public Charter School Authority or institution*, if any. If
38 a school district , *the State Public Charter School Authority or an
39 institution* does not maintain a website, the district , *the State
40 Public Charter School Authority or institution, as applicable*, shall
41 otherwise provide for public dissemination of the summary. The
42 board of trustees of each school district , *the State Public Charter
43 School Authority or an institution* shall ensure that the parents and
44 guardians of pupils enrolled in the school district *or each charter
45 school, as applicable*, have sufficient information concerning the



1 availability of the summary, including, without limitation,
2 information that describes how to access the summary on the
3 Internet website maintained by the school district, *the State Public*
4 *Charter School Authority or the institution*, if any. Upon the
5 request of a parent or legal guardian, the school district, *the State*
6 *Public Charter School Authority or an institution, as applicable*,
7 shall provide the parent or legal guardian with a written copy of the
8 summary.

9 ~~[5.—The board of trustees of each school district shall report the~~
10 ~~information required by this section for each charter school that is~~
11 ~~located within the school district, regardless of the sponsor of the~~
12 ~~charter school. The information for charter schools must be reported~~
13 ~~separately and must denote the charter schools sponsored by the~~
14 ~~school district, the charter schools sponsored by the State Board and~~
15 ~~the charter schools sponsored by a college or university within the~~
16 ~~Nevada System of Higher Education.]~~

17 **Sec. 4.** NRS 385.357 is hereby amended to read as follows:

18 385.357 1. Except as otherwise provided in NRS 385.37603
19 and 385.37607, the principal of each school, including, without
20 limitation, each charter school, shall, in consultation with the
21 employees of the school, prepare a plan to improve the achievement
22 of the pupils enrolled in the school.

23 2. The plan developed pursuant to subsection 1 must include:

24 (a) A review and analysis of the data pertaining to the school
25 upon which the report required pursuant to subsection 2 *or 3* of NRS
26 385.347, *as applicable*, is based and a review and analysis of any
27 data that is more recent than the data upon which the report is based.

28 (b) The identification of any problems or factors at the school
29 that are revealed by the review and analysis.

30 (c) Strategies based upon scientifically based research, as
31 defined in 20 U.S.C. § 7801(37), that will strengthen the core
32 academic subjects, as defined in NRS 389.018.

33 (d) Policies and practices concerning the core academic subjects
34 which have the greatest likelihood of ensuring that each group of
35 pupils identified in paragraph (b) of subsection 1 of NRS 385.361
36 who are enrolled in the school will make adequate yearly progress
37 and meet the minimum level of proficiency prescribed by the State
38 Board.

39 (e) Annual measurable objectives, consistent with the annual
40 measurable objectives established by the State Board pursuant to
41 NRS 385.361, for the continuous and substantial progress by each
42 group of pupils identified in paragraph (b) of subsection 1 of that
43 section who are enrolled in the school to ensure that each group will
44 make adequate yearly progress and meet the level of proficiency
45 prescribed by the State Board.



1 (f) Strategies, consistent with the policy adopted pursuant to
2 NRS 392.457 by the board of trustees of the school district in which
3 the school is located, to promote effective involvement by parents
4 and families of pupils enrolled in the school in the education of their
5 children.

6 (g) As appropriate, programs of remedial education or tutoring
7 to be offered before and after school, during the summer, or between
8 sessions if the school operates on a year-round calendar for pupils
9 enrolled in the school who need additional instructional time to pass
10 or to reach a level considered proficient.

11 (h) Strategies to improve the academic achievement of pupils
12 enrolled in the school, including, without limitation, strategies to:

13 (1) Instruct pupils who are not achieving to their fullest
14 potential, including, without limitation:

15 (I) The curriculum appropriate to improve achievement;

16 (II) The manner by which the instruction will improve the
17 achievement and proficiency of pupils on the examinations
18 administered pursuant to NRS 389.015 and 389.550; and

19 (III) An identification of the instruction and curriculum
20 that is specifically designed to improve the achievement and
21 proficiency of pupils in each group identified in paragraph (b) of
22 subsection 1 of NRS 385.361;

23 (2) Increase the rate of attendance of pupils and reduce the
24 number of pupils who drop out of school;

25 (3) Integrate technology into the instructional and
26 administrative programs of the school;

27 (4) Manage effectively the discipline of pupils; and

28 (5) Enhance the professional development offered for the
29 teachers and administrators employed at the school to include the
30 activities set forth in 20 U.S.C. § 7801(34) and to address
31 the specific needs of pupils enrolled in the school, as deemed
32 appropriate by the principal.

33 (i) An identification, by category, of the employees of the school
34 who are responsible for ensuring that the plan is carried out
35 effectively.

36 (j) In consultation with the school district or governing body, as
37 applicable, an identification, by category, of the employees of the
38 school district or governing body, if any, who are responsible for
39 ensuring that the plan is carried out effectively or for overseeing and
40 monitoring whether the plan is carried out effectively.

41 (k) In consultation with the Department, an identification, by
42 category, of the employees of the Department, if any, who are
43 responsible for overseeing and monitoring whether the plan is
44 carried out effectively.



1 (l) For each provision of the plan, a timeline for carrying out
2 that provision, including, without limitation, a timeline for
3 monitoring whether the provision is carried out effectively.

4 (m) For each provision of the plan, measurable criteria for
5 determining whether the provision has contributed toward
6 improving the academic achievement of pupils, increasing the rate
7 of attendance of pupils and reducing the number of pupils who drop
8 out of school.

9 (n) The resources available to the school to carry out the plan. If
10 this State has a financial analysis program that is designed to track
11 educational expenditures and revenues to individual schools, each
12 school shall use that statewide program in complying with this
13 paragraph. If a statewide program is not available, each school shall
14 use the financial analysis program used by the school district in
15 which the school is located in complying with this paragraph.

16 (o) A summary of the effectiveness of appropriations made by
17 the Legislature that are available to the school to improve the
18 academic achievement of pupils and programs approved by the
19 Legislature to improve the academic achievement of pupils.

20 (p) A budget of the overall cost for carrying out the plan.

21 3. In addition to the requirements of subsection 2, if a school
22 has been designated as demonstrating need for improvement
23 pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. §
24 6316(b)(3) and the regulations adopted pursuant thereto.

25 4. Except as otherwise provided in subsection 5, the principal
26 of each school shall, in consultation with the employees of the
27 school:

28 (a) Review the plan prepared pursuant to this section annually to
29 evaluate the effectiveness of the plan; and

30 (b) Based upon the evaluation of the plan, make revisions, as
31 necessary, to ensure that the plan is designed to improve the
32 academic achievement of pupils enrolled in the school.

33 5. If a school has been designated as demonstrating need for
34 improvement pursuant to NRS 385.3623 and a support team has
35 been established for the school, the support team shall review the
36 plan and make revisions to the most recent plan for improvement of
37 the school pursuant to NRS 385.36127. If the school is a Title I
38 school that has been designated as demonstrating need for
39 improvement, the support team established for the school shall, in
40 making revisions to the plan, work in consultation with parents and
41 guardians of pupils enrolled in the school and, to the extent deemed
42 appropriate by the entity responsible for creating the support team,
43 outside experts.



1 6. On or before November 1 of each year, the principal of each
2 school or the support team established for the school, as applicable,
3 shall submit the plan or the revised plan, as applicable, to:

4 (a) If the school is a public school of the school district, the
5 superintendent of schools of the school district.

6 (b) If the school is a charter school, the governing body of the
7 charter school.

8 7. If a Title I school is designated as demonstrating need for
9 improvement pursuant to NRS 385.3623, the superintendent of
10 schools of the school district or the governing body, as applicable,
11 shall carry out a process for peer review of the plan or the revised
12 plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E)
13 and the regulations adopted pursuant thereto. Not later than 45 days
14 after receipt of the plan, the superintendent of schools of the school
15 district or the governing body, as applicable, shall approve the plan
16 or the revised plan, as applicable, if it meets the requirements of 20
17 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto
18 and the requirements of this section. The superintendent of schools
19 of the school district or the governing body, as applicable, may
20 condition approval of the plan or the revised plan, as applicable, in
21 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
22 regulations adopted pursuant thereto. The State Board shall
23 prescribe the requirements for the process of peer review, including,
24 without limitation, the qualifications of persons who may serve as
25 peer reviewers.

26 8. If a school is designated as demonstrating exemplary
27 achievement, high achievement or adequate achievement, or if a
28 school that is not a Title I school is designated as demonstrating
29 need for improvement, not later than 45 days after receipt of the
30 plan or the revised plan, as applicable, the superintendent of schools
31 of the school district or the governing body, as applicable, shall
32 approve the plan or the revised plan if it meets the requirements of
33 this section.

34 9. On or before December 15 of each year, the principal of
35 each school or the support team established for the school, as
36 applicable, shall submit the final plan or the final revised plan, as
37 applicable, to the:

38 (a) Superintendent of Public Instruction;

39 (b) Governor;

40 (c) State Board;

41 (d) Department;

42 (e) Committee;

43 (f) Bureau; and



1 (g) Board of trustees of the school district in which the school is
2 located ~~§~~ *or, if the school is a charter school, the sponsor of the*
3 *charter school and the governing body of the charter school.*

4 10. A plan for the improvement of a school must be carried out
5 expeditiously, but not later than January 1 after approval of the plan
6 pursuant to subsection 7 or 8, as applicable.

7 **Sec. 5.** NRS 385.358 is hereby amended to read as follows:

8 385.358 1. The principal of each public school, including,
9 without limitation, each charter school, shall prepare a summary of
10 accountability information on the form prescribed by the
11 Department pursuant to subsection 3 or an expanded form, as
12 applicable. The summary must include, without limitation:

13 (a) The information set forth in subsection 1 of NRS 385.34692,
14 reported only for the school;

15 (b) Information on the involvement of parents and legal
16 guardians in the education of their children; and

17 (c) Such other information as is directed by the Superintendent
18 of Public Instruction in consultation with the Bureau.

19 2. The summary prepared pursuant to subsection 1 must be
20 presented in an understandable and uniform format and, to the
21 extent practicable, provided in a language that parents will likely
22 understand.

23 3. The Department shall, in consultation with the Bureau ,
24 ~~and~~ the school districts, *the State Public Charter School*
25 *Authority and each college or university within the Nevada System*
26 *of Higher Education that sponsors a charter school*, prescribe a
27 form that contains the basic information required by subsection 1.
28 The principal of a school may use an expanded form that contains
29 additions to the form prescribed by the Department if the basic
30 information contained in the expanded form complies with the form
31 prescribed by the Department.

32 4. On or before September 7 of each year:

33 (a) The principal of each public school shall submit the
34 summary in electronic format to the:

35 (1) Department;

36 (2) Bureau; and

37 (3) Board of trustees of the school district in which the
38 school is located ~~§~~ *or, if the school is a charter school, to the*
39 *sponsor of the charter school and the governing body of the*
40 *charter school.*

41 (b) The school district in which the school is located shall
42 ensure that the summary is posted on the Internet website
43 maintained by the school, if any, or the Internet website maintained
44 by the school district, if any. *The sponsor of a charter school shall*
45 *ensure that each summary of the charter school is posted on the*



1 *Internet website maintained by the charter school, if any, or the*
2 *Internet website maintained by the sponsor, if any.* If the summary
3 is not posted on the website of the school, ~~or~~ the school district ~~;~~
4 *or the sponsor of the charter school, as applicable,* the school
5 district *or the sponsor of the charter school, as applicable,* shall
6 otherwise provide for public dissemination of the summary.

7 (c) The principal of each public school shall ensure that the
8 parents and legal guardians of the pupils enrolled in the school have
9 sufficient information concerning the availability of the summary,
10 including, without limitation, information that describes how to
11 access the summary on the Internet website, if any, and how a
12 parent or guardian may otherwise access the summary.

13 (d) The principal of each public school shall provide a written
14 copy of the summary to each parent and legal guardian of a pupil
15 enrolled in the school.

16 **Sec. 6.** NRS 385.359 is hereby amended to read as follows:

17 385.359 1. The Bureau shall contract with a person or entity
18 to:

19 (a) Review and analyze, in accordance with the standards
20 prescribed by the Committee pursuant to subsection 2 of NRS
21 218E.615, the:

22 (1) Annual report of accountability prepared by:

23 (I) The State Board pursuant to NRS 385.3469; ~~and~~

24 (II) The board of trustees of each school district pursuant
25 to *subsection 2 of* NRS 385.347 ~~;~~ *and*

26 *(III) The State Public Charter School Authority and*
27 *each college or university within the Nevada System of Higher*
28 *Education that sponsors a charter school pursuant to subsection 3*
29 *of NRS 385.347.*

30 (2) Plan to improve the achievement of pupils prepared by:

31 (I) The State Board pursuant to NRS 385.34691;

32 (II) The board of trustees of each school district pursuant
33 to NRS 385.348; and

34 (III) Each school pursuant to NRS 385.357 identified by
35 the Bureau for review, if any, or if such a plan has not been
36 prepared, the turnaround plan for the schools identified by the
37 Bureau, if any, implemented pursuant to NRS 385.37603 or the plan
38 for restructuring the school implemented pursuant to NRS
39 385.37607, as applicable.

40 (b) Submit a written report to and consult with the State Board
41 and the Department regarding any methods by which the State
42 Board may improve the accuracy of the report of accountability
43 required pursuant to NRS 385.3469 and the plan to improve the
44 achievement of pupils required pursuant to NRS 385.34691, and the
45 purposes for which the report and plan to improve are used.



1 (c) Submit a written report to and consult with each school
2 district , *the State Public Charter School Authority and each*
3 *college or university within the Nevada System of Higher*
4 *Education that sponsors a charter school, as applicable*, regarding
5 any methods by which the district , *the State Public Charter School*
6 *Authority or the institution* may improve the accuracy of the report
7 required pursuant to subsection 2 *or 3* of NRS 385.347 , *as*
8 *applicable*, and the plan to improve the achievement of pupils
9 required pursuant to NRS 385.348, and the purposes for which the
10 report and plan to improve are used.

11 (d) If requested by the Bureau, submit a written report to and
12 consult with individual schools identified by the Bureau regarding
13 any methods by which the school may improve the accuracy of the
14 information required to be reported for the school pursuant to
15 subsection 2 *or 3* of NRS 385.347 , *as applicable*, and the:

16 (1) Plan to improve the achievement of pupils required
17 pursuant to NRS 385.357;

18 (2) Turnaround plan for the school implemented pursuant to
19 NRS 385.37603; or

20 (3) Plan for restructuring the school implemented pursuant to
21 NRS 385.37607,

22 ➔ whichever is applicable for the school.

23 (e) Submit written reports and any recommendations to the
24 Committee and the Bureau concerning:

25 (1) The effectiveness of the provisions of NRS 385.3455 to
26 385.391, inclusive, in improving the accountability of the schools of
27 this State;

28 (2) The status of each school district that is designated as
29 demonstrating need for improvement pursuant to NRS 385.377 and
30 each school that is designated as demonstrating need for
31 improvement pursuant to NRS 385.3623; and

32 (3) Any other matter related to the accountability of the
33 public schools of this State, as deemed necessary by the Bureau.

34 2. The consultant with whom the Bureau contracts to perform
35 the duties required pursuant to subsection 1 must possess the
36 experience and knowledge necessary to perform those duties, as
37 determined by the Committee.

38 **Sec. 7.** NRS 385.36127 is hereby amended to read as follows:

39 385.36127 1. If a school support team is established pursuant
40 to the regulations adopted by the State Board pursuant to NRS
41 385.361, the support team shall:

42 (a) Review and analyze the operation of the school, including,
43 without limitation, the design and operation of the instructional
44 program of the school.



1 (b) Review and analyze the data pertaining to the school upon
2 which the report required pursuant to subsection 2 *or* 3 of
3 NRS 385.347 , *as applicable*, is based and review and analyze any
4 data that is more recent than the data upon which the report is based.

5 (c) Review the most recent plan to improve the achievement of
6 the school's pupils.

7 (d) Review the information concerning the educational
8 involvement accords provided to the support team pursuant to NRS
9 392.4575 and the information concerning the reports provided to the
10 support team pursuant to NRS 392.456.

11 (e) Identify and investigate the problems and factors at the
12 school that contributed to the designation of the school as
13 demonstrating need for improvement.

14 (f) Assist the school in developing recommendations for
15 improving the performance of pupils who are enrolled in the school.

16 (g) Except as otherwise provided in this paragraph, make
17 recommendations to the board of trustees of the school district, the
18 State Board and the Department concerning additional assistance for
19 the school in carrying out the plan for improvement of the school,
20 the turnaround plan for the school or the plan for restructuring the
21 school, whichever is applicable for the school. For a charter school
22 sponsored by the State ~~[Board,]~~ *Public Charter School Authority*,
23 the support team shall make the recommendations to the State
24 ~~[Board]~~ *Public Charter School Authority* and the Department. For a
25 charter school sponsored by a college or university within the
26 Nevada System of Higher Education, the support team shall make
27 the recommendations to the sponsor ~~[, the State Board]~~ and the
28 Department.

29 (h) In accordance with its findings pursuant to this section and
30 NRS 385.36129, submit, on or before November 1, written revisions
31 to the most recent plan to improve the achievement of the school's
32 pupils for approval pursuant to NRS 385.357, or submit, on or
33 before May 1, written recommendations for revisions to the
34 turnaround plan for the school implemented pursuant to NRS
35 385.37603 or the plan for restructuring the school implemented
36 pursuant to NRS 385.37607, whichever is applicable for the school.
37 The written revisions or recommendations, as applicable, must:

38 (1) Comply with NRS 385.357 if the school has
39 demonstrated need for improvement for less than 5 years or with
40 NRS 385.37603 or 385.37607, as applicable, if the school has
41 demonstrated need for improvement for 5 or more consecutive
42 years;

43 (2) If the school is a Title I school, be developed in
44 consultation with parents and guardians of pupils enrolled in the



1 school and, to the extent deemed appropriate by the entity that
2 created the support team, outside experts;

3 (3) Include the data and findings of the support team that
4 provide support for the revisions;

5 (4) Set forth goals, objectives, tasks and measures for the
6 school that are:

7 (I) Designed to improve the achievement of the school's
8 pupils;

9 (II) Specific;

10 (III) Measurable; and

11 (IV) Conducive to reliable evaluation;

12 (5) Set forth a timeline to carry out the revisions;

13 (6) Set forth priorities for the school in carrying out the
14 revisions; and

15 (7) Set forth the name and duties of each person who is
16 responsible for carrying out the revisions.

17 (i) Except as otherwise provided in this paragraph, work
18 cooperatively with the board of trustees of the school district in
19 which the school is located, the employees of the school, and the
20 parents and guardians of pupils enrolled in the school to carry out
21 and monitor the plan for improvement of the school. If a charter
22 school is sponsored by the State ~~[Board, the Department]~~ *Public*
23 *Charter School Authority, the State Public Charter School*
24 *Authority* shall assist the school with carrying out and monitoring
25 the plan for improvement of the school. If a charter school is
26 sponsored by a college or university within the Nevada System of
27 Higher Education, ~~[that]~~ *the institution that sponsors the charter*
28 *school* shall assist the school with carrying out and monitoring the
29 plan for improvement of the school.

30 (j) Prepare a quarterly progress report in the format prescribed
31 by the Department and:

32 (1) Submit the progress report to the Department.

33 (2) Distribute copies of the progress report to each employee
34 of the school for review.

35 (k) In addition to the requirements of this section, if the support
36 team is established for a Title I school, carry out the requirements of
37 20 U.S.C. § 6317(a)(5).

38 2. A school support team may require the school for which the
39 support team was established to submit plans, strategies, tasks and
40 measures that, in the determination of the support team, will assist
41 the school in improving the achievement and proficiency of pupils
42 enrolled in the school.

43 3. The Department shall prescribe a concise quarterly progress
44 report for use by each support team in accordance with paragraph (j)
45 of subsection 1.



1 **Sec. 8.** NRS 385.36129 is hereby amended to read as follows:
2 385.36129 1. In addition to the duties prescribed in NRS
3 385.36127, a support team established for a school shall prepare an
4 annual written report that includes:

5 (a) Information concerning the most recent plan to improve the
6 achievement of the school's pupils, the turnaround plan for the
7 school or the plan for restructuring the school, whichever is
8 applicable for the school, including, without limitation, an
9 evaluation of:

- 10 (1) The appropriateness of the plan for the school; and
11 (2) Whether the school has achieved the goals and objectives
12 set forth in the plan;

13 (b) The written revisions to the plan to improve the achievement
14 of the school's pupils or written recommendations for revisions to
15 the turnaround plan for the school or the plan for restructuring the
16 school, whichever is applicable for the school, submitted by the
17 support team pursuant to NRS 385.36127;

18 (c) A summary of each program for remediation, if any,
19 purchased for the school with money that is available from the
20 Federal Government, this state and the school district in which the
21 school is located, including, without limitation:

- 22 (1) The name of the program;
23 (2) The date on which the program was purchased and the
24 date on which the program was carried out by the school;
25 (3) The percentage of personnel at the school who were
26 trained regarding the use of the program;
27 (4) The satisfaction of the personnel at the school with the
28 program; and
29 (5) An evaluation of whether the program has improved the
30 academic achievement of the pupils enrolled in the school who
31 participated in the program;

32 (d) An analysis of the problems and factors at the school which
33 contributed to the designation of the school as demonstrating need
34 for improvement, including, without limitation, issues relating to:

- 35 (1) The financial resources of the school;
36 (2) The administrative and educational personnel of the
37 school;
38 (3) The curriculum of the school;
39 (4) The facilities available at the school, including the
40 availability and accessibility of educational technology; and
41 (5) Any other factors that the support team believes
42 contributed to the designation of the school as demonstrating need
43 for improvement; and

44 (e) Other information concerning the school, including, without
45 limitation:



1 (1) The results of the pupils who are enrolled in the school
2 on the examinations that are administered pursuant to NRS 389.550
3 or the high school proficiency examination, as applicable;

4 (2) Records of the attendance and truancy of pupils who are
5 enrolled in the school;

6 (3) The transiency rate of pupils who are enrolled in the
7 school;

8 (4) A description of the number of years that each teacher
9 has provided instruction at the school and the rate of turnover of
10 teachers and other educational personnel employed at the school;

11 (5) A description of the participation of parents and legal
12 guardians in the educational process and other activities relating to
13 the school;

14 (6) A description of each source of money for the
15 remediation of pupils who are enrolled in the school; ~~and~~

16 (7) ~~A~~ *Except as otherwise provided in subparagraph (8), a*
17 *description of the disciplinary problems of the pupils who are*
18 *enrolled in the school, including, without limitation, the information*
19 *contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS*
20 *385.347* ~~;~~ *and*

21 *(8) For a charter school, a description of the disciplinary*
22 *problems of the pupils enrolled in the charter school as reported in*
23 *the annual report of accountability prepared by the State Public*
24 *Charter School Authority or the college or university within the*
25 *Nevada System of Higher Education that sponsors the charter*
26 *school, as applicable, pursuant to subsection 3 of NRS 385.347.*

27 2. On or before November 1, the support team *of a school*
28 *other than a charter school* shall submit a copy of the final written
29 report to the:

30 (a) Principal of the school;

31 (b) Board of trustees of the school district in which the school is
32 located;

33 (c) Superintendent of schools of the school district in which the
34 school is located;

35 (d) Department; and

36 (e) Bureau.

37 ➤ The support team shall make the written report available, upon
38 request, to each parent or legal guardian of a pupil who is enrolled in
39 the school.

40 3. *On or before November 1, the support team for a charter*
41 *school shall submit a copy of the final written report to the:*

42 (a) *Principal of the charter school;*

43 (b) *Sponsor of the charter school;*

44 (c) *Governing body of the charter school;*

45 (d) *Department; and*



1 (e) *Bureau.*

2 ↪ *The support team shall make the written report available, upon*
3 *request, to each parent or legal guardian of a pupil who is*
4 *enrolled in the charter school.*

5 **Sec. 9.** NRS 385.3613 is hereby amended to read as follows:

6 385.3613 1. Except as otherwise provided in subsection 2, on
7 or before June 15 of each year, the Department shall determine
8 whether each public school is making adequate yearly progress, as
9 defined by the State Board pursuant to NRS 385.361.

10 2. On or before June 30 of each year, the Department shall
11 determine whether each public school that operates on a schedule
12 other than a traditional 9-month schedule is making adequate yearly
13 progress, as defined by the State Board pursuant to NRS 385.361.

14 3. The determination pursuant to subsection 1 or 2, as
15 applicable, for a public school, including, without limitation, a
16 charter school sponsored by the board of trustees of the school
17 district, must be made in consultation with the board of trustees of
18 the school district in which the public school is located. If a charter
19 school is sponsored by the State ~~{Board}~~ *Public Charter School*
20 *Authority* or by a college or university within the Nevada System of
21 Higher Education, the Department shall make a determination for
22 the charter school in consultation with the State ~~{Board}~~ *Public*
23 *Charter School Authority* or the institution *within the Nevada*
24 *System of Higher Education* that sponsors the charter school, as
25 applicable. The determination made for each school must be based
26 only upon the information and data for those pupils who are enrolled
27 in the school for a full academic year. On or before June 15 or
28 June 30 of each year, as applicable, the Department shall transmit:

29 (a) Except as otherwise provided in paragraph (b) or (c), the
30 determination made for each public school to the board of trustees
31 of the school district in which the public school is located.

32 (b) To the State ~~{Board}~~ *Public Charter School Authority* the
33 determination made for each charter school that is sponsored by the
34 State ~~{Board}~~ *Public Charter School Authority*.

35 (c) The determination made for the charter school to the
36 institution that sponsors the charter school if a charter school is
37 sponsored by a college or university within the Nevada System of
38 Higher Education.

39 4. Except as otherwise provided in this subsection, the
40 Department shall determine that a public school has failed to make
41 adequate yearly progress if any group identified in paragraph (b) of
42 subsection 1 of NRS 385.361 does not satisfy the annual measurable
43 objectives established by the State Board pursuant to that section.
44 To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations
45 adopted pursuant thereto, the State Board shall prescribe by



1 regulation the conditions under which a school shall be deemed to
2 have made adequate yearly progress even though a group identified
3 in paragraph (b) of subsection 1 of NRS 385.361 did not satisfy the
4 annual measurable objectives of the State Board.

5 5. In addition to the provisions of subsection 4, the Department
6 shall determine that a public school has failed to make adequate
7 yearly progress if:

8 (a) The number of pupils enrolled in the school who took the
9 examinations administered pursuant to NRS 389.550 or the high
10 school proficiency examination, as applicable, is less than 95
11 percent of all pupils enrolled in the school who were required to
12 take the examinations; or

13 (b) Except as otherwise provided in subsection 6, for each group
14 of pupils identified in paragraph (b) of subsection 1 of NRS
15 385.361, the number of pupils in the group enrolled in the school
16 who took the examinations administered pursuant to NRS 389.550
17 or the high school proficiency examination, as applicable, is less
18 than 95 percent of all pupils in that group enrolled in the school who
19 were required to take the examinations.

20 6. If the number of pupils in a particular group who are
21 enrolled in a public school is insufficient to yield statistically
22 reliable information:

23 (a) The Department shall not determine that the school has
24 failed to make adequate yearly progress pursuant to paragraph (b) of
25 subsection 5 based solely upon that particular group.

26 (b) The pupils in such a group must be included in the overall
27 count of pupils enrolled in the school who took the examinations.

28 ➔ The State Board shall prescribe the mechanism for determining
29 the number of pupils that must be in a group for that group to yield
30 statistically reliable information.

31 7. If an irregularity in testing administration or an irregularity
32 in testing security occurs at a school and the irregularity invalidates
33 the test scores of pupils, those test scores must be included in the
34 scores of pupils reported for the school, the attendance of those
35 pupils must be counted towards the total number of pupils who took
36 the examinations and the pupils must be included in the total
37 number of pupils who were required to take the examinations.

38 8. As used in this section:

39 (a) "Irregularity in testing administration" has the meaning
40 ascribed to it in NRS 389.604.

41 (b) "Irregularity in testing security" has the meaning ascribed to
42 it in NRS 389.608.

43 **Sec. 10.** NRS 385.362 is hereby amended to read as follows:

44 385.362 1. If a public school fails to make adequate yearly
45 progress for 1 year:



1 (a) Except as otherwise provided in ~~[paragraph (b),]~~ *paragraphs*
2 *(b) and (c)*, the board of trustees of the school district in which the
3 school is located shall ensure that the school receives technical
4 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
5 regulations adopted pursuant thereto. For a charter school sponsored
6 by the school district, the board of trustees shall provide the
7 technical assistance to the charter school in conjunction with the
8 governing body of the charter school.

9 (b) *For a charter school sponsored by the State Public Charter*
10 *School Authority, the State Public Charter School Authority shall*
11 *ensure, in conjunction with the governing body of the charter*
12 *school, that the charter school receives technical assistance in the*
13 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations*
14 *adopted pursuant thereto.*

15 (c) For a charter school sponsored by ~~[the State Board or by]~~ a
16 college or university within the Nevada System of Higher
17 Education, the Department shall ensure, in conjunction with the
18 governing body of the charter school, that the *charter* school
19 receives technical assistance in the manner set forth in 20 U.S.C. §
20 6316(b)(4) and the regulations adopted pursuant thereto.

21 2. If a public school fails to make adequate yearly progress for
22 1 year, the principal of the school shall ensure that the plan to
23 improve the achievement of pupils enrolled in the school is
24 reviewed, revised and approved in accordance with NRS 385.357.

25 **Sec. 11.** NRS 385.366 is hereby amended to read as follows:

26 385.366 1. Based upon the information received from the
27 Department pursuant to NRS 385.3613, the board of trustees of each
28 school district shall, on or before July 1 of each year, issue a
29 preliminary designation for each public school in the school district
30 in accordance with the criteria set forth in NRS 385.3623, excluding
31 charter schools sponsored by the State ~~[Board]~~ *Public Charter*
32 *School Authority* or by a college or university within the Nevada
33 System of Higher Education. The board of trustees shall make
34 preliminary designations for all charter schools that are sponsored
35 by the board of trustees. The Department shall make preliminary
36 designations for all charter schools that are sponsored by the State
37 ~~[Board]~~ *Public Charter School Authority* and all charter schools
38 sponsored by a college or university within the Nevada System of
39 Higher Education. The initial designation of a school as
40 demonstrating need for improvement must be based upon 2
41 consecutive years of data and information for that school.

42 2. Before making a final designation for a school, the board of
43 trustees of the school district or the Department, as applicable, shall
44 provide the school an opportunity to review the data upon which the
45 preliminary designation is based and to present evidence in the



1 manner set forth in 20 U.S.C. § 6316(b)(2) and the regulations
2 adopted pursuant thereto. If the school is a public school of the
3 school district or a charter school sponsored by the board of trustees,
4 the board of trustees of the school district shall, in consultation with
5 the Department, make a final determination concerning the
6 designation for the school on August 1. If the school is a charter
7 school sponsored by the State ~~{Board}~~ *Public Charter School*
8 *Authority* or by a college or university within the Nevada System of
9 Higher Education, the Department shall make a final determination
10 concerning the designation for the school on August 1.

11 3. On or before August 1 of each year, the Department shall
12 provide written notice of the determinations made pursuant to NRS
13 385.3613 and the final designations made pursuant to this section as
14 follows:

15 (a) The determinations and final designations made for all
16 schools in this State to the:

- 17 (1) Governor;
- 18 (2) State Board;
- 19 (3) Committee; and
- 20 (4) Bureau.

21 (b) The determinations and final designations made for all
22 schools within a school district to the:

- 23 (1) Superintendent of schools of the school district; and
- 24 (2) Board of trustees of the school district.

25 (c) The determination and final designation made for each
26 school to the principal of the school.

27 *(d) The determination and final designation made for each*
28 *charter school to the sponsor of the charter school.*

29 **Sec. 12.** NRS 385.3661 is hereby amended to read as follows:

30 385.3661 1. Except as otherwise provided in subsection 2, if
31 a public school is designated as demonstrating need for
32 improvement pursuant to NRS 385.3623 and the provisions of NRS
33 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607
34 do not apply, the board of trustees of the school district shall:

35 (a) Provide notice of the designation to the parents and
36 guardians of pupils enrolled in the school on the form prescribed by
37 the Department pursuant to NRS 385.382; and

38 (b) Ensure that the school receives technical assistance in the
39 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
40 adopted pursuant thereto.

41 2. If a charter school is designated as demonstrating need for
42 improvement pursuant to NRS 385.3623 and the provisions of NRS
43 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607
44 do not apply:



1 (a) The governing body of the charter school shall provide
2 notice of the designation to the parents and guardians of pupils
3 enrolled in the charter school on the form prescribed by the
4 Department pursuant to NRS 385.382.

5 (b) For a charter school sponsored by the board of trustees of a
6 school district, the board of trustees shall, in conjunction with the
7 governing body of the charter school, ensure that the charter school
8 receives technical assistance in the manner set forth in 20 U.S.C. §
9 6316(b)(4) and the regulations adopted pursuant thereto.

10 (c) *For a charter school sponsored by the State Public Charter*
11 *School Authority, the State Public Charter School Authority shall,*
12 *in conjunction with the governing body of the charter school,*
13 *ensure that the charter school receives technical assistance in the*
14 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations*
15 *adopted pursuant thereto.*

16 (d) For a charter school sponsored by ~~[the State Board or by]~~ a
17 college or university within the Nevada System of Higher
18 Education, the Department shall, in conjunction with the governing
19 body of the charter school, ensure that the charter school receives
20 technical assistance in the manner set forth in 20 U.S.C. §
21 6316(b)(4) and the regulations adopted pursuant thereto.

22 3. In addition to the requirements of subsection 1 or 2, as
23 applicable, if a Title I school is designated as demonstrating need
24 for improvement pursuant to NRS 385.3623 and the provisions of
25 NRS 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or
26 385.37607 do not apply:

27 (a) Except as otherwise provided in ~~[paragraph (b).]~~ *paragraphs*
28 *(b) and (c),* the board of trustees of the school district shall provide
29 school choice to the parents and guardians of pupils enrolled in the
30 school, including, without limitation, a charter school sponsored by
31 the school district, in accordance with 20 U.S.C. § 6316(b)(1) and
32 the regulations adopted pursuant thereto.

33 (b) *For a charter school sponsored by the State Public Charter*
34 *School Authority, the State Public Charter School Authority shall*
35 *work cooperatively with the board of trustees of the school district*
36 *in which the pupil resides to provide school choice to the parent or*
37 *guardian of each pupil enrolled in the charter school in*
38 *accordance with 20 U.S.C. § 6316(b)(1) and the regulations*
39 *adopted pursuant thereto.*

40 (c) For a charter school sponsored by ~~[the State Board or by]~~ a
41 college or university within the Nevada System of Higher
42 Education, the Department shall work cooperatively with the board
43 of trustees of the school district in which the ~~[charter school is~~
44 ~~located]~~ *pupil resides* to provide school choice to the ~~[parents and~~
45 ~~guardians of pupils.]~~ *parent or guardian of each pupil* enrolled in



1 the charter school in accordance with 20 U.S.C. § 6316(b)(1) and
2 the regulations adopted pursuant thereto.

3 **Sec. 13.** NRS 385.3693 is hereby amended to read as follows:

4 385.3693 1. Except as otherwise provided in subsection 2, if
5 a public school is designated as demonstrating need for
6 improvement pursuant to NRS 385.3623 for 2 consecutive years, the
7 board of trustees of the school district shall:

8 (a) Provide notice of the designation to the parents and
9 guardians of pupils enrolled in the school on the form prescribed by
10 the Department pursuant to NRS 385.382; and

11 (b) Ensure that the school receives technical assistance in the
12 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
13 adopted pursuant thereto.

14 2. If a charter school is designated as demonstrating need for
15 improvement pursuant to NRS 385.3623 for 2 consecutive years:

16 (a) The governing body of the charter school shall provide
17 notice of the designation to the parents and guardians of pupils
18 enrolled in the school on the form prescribed by the Department
19 pursuant to NRS 385.382.

20 (b) For a charter school sponsored by the board of trustees of a
21 school district, the board of trustees shall, in conjunction with the
22 governing body of the charter school, ensure that the charter school
23 receives technical assistance in the manner set forth in 20 U.S.C. §
24 6316(b)(4) and the regulations adopted pursuant thereto.

25 (c) *For a charter school sponsored by the State Public Charter*
26 *School Authority, the State Public Charter School Authority shall,*
27 *in conjunction with the governing body of the charter school,*
28 *ensure that the charter school receives technical assistance in the*
29 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations*
30 *adopted pursuant thereto.*

31 (d) For a charter school sponsored by ~~[the State Board or by]~~ a
32 college or university within the Nevada System of Higher
33 Education, the Department shall, in conjunction with the governing
34 body of the charter school, ensure that the charter school receives
35 technical assistance in the manner set forth in 20 U.S.C. §
36 6316(b)(4) and the regulations adopted pursuant thereto.

37 **Sec. 14.** NRS 385.372 is hereby amended to read as follows:

38 385.372 1. In addition to the requirements of NRS 385.3693,
39 if a Title I school is designated as demonstrating need for
40 improvement pursuant to NRS 385.3623 for 2 consecutive years for
41 failing to make adequate yearly progress:

42 (a) Except as otherwise provided in paragraph (b), the board of
43 trustees of the school district shall:



1 (1) Provide school choice to the parents and guardians of
2 pupils enrolled in the school in accordance with 20 U.S.C. §
3 6316(b)(1) and the regulations adopted pursuant thereto.

4 (2) Except as otherwise provided in subsection 2, provide
5 supplemental educational services in accordance with 20 U.S.C. §
6 6316(e) and the regulations adopted pursuant thereto from a
7 provider approved pursuant to NRS 385.384, unless a waiver is
8 granted pursuant to that provision of federal law.

9 (b) If the school is a charter school:

10 (1) Sponsored by the board of trustees of a school district,
11 the board of trustees shall provide school choice to the parents and
12 guardians of pupils enrolled in the school in accordance with 20
13 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

14 (2) *Sponsored by the State Public Charter School*
15 *Authority, the State Public Charter School Authority shall work*
16 *cooperatively with the board of trustees of the school district in*
17 *which the pupil resides to provide school choice to the parent or*
18 *guardian of each pupil enrolled in the charter school in*
19 *accordance with 20 U.S.C. § 6316(b)(1) and the regulations*
20 *adopted pursuant thereto.*

21 (3) Sponsored by ~~[the State Board or by]~~ a college or
22 university within the Nevada System of Higher Education, the
23 Department shall work cooperatively with the board of trustees of
24 the school district in which the ~~[charter school is located]~~ *pupil*
25 *resides* to provide school choice to the ~~[parents and guardians of~~
26 ~~pupils]~~ *parent or guardian of each pupil* enrolled in the charter
27 school in accordance with 20 U.S.C. § 6316(b)(1) and the
28 regulations adopted pursuant thereto.

29 ~~[(3)]~~ (4) Except as otherwise provided in subsection 3, the
30 governing body of the charter school shall provide supplemental
31 educational services in accordance with 20 U.S.C. § 6316(e) and the
32 regulations adopted pursuant thereto from a provider approved
33 pursuant to NRS 385.384, unless a waiver is granted pursuant to that
34 provision of federal law.

35 2. The board of trustees of a school district shall grant a delay
36 from the imposition of supplemental educational services for a
37 school for a period not to exceed 1 year if the school qualifies for a
38 delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to
39 make adequate yearly progress during the period of the delay, the
40 provisions of NRS 385.3721 apply to the school as if the delay
41 never occurred.

42 3. The sponsor of a charter school shall grant a delay from the
43 imposition of supplemental educational services for the charter
44 school for a period not to exceed 1 year if the charter school
45 qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the



1 charter school fails to make adequate yearly progress during
2 the period of the delay, the provisions of NRS 385.3721 apply to the
3 charter school as if the delay never occurred.

4 **Sec. 15.** NRS 385.3721 is hereby amended to read as follows:

5 385.3721 1. Except as otherwise provided in subsection 2, if
6 a public school is designated as demonstrating need for
7 improvement pursuant to NRS 385.3623 for 3 consecutive years:

8 (a) The board of trustees of the school district shall:

9 (1) Provide notice of the designation to the parents and
10 guardians of pupils enrolled in the school on the form prescribed by
11 the Department pursuant to NRS 385.382; and

12 (2) Ensure that the school receives technical assistance in the
13 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
14 adopted pursuant thereto.

15 (b) The Department shall require the board of trustees of the
16 school district to conduct a comprehensive audit of the school which
17 must include an audit of the curriculum, including, without
18 limitation, methods of instruction and assessments, implemented by
19 the school.

20 2. If a charter school is designated as demonstrating need for
21 improvement pursuant to NRS 385.3623 for 3 consecutive years:

22 (a) The governing body of the charter school shall provide
23 notice of the designation to the parents and guardians of pupils
24 enrolled in the charter school on the form prescribed by the
25 Department pursuant to NRS 385.382.

26 (b) For a charter school sponsored by the board of trustees of a
27 school district, the board of trustees shall, in conjunction with the
28 governing body of the charter school, ensure that the charter school
29 receives technical assistance in the manner set forth in 20 U.S.C. §
30 6316(b)(4) and the regulations adopted pursuant thereto.

31 (c) *For a charter school sponsored by the State Public Charter*
32 *School Authority, the State Public Charter School Authority shall,*
33 *in conjunction with the governing body of the charter school,*
34 *ensure that the charter school receives technical assistance in the*
35 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations*
36 *adopted pursuant thereto.*

37 (d) For a charter school sponsored by ~~the State Board or by~~ a
38 college or university within the Nevada System of Higher
39 Education, the Department shall, in conjunction with the governing
40 body of the charter school, ensure that the charter school receives
41 technical assistance in the manner set forth in 20 U.S.C. §
42 6316(b)(4) and the regulations adopted pursuant thereto.

43 ~~(d)~~ (e) The Department shall require the governing body of
44 the charter school to conduct a comprehensive audit of the charter
45 school which must include an audit of the curriculum, including,



1 without limitation, methods of instruction and assessments,
2 implemented by the charter school.

3 **Sec. 16.** NRS 385.3743 is hereby amended to read as follows:

4 385.3743 1. In addition to the requirements of NRS
5 385.3721, if a Title I school is designated as demonstrating need for
6 improvement pursuant to NRS 385.3623 for 3 consecutive years:

7 (a) Except as otherwise provided in paragraph (b), the board of
8 trustees of the school district shall:

9 (1) Provide school choice to the parents and guardians of
10 pupils enrolled in the school in accordance with 20 U.S.C. §
11 6316(b)(1) and the regulations adopted pursuant thereto;

12 (2) Provide supplemental educational services in accordance
13 with 20 U.S.C. § 6316(e) and the regulations adopted pursuant
14 thereto from a provider approved pursuant to NRS 385.384, unless a
15 waiver is granted pursuant to that provision of federal law; and

16 (3) Except as otherwise provided in subsection 2, take
17 corrective action pursuant to 20 U.S.C. § 6316(b)(7) and the
18 regulations adopted pursuant thereto.

19 (b) If the school is a charter school:

20 (1) Sponsored by the board of trustees of a school district,
21 the board of trustees shall:

22 (I) Provide school choice to the parents and guardians of
23 pupils enrolled in the charter school in accordance with 20 U.S.C. §
24 6316(b)(1); and

25 (II) Except as otherwise provided in subsection 3, take
26 corrective action pursuant to 20 U.S.C. § 6316(b)(7) and the
27 regulations adopted pursuant thereto.

28 (2) *Sponsored by the State Public Charter School*
29 *Authority, the State Public Charter School Authority shall:*

30 (I) *Work cooperatively with the board of trustees of the*
31 *school district in which the pupil resides to provide school choice*
32 *to the parent or guardian of each pupil enrolled in the charter*
33 *school in accordance with 20 U.S.C. § 6316(b)(1) and the*
34 *regulations adopted pursuant thereto; and*

35 (II) *Except as otherwise provided in subsection 3, take*
36 *corrective action pursuant to 20 U.S.C. § 6316(b)(7) and the*
37 *regulations adopted pursuant thereto.*

38 (3) Sponsored by ~~the State Board or by~~ a college or
39 university within the Nevada System of Higher Education, the
40 Department shall:

41 (I) Work cooperatively with the board of trustees of the
42 school district in which the ~~charter school is located~~ *pupil resides*
43 to provide school choice to the ~~parents and guardians of pupils~~
44 *parent or guardian of each pupil* enrolled in the *charter* school in



1 accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted
2 pursuant thereto; and

3 (II) Except as otherwise provided in subsection 3, take
4 corrective action pursuant to 20 U.S.C. § 6316(b)(7) and the
5 regulations adopted pursuant thereto.

6 ~~(3)~~ (4) Regardless of the sponsor, the governing body of
7 the charter school shall provide supplemental educational services in
8 accordance with 20 U.S.C. § 6316(e) and the regulations adopted
9 pursuant thereto from a provider approved pursuant to NRS
10 385.384, unless a waiver is granted pursuant to that provision of
11 federal law.

12 2. The board of trustees of a school district shall grant a delay
13 from the imposition of corrective action for a school for a period not
14 to exceed 1 year if the school qualifies for a delay pursuant to 20
15 U.S.C. 6316(b)(7)(D). If the school fails to make adequate yearly
16 progress during the period of the delay, the provisions of NRS
17 385.3745 apply as if the delay never occurred.

18 3. The sponsor of a charter school shall grant a delay from the
19 imposition of corrective action for the charter school for a period not
20 to exceed 1 year if the charter school qualifies for a delay pursuant
21 to 20 U.S.C. 6316(b)(7)(D). If the charter school fails to make
22 adequate yearly progress during the period of the delay, the
23 provisions of NRS 385.3745 apply as if the delay never occurred.

24 **Sec. 17.** NRS 385.3744 is hereby amended to read as follows:

25 385.3744 1. Except as otherwise provided in subsection 2, if
26 a public school that is not a Title I school is designated as
27 demonstrating need for improvement pursuant to NRS 385.3623 for
28 3 consecutive years for failing to make adequate yearly progress, *the*
29 *State Public Charter School Authority may, for a charter school*
30 *sponsored by the State Public Charter School Authority, the*
31 *Department may, for a charter school sponsored by ~~the State Board~~*
32 *or by* a college or university within the Nevada System of Higher
33 Education, and the board of trustees of a school district may, for a
34 school of the school district or a charter school sponsored by the
35 board of trustees, take one or more of the following corrective
36 actions for the school:

37 (a) Significantly decrease the managerial authority of the
38 employees at the school.

39 (b) Extend the school year or the school day.

40 2. The *State Public Charter School Authority, the* Department
41 or the board of trustees of a school district, as applicable, shall grant
42 a delay from the imposition of corrective action for a school for a
43 period not to exceed 1 year if the school qualifies for a delay in the
44 manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to
45 make adequate yearly progress during the period of the delay, *the*



1 *State Public Charter School Authority*, the Department or the board
2 of trustees, as applicable, may proceed with corrective action as if
3 the delay never occurred.

4 **Sec. 18.** NRS 385.3745 is hereby amended to read as follows:

5 385.3745 1. Except as otherwise provided in subsection 2, if
6 a public school that is not a Title I school is designated as
7 demonstrating need for improvement pursuant to NRS 385.3623 for
8 4 consecutive years:

9 (a) The board of trustees of the school district shall:

10 (1) Except as otherwise provided in subsection 3, develop a
11 turnaround plan to improve the academic achievement of pupils
12 enrolled in the school which meets the requirements prescribed by
13 the State Board pursuant to paragraph (b).

14 (2) Provide notice of the designation to the parents and
15 guardians of pupils enrolled in the school on the form prescribed by
16 the Department pursuant to NRS 385.382; and

17 (3) Ensure that the school receives technical assistance in the
18 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
19 adopted pursuant thereto.

20 (b) The State Board shall prescribe by regulation:

21 (1) The requirements for a turnaround plan which must
22 include, without limitation:

23 (I) A requirement that the plan is based on the results of
24 the comprehensive audit conducted pursuant to NRS 385.3721;

25 (II) Measurable goals and objectives for obtaining
26 adequate yearly progress;

27 (III) Specified steps or actions for obtaining adequate
28 yearly progress; and

29 (IV) A timeline for the completion of the turnaround plan,
30 which must provide for implementation of the plan in accordance
31 with NRS 385.37603 if the school is designated as needing
32 improvement for 5 years; and

33 (2) The actions the Department may take to monitor the
34 development of the turnaround plan developed pursuant to this
35 section and the implementation of any corrective action at the
36 school.

37 2. If a charter school is designated as demonstrating need for
38 improvement pursuant to NRS 385.3623 for 4 consecutive years:

39 (a) The governing body of the charter school shall provide
40 notice of the designation to the parents and guardians of pupils
41 enrolled in the school on the form prescribed by the Department
42 pursuant to NRS 385.382.

43 (b) For a charter school sponsored by the board of trustees of a
44 school district, the board of trustees shall, in conjunction with the
45 governing body of the charter school:



1 (1) Except as otherwise provided in subsection 3, develop a
2 turnaround plan to improve the academic achievement of pupils
3 enrolled in the school which meets the requirements prescribed by
4 the State Board pursuant to paragraph ~~[(d)]~~ (e).

5 (2) Ensure that the charter school receives technical
6 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
7 regulations adopted pursuant thereto.

8 (c) *For a charter school sponsored by the State Public Charter
9 School Authority, the State Public Charter School Authority shall,
10 in conjunction with the governing body of the charter school:*

11 *(1) Except as otherwise provided in subsection 3, develop a
12 turnaround plan to improve the academic achievement of pupils
13 enrolled in the charter school which meets the requirements
14 prescribed by the State Board pursuant to paragraph (e);*

15 *(2) Ensure that the charter school receives technical
16 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and
17 the regulations adopted pursuant thereto.*

18 (d) For a charter school sponsored by ~~[the State Board or by]~~ a
19 college or university within the Nevada System of Higher
20 Education, the Department shall, in conjunction with the governing
21 body of the charter school:

22 (1) Except as otherwise provided in subsection 3, develop a
23 turnaround plan to improve the academic achievement of pupils
24 enrolled in the school which meets the requirements prescribed by
25 the State Board pursuant to paragraph ~~[(d)]~~ (e).

26 (2) Ensure that the charter school receives technical
27 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
28 regulations adopted pursuant thereto.

29 ~~[(d)]~~ (e) The State Board shall prescribe by regulation:

30 (1) The requirements for a turnaround plan which must
31 include, without limitation:

32 (I) A requirement that the plan is based on the results of
33 the comprehensive audit conducted pursuant to NRS 385.3721;

34 (II) Measurable goals and objectives for obtaining
35 adequate yearly progress;

36 (III) Specified steps or actions for obtaining adequate
37 yearly progress; and

38 (IV) A timeline for the completion of the turnaround plan,
39 which must provide for implementation of the plan in accordance
40 with NRS 385.37603 if the school is designated as needing
41 improvement for 5 years; and

42 (2) The actions the Department may take to monitor the
43 implementation of the turnaround plan developed pursuant to this
44 section and the implementation of any corrective action at the
45 charter school.



1 3. If a public school is granted a delay from the development of
2 a turnaround plan pursuant to subsection 2 of NRS 385.376 and the
3 school fails to make adequate yearly progress during the period of
4 the delay, a turnaround plan must be immediately developed and
5 implemented for the school in accordance with this section as if the
6 delay never occurred.

7 4. On or before June 30, a turnaround plan developed for a
8 school must be submitted to the:

9 (a) Superintendent of Public Instruction;

10 (b) Department;

11 (c) Bureau;

12 (d) Board of trustees of the school district in which the school is
13 located ~~or~~ *or, if the school is a charter school, the sponsor of the*
14 *charter school and the governing body of the charter school;* and

15 (e) Principal of the school.

16 **Sec. 19.** NRS 385.3746 is hereby amended to read as follows:

17 385.3746 1. If a Title I school is designated as demonstrating
18 need for improvement pursuant to NRS 385.3623 for 4 consecutive
19 years:

20 (a) Except as otherwise provided in paragraph (b), the board of
21 trustees of the school district shall:

22 (1) Provide notice of the designation to the parents and
23 guardians of the pupils enrolled in the school on the form prescribed
24 by the Department pursuant to NRS 385.382;

25 (2) Ensure that the school receives technical assistance in the
26 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
27 adopted pursuant thereto;

28 (3) Provide school choice to the parents and guardians of
29 pupils enrolled in the school in accordance with 20 U.S.C. §
30 6316(b)(1) and the regulations adopted pursuant thereto;

31 (4) Provide supplemental educational services in accordance
32 with 20 U.S.C. § 6316(e) and the regulations adopted pursuant
33 thereto from a provider approved pursuant to NRS 385.384, unless a
34 waiver is granted pursuant to that provision of federal law; and

35 (5) Except as otherwise provided in subsection 3, develop a
36 plan for restructuring the school if required by 20 U.S.C. §
37 6316(b)(8) and the regulations adopted pursuant thereto.

38 (b) The governing body of the charter school shall provide
39 notice of the designation to the parents and guardians of the pupils
40 enrolled in the charter school on the form prescribed by the
41 Department pursuant to NRS 385.382. If the school is a charter
42 school:

43 (1) Sponsored by the board of trustees of a school district,
44 the board of trustees shall:



1 (I) In conjunction with the governing body of the charter
2 school, ensure that the charter school receives technical assistance in
3 the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
4 adopted pursuant thereto;

5 (II) Provide school choice to the parents and guardians of
6 pupils enrolled in the charter school in accordance with 20 U.S.C. §
7 6316(b)(1); and

8 (III) Except as otherwise provided in subsection 4,
9 develop a plan for restructuring the school if required by 20 U.S.C.
10 § 6316(b)(8) and the regulations adopted pursuant thereto.

11 (2) *Sponsored by the State Public Charter School
12 Authority, the State Public Charter School Authority shall:*

13 *(I) In conjunction with the governing body of the
14 charter school, ensure that the charter school receives technical
15 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and
16 the regulations adopted pursuant thereto;*

17 *(II) Work cooperatively with the board of trustees of the
18 school district in which the pupil resides to provide school choice
19 to the parent or guardian of each pupil enrolled in the charter
20 school in accordance with 20 U.S.C. § 6316(b)(1) and the
21 regulations adopted pursuant thereto; and*

22 *(III) Except as otherwise provided in subsection 4,
23 develop a plan for restructuring the charter school if required by
24 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant
25 thereto.*

26 (3) Sponsored by ~~the State Board or by~~ a college or
27 university within the Nevada System of Higher Education, the
28 Department shall:

29 (I) In conjunction with the governing body of the charter
30 school, ensure that the charter school receives technical assistance in
31 the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
32 adopted pursuant thereto;

33 (II) Work cooperatively with the board of trustees of the
34 school district in which the ~~charter school is located~~ *pupil resides*
35 to provide school choice to the ~~parents and guardians of pupils~~
36 *parent or guardian of each pupil* enrolled in the *charter* school in
37 accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted
38 pursuant thereto; and

39 (III) Except as otherwise provided in subsection 4,
40 develop a plan for restructuring the *charter* school if required by 20
41 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

42 ~~(3)~~ (4) Regardless of the sponsor, the governing body of
43 the charter school shall provide supplemental educational services in
44 accordance with 20 U.S.C. § 6316(e) and the regulations adopted
45 pursuant thereto from a provider approved pursuant to



1 NRS 385.384, unless a waiver is granted pursuant to that provision
2 of federal law.

3 2. A plan for restructuring the school developed pursuant to
4 this section must include, without limitation:

5 (a) A requirement that the plan is based on the results of the
6 comprehensive audit conducted pursuant to NRS 385.3721;

7 (b) Measurable goals and objectives for obtaining adequate
8 yearly progress;

9 (c) Specified steps or actions for obtaining adequate yearly
10 progress; and

11 (d) A timeline for the completion of the plan for restructuring
12 the school, which must provide for implementation of the plan in
13 accordance with NRS 385.37607 if the school is designated as
14 needing improvement for 5 years.

15 3. The board of trustees of a school district shall grant a delay
16 from the development of a plan for restructuring for a school for a
17 period not to exceed 1 year if the school qualifies for a delay
18 pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to make
19 adequate yearly progress during the period of the delay, the board of
20 trustees shall immediately develop and proceed with the
21 implementation of the plan for restructuring the school as if the
22 delay never occurred.

23 4. The sponsor of a charter school shall grant a delay from the
24 development of a plan for restructuring for the charter school for a
25 period not to exceed 1 year if the charter school qualifies for a delay
26 pursuant to 20 U.S.C. § 6316(b)(7)(D). If the charter school fails to
27 make adequate yearly progress during the period of the delay, a plan
28 for restructuring must be immediately developed for the school in
29 accordance with this section and the Department shall proceed with
30 the implementation of the plan for restructuring the charter school as
31 if the delay never occurred.

32 5. On or before June 30, a plan for restructuring developed
33 pursuant to this section must be submitted to the:

34 (a) Superintendent of Public Instruction;

35 (b) Department;

36 (c) Bureau;

37 (d) Board of trustees of the school district in which the school is
38 located ~~or~~ *or, if the school is a charter school, the sponsor of the*
39 *charter school and the governing body of the charter school;* and

40 (e) Principal of the school.

41 **Sec. 20.** NRS 385.376 is hereby amended to read as follows:

42 385.376 1. Except as otherwise provided in subsection 2, if a
43 public school that is not a Title I school is designated as
44 demonstrating need for improvement pursuant to NRS 385.3623 for
45 4 consecutive years for failure to make adequate yearly progress, *the*



1 *State Public Charter School Authority* may, for a charter school
2 *sponsored by the State Public Charter School Authority*, the
3 Department may, for a charter school sponsored by ~~[the State Board~~
4 ~~or by]~~ a college or university within the Nevada System of Higher
5 Education, and the board of trustees of a school district may, for a
6 school of the school district or a charter school sponsored by the
7 board of trustees, take corrective action as set forth in NRS
8 385.3744 or proceed with differentiated correction actions,
9 consequences or sanctions, or any combination thereof, as
10 prescribed by the State Board pursuant to NRS 385.361.

11 2. The *State Public Charter School Authority*, *the* Department
12 or the board of trustees of a school district, as applicable, shall grant
13 a delay from the imposition of corrective action, consequences or
14 sanctions, or any combination thereof, pursuant to this section for a
15 school for a period not to exceed 1 year if the school qualifies for a
16 delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the
17 school fails to make adequate yearly progress during the period of
18 the delay, *the State Public Charter School Authority*, the
19 Department or the board of trustees, as applicable, may proceed
20 with corrective action, consequences or sanctions, or any
21 combination thereof, for the school, as appropriate, pursuant to the
22 provisions of NRS 385.37603 and 385.37605 as if the delay never
23 occurred.

24 3. Before the board of trustees, *the State Public Charter*
25 *School Authority* or the Department proceeds with consequences or
26 sanctions, the board of trustees, *the State Public Charter School*
27 *Authority* or the Department, as applicable, shall provide to the
28 administrators, teachers and other educational personnel employed
29 at that school, and parents and guardians of pupils enrolled in the
30 school:

31 (a) Notice that the board of trustees, *the State Public Charter*
32 *School Authority* or the Department, as applicable, will proceed
33 with consequences or sanctions for the school;

34 (b) An opportunity to comment before the consequences or
35 sanctions are carried out; and

36 (c) An opportunity to participate in the development of the
37 consequences or sanctions.

38 **Sec. 21.** NRS 385.37603 is hereby amended to read as
39 follows:

40 385.37603 1. If a public school that is not a Title I school is
41 designated as demonstrating need for improvement pursuant to NRS
42 385.3623 for 5 or more consecutive years for failure to make
43 adequate yearly progress:

44 (a) The board of trustees of the school district shall:



1 (1) Except as otherwise provided in subsection 3 of NRS
2 385.37605, repeal the plan to improve the academic achievement of
3 pupils developed pursuant to NRS 385.357 and, not later than
4 September 30, implement the turnaround plan to improve the
5 academic achievement of pupils enrolled in the school developed
6 pursuant to NRS 385.3745;

7 (2) Provide notice of the designation to the parents and
8 guardians of pupils enrolled in the school on the form prescribed by
9 the Department pursuant to NRS 385.382; and

10 (3) Ensure that the school receives technical assistance in the
11 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
12 adopted pursuant thereto.

13 (b) The State Board shall prescribe by regulation the actions
14 which the Department may take to monitor the implementation of
15 any corrective action at the school.

16 2. If a charter school that is not a Title I school is designated as
17 demonstrating need for improvement pursuant to NRS 385.3623 for
18 5 or more consecutive years for failure to make adequate yearly
19 progress:

20 (a) The governing body of the charter school shall:

21 (1) Except as otherwise provided in subsection 3 of NRS
22 385.37605, repeal the plan to improve the academic achievement of
23 pupils developed pursuant to NRS 385.357 and, not later than
24 September 30, implement the turnaround plan to improve the
25 academic achievement of pupils enrolled in the school developed
26 pursuant to NRS 385.3745.

27 (2) Provide notice of the designation to the parents and
28 guardians of pupils enrolled in the charter school on a form
29 prescribed by the Department pursuant to NRS 385.382.

30 (b) For a charter school sponsored by the board of trustees of a
31 school district, the board of trustees shall, in conjunction with the
32 governing body of the charter school, ensure that the charter school
33 receives technical assistance in the manner set forth in 20 U.S.C. §
34 6316(b)(4) and the regulations adopted pursuant thereto.

35 (c) *For a charter school sponsored by the State Public Charter*
36 *School Authority, the State Public Charter School Authority shall,*
37 *in conjunction with the governing body of the charter school,*
38 *ensure that the charter school receives technical assistance in the*
39 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations*
40 *adopted pursuant thereto.*

41 (d) For a charter school sponsored by ~~the State Board or by~~ a
42 college or university within the Nevada System of Higher
43 Education, the Department shall, in conjunction with the governing
44 body of the charter school, ensure that the charter school receives



1 technical assistance in the manner set forth in 20 U.S.C. §
2 6316(b)(4) and the regulations adopted pursuant thereto.

3 ~~[(d)]~~ (e) The State Board shall prescribe by regulation the
4 actions which the Department may take to monitor the
5 implementation of any corrective action at the charter school.

6 **Sec. 22.** NRS 385.37605 is hereby amended to read as
7 follows:

8 385.37605 1. Except as otherwise provided in subsection 3, if
9 a public school that is not a Title I school is designated as
10 demonstrating need for improvement pursuant to NRS 385.3623 for
11 5 or more consecutive years for failure to make adequate yearly
12 progress:

13 (a) *The State Public Charter School Authority may, for a*
14 *charter school sponsored by the State Public Charter School*
15 *Authority, take corrective action as set forth in NRS 385.3744 or*
16 *proceed with consequences or sanctions, or both, as prescribed by*
17 *the State Board pursuant to NRS 385.361.*

18 (b) The Department may, for a charter school sponsored by ~~the~~
19 ~~State Board or by~~ a college or university within the Nevada System
20 of Higher Education, take corrective action as set forth in NRS
21 385.3744 or proceed with consequences or sanctions, or both, as
22 prescribed by the State Board pursuant to NRS 385.361.

23 ~~[(b)]~~ (c) The board of trustees of a school district may, for a
24 school of the school district or a charter school sponsored by the
25 board of trustees, take corrective action as set forth in NRS
26 385.3744 or proceed with consequences or sanctions, or both, as
27 prescribed by the State Board pursuant to NRS 385.361.

28 2. The Department shall monitor the implementation of the
29 turnaround plan for the school developed pursuant to
30 NRS 385.3745.

31 3. The *State Public Charter School Authority, the* Department
32 or the board of trustees of a school district, as applicable, shall grant
33 a delay from the imposition of corrective action, consequences or
34 sanctions pursuant to this section for a school, including, without
35 limitation, the development and implementation of a turnaround
36 plan, for a period not to exceed 1 year if the school qualifies for a
37 delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the
38 school fails to make adequate yearly progress during the period of
39 the delay, the *State Public Charter School Authority, the*
40 Department or the board of trustees, as applicable, may proceed
41 with corrective action or with consequences or sanctions, or both,
42 for the school, as appropriate, as if the delay never occurred.

43 4. Before the board of trustees, *the State Public Charter*
44 *School Authority* or the Department proceeds with consequences or
45 sanctions, the board of trustees, *the State Public Charter School*



1 *Authority* or the Department, as applicable, shall provide to the
2 administrators, teachers and other educational personnel employed
3 at that school, and parents and guardians of pupils enrolled in the
4 school:

5 (a) Notice that the board of trustees , *the State Public Charter*
6 *School Authority* or the Department, as applicable, will proceed
7 with consequences or sanctions for the school;

8 (b) An opportunity to comment before the consequences or
9 sanctions are carried out; and

10 (c) An opportunity to participate in the development of the
11 consequences or sanctions.

12 **Sec. 23.** NRS 385.37607 is hereby amended to read as
13 follows:

14 385.37607 1. If a Title I school is designated as
15 demonstrating need for improvement pursuant to NRS 385.3623 for
16 5 or more consecutive years:

17 (a) Except as otherwise provided in paragraph (b), the board of
18 trustees of the school district shall:

19 (1) Except as otherwise provided in subsection 2, repeal the
20 plan to improve the academic achievement of pupils developed
21 pursuant to NRS 385.357 and, not later than September 30,
22 implement the plan for restructuring the school developed pursuant
23 to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8) and the
24 regulations adopted pursuant thereto;

25 (2) Provide notice of the designation to the parents and
26 guardians of pupils enrolled in the school on the form prescribed by
27 the Department pursuant to NRS 385.382;

28 (3) Ensure that the school receives technical assistance in the
29 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
30 adopted pursuant thereto;

31 (4) Provide school choice to the parents and guardians of
32 pupils enrolled in the school in accordance with 20 U.S.C. §
33 6316(b)(1) and the regulations adopted pursuant thereto; and

34 (5) Provide supplemental educational services in accordance
35 with 20 U.S.C. § 6316(e) and the regulations adopted pursuant
36 thereto from a provider approved pursuant to NRS 385.384, unless a
37 waiver is granted pursuant to that provision of federal law.

38 (b) If the school is a charter school:

39 (1) Sponsored by the board of trustees of a school district,
40 the board of trustees shall:

41 (I) Except as otherwise provided in subsection 3, repeal
42 the plan to improve the academic achievement of pupils developed
43 pursuant to NRS 385.357 and, not later than September 30,
44 implement the plan for restructuring the charter school developed



1 pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)
2 and the regulations adopted pursuant thereto;

3 (II) Provide notice of the designation to the parents and
4 guardians of pupils enrolled in the charter school on the form
5 prescribed by the Department pursuant to NRS 385.382;

6 (III) Ensure that the charter school receives technical
7 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
8 regulations adopted pursuant thereto; and

9 (IV) Provide school choice to the parents and guardians
10 of pupils enrolled in the charter school in accordance with 20 U.S.C.
11 § 6316(b)(1) and the regulations adopted pursuant thereto.

12 (2) *Sponsored by the State Public Charter School*
13 *Authority, the State Public Charter School Authority shall:*

14 (I) *Except as otherwise provided in subsection 3, repeal*
15 *the plan to improve the academic achievement of pupils developed*
16 *pursuant to NRS 385.357 and, not later than September 30,*
17 *implement the plan for restructuring the charter school developed*
18 *pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)*
19 *and the regulations adopted pursuant thereto;*

20 (II) *Provide notice of the designation to the parents and*
21 *guardians of pupils enrolled in the charter school on the form*
22 *prescribed by the Department pursuant to NRS 385.382;*

23 (III) *Ensure that the charter school receives technical*
24 *assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and*
25 *the regulations adopted pursuant thereto; and*

26 (IV) *Work cooperatively with the board of trustees of the*
27 *school district in which the pupil resides to provide school choice*
28 *to the parent or guardian of each pupil enrolled in the charter*
29 *school in accordance with 20 U.S.C. § 6316(b)(1) and the*
30 *regulations adopted pursuant thereto.*

31 (3) Sponsored by ~~the State Board or by~~ a college or
32 university within the Nevada System of Higher Education, the
33 Department shall:

34 (I) Except as otherwise provided in subsection 3, repeal
35 the plan to improve the academic achievement of pupils developed
36 pursuant to NRS 385.357 and, not later than September 30,
37 implement the plan for restructuring the charter school developed
38 pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)
39 and the regulations adopted pursuant thereto;

40 (II) Provide notice of the designation to the parents and
41 guardians of pupils enrolled in the charter school on the form
42 prescribed by the Department pursuant to NRS 385.382;

43 (III) Ensure that the charter school receives technical
44 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
45 regulations adopted pursuant thereto; and



1 (IV) Work cooperatively with the board of trustees of the
2 school district in which the ~~[charter school is located]~~ *pupil resides*
3 to provide school choice to the ~~[parents and guardians of pupils]~~
4 *parent or guardian of each pupil* enrolled in the *charter* school in
5 accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted
6 pursuant thereto.

7 ~~[(3)]~~ (4) Regardless of the sponsor, the governing body of
8 the charter school shall provide supplemental educational services in
9 accordance with 20 U.S.C. § 6316(e) and the regulations adopted
10 pursuant thereto from a provider approved pursuant to NRS
11 385.384, unless a waiver is granted pursuant to that provision of
12 federal law.

13 (c) The State Board shall prescribe by regulation the actions
14 which the Department may take to monitor the implementation of
15 any corrective action at the school or charter school.

16 2. The board of trustees of a school district shall grant a delay
17 from the imposition of a plan for restructuring for a school,
18 including, without limitation, the development and implementation
19 of a plan for restructuring, for a period not to exceed 1 year if the
20 school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D).
21 If the school fails to make adequate yearly progress during the
22 period of delay, the board of trustees shall proceed with a plan for
23 restructuring the school as if the delay never occurred.

24 3. The sponsor of a charter school shall grant a delay from the
25 imposition of a plan for restructuring for a school, including,
26 without limitation, the development and implementation of a plan
27 for restructuring, for a period not to exceed 1 year if the school
28 qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the
29 charter school fails to make adequate yearly progress during the
30 period of delay, the Department shall proceed with a plan for
31 restructuring the charter school as if the delay never occurred.

32 4. Before the board of trustees of a school district, *the State*
33 *Public Charter School Authority* or the Department proceeds with a
34 plan for restructuring, the board of trustees, *the State Public*
35 *Charter School Authority* or the Department, as applicable, shall
36 provide to the administrators, teachers and other educational
37 personnel employed at that school, and parents and guardians of
38 pupils enrolled in the school:

39 (a) Notice that the board of trustees, *the State Public Charter*
40 *School Authority* or the Department, as applicable, will develop a
41 plan for restructuring the school;

42 (b) An opportunity to comment before the plan to restructure is
43 developed; and

44 (c) An opportunity to participate in the development of the plan
45 to restructure.



1 **Sec. 24.** NRS 385.620 is hereby amended to read as follows:
2 385.620 The Advisory Council shall:

3 1. Review the policy of parental involvement adopted by the
4 State Board and the policy of parental involvement adopted by the
5 board of trustees of each school district pursuant to NRS 392.457;

6 2. Review the information relating to communication with and
7 participation of parents that is included in the annual report of
8 accountability for each school district pursuant to paragraph (j) of
9 subsection 2 of NRS 385.347 ~~(j)~~ *and similar information in the*
10 *annual report of accountability prepared by the State Public*
11 *Charter School Authority and a college or university within the*
12 *Nevada System of Higher Education that sponsors a charter*
13 *school pursuant to subsection 3 of NRS 385.347;*

14 3. Review any effective practices carried out in individual
15 school districts to increase parental involvement and determine the
16 feasibility of carrying out those practices on a statewide basis;

17 4. Review any effective practices carried out in other states to
18 increase parental involvement and determine the feasibility of
19 carrying out those practices in this State;

20 5. Identify methods to communicate effectively and provide
21 outreach to parents and legal guardians of pupils who have limited
22 time to become involved in the education of their children for
23 various reasons, including, without limitation, work schedules,
24 single-parent homes and other family obligations;

25 6. Identify the manner in which the level of parental
26 involvement affects the performance, attendance and discipline of
27 pupils;

28 7. Identify methods to communicate effectively with and
29 provide outreach to parents and legal guardians of pupils who are
30 limited English proficient;

31 8. Determine the necessity for the appointment of a statewide
32 parental involvement coordinator or a parental involvement
33 coordinator in each school district, or both;

34 9. On or before July 1 of each year, submit a report to the
35 Legislative Committee on Education describing the activities of the
36 Advisory Council and any recommendations for legislation; and

37 10. On or before February 1 of each odd-numbered year,
38 submit a report to the Director of the Legislative Counsel Bureau for
39 transmission to the next regular session of the Legislature describing
40 the activities of the Advisory Council and any recommendations for
41 legislation.



1 **Sec. 25.** Chapter 386 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 26 to 35.5, inclusive, of
3 this act.

4 **Sec. 26.** *As used in NRS 386.500 to 386.610, inclusive, and*
5 *sections 26 to 35.5, inclusive, of this act, the words and terms*
6 *defined in NRS 386.500 and sections 27 and 28 of this act have the*
7 *meanings ascribed to them in those sections.*

8 **Sec. 27.** *“Director” means the Director of the State Public*
9 *Charter School Authority appointed pursuant to section 31 of this*
10 *act.*

11 **Sec. 28.** *“State Public Charter School Authority” means the*
12 *State Public Charter School Authority created by section 28.5 of*
13 *this act.*

14 **Sec. 28.5.** *The State Public Charter School Authority is*
15 *hereby created. The purpose of the State Public Charter School*
16 *Authority is to:*

17 1. *Authorize charter schools of high-quality throughout this*
18 *State with the goal of expanding the opportunities for pupils in*
19 *this State, including, without limitation, pupils who are at risk.*

20 2. *Provide oversight to the charter schools that it sponsors to*
21 *ensure that those charter schools maintain high educational and*
22 *operational standards, preserve autonomy and safeguard the*
23 *interests of pupils and the community.*

24 3. *Serve as a model of the best practices in sponsoring charter*
25 *schools and foster a climate in this State in which all charter*
26 *schools, regardless of sponsor, can flourish.*

27 **Sec. 29.** 1. *The State Public Charter School Authority*
28 *consists of seven members. The membership of the State Public*
29 *Charter School Authority consists of:*

30 (a) *Two members appointed by the Governor in accordance*
31 *with subsection 2;*

32 (b) *Two members, who must not be Legislators, appointed*
33 *by the Majority Leader of the Senate in accordance with*
34 *subsection 2;*

35 (c) *Two members, who must not be Legislators, appointed by*
36 *the Speaker of the Assembly in accordance with subsection 2; and*

37 (d) *One member appointed by an association of charter*
38 *schools pursuant to subsection 3.*

39 2. *The Governor, the Majority Leader of the Senate and the*
40 *Speaker of the Assembly shall ensure that the membership of the*
41 *State Public Charter School Authority:*

42 (a) *Includes persons with a demonstrated understanding of*
43 *charter schools and a commitment to using charter schools as a*
44 *way to strengthen public education in this State;*



1 ***(b) Includes a parent or legal guardian of a pupil enrolled in a***
2 ***charter school in this State;***

3 ***(c) Includes persons with specific knowledge of:***

4 ***(1) Issues relating to elementary and secondary education;***

5 ***(2) School finance or accounting, or both;***

6 ***(3) Management practices;***

7 ***(4) Assessments required in elementary and secondary***
8 ***education;***

9 ***(5) Educational technology; and***

10 ***(6) The laws and regulations applicable to charter schools;***
11 ***and***

12 ***(d) Insofar as practicable, reflects the ethnic and geographical***
13 ***diversity of this State.***

14 ***3. The State Public Charter School Authority shall establish a***
15 ***list of associations of charter schools operating in this State which***
16 ***the State Board recognizes as representing the charter schools in***
17 ***this State and designate the order in which such associations may***
18 ***appoint a member to the State Public Charter School Authority.***
19 ***Except as otherwise provided in subsection 5, an association may***
20 ***not appoint more than one member to the State Public Charter***
21 ***School Authority unless each association designated pursuant to***
22 ***this subsection has had an opportunity to make an appointment.***

23 ***4. Each member of the State Public Charter School Authority***
24 ***must be a resident of this State.***

25 ***5. After the initial terms, the term of each member of the***
26 ***State Public Charter School Authority is 3 years, commencing on***
27 ***July 1 of the year in which he or she is appointed. A vacancy in***
28 ***the membership of the State Public Charter School Authority must***
29 ***be filled for the remainder of the unexpired term in the same***
30 ***manner as the original appointment. A member shall continue to***
31 ***serve on the State Public Charter School Authority until his or her***
32 ***successor is appointed.***

33 ***6. The members of the State Public Charter School Authority***
34 ***shall select a Chair and Vice Chair from among its members.***
35 ***After the initial selection of those officers, each of those officers***
36 ***holds the position for a term of 2 years commencing on July 1 of***
37 ***each odd-numbered year. If a vacancy occurs in the Chair or Vice***
38 ***Chair, the vacancy must be filled in the same manner as the***
39 ***original selection for the remainder of the unexpired term.***

40 ***7. Each member of the State Public Charter School Authority***
41 ***is entitled to receive:***

42 ***(a) For each day or portion of a day during which he or she***
43 ***attends a meeting of the State Public Charter School Authority a***
44 ***salary of not more than \$80, as fixed by the State Public Charter***
45 ***School Authority; and***



1 **(b) For each day or portion of a day during which he or she**
2 **attends a meeting of the State Public Charter School Authority or**
3 **is otherwise engaged in the business of the State Public Charter**
4 **School Authority the per diem allowance and travel expenses**
5 **provided for state officers and employees generally.**

6 **Sec. 30. 1. The members of the State Public Charter School**
7 **Authority shall meet throughout the year at the times and places**
8 **specified by a call of the Chair or a majority of the members.**

9 **2. Four members of the State Public Charter School**
10 **Authority constitute a quorum, and a quorum may exercise all the**
11 **power and authority conferred on the State Public Charter School**
12 **Authority.**

13 **Sec. 31. 1. The State Public Charter School Authority shall**
14 **appoint a Director of the State Public Charter School Authority**
15 **for a term of 3 years. The State Public Charter School Authority**
16 **shall ensure that the Director has a demonstrated understanding**
17 **of charter schools and a commitment to using charter schools as a**
18 **way to strengthen public education in this State.**

19 **2. A vacancy in the position of Director must be filled by the**
20 **State Public Charter School Authority for the remainder of the**
21 **unexpired term.**

22 **3. The Director is in the unclassified service of the State.**

23 **Sec. 32. The Director shall not pursue any other business or**
24 **occupation or hold any other office of profit without the approval**
25 **of the State Public Charter School Authority.**

26 **Sec. 33. The Director shall:**

27 **1. Execute, direct and supervise all administrative, technical**
28 **and procedural activities of the State Public Charter School**
29 **Authority in accordance with the policies prescribed by the State**
30 **Public Charter School Authority;**

31 **2. Organize the State Public Charter School Authority in a**
32 **manner which will ensure the efficient operation and service of**
33 **the State Public Charter School Authority;**

34 **3. Serve as the Executive Secretary of the State Public**
35 **Charter School Authority;**

36 **4. Ensure that the autonomy provided to charter schools in**
37 **this State pursuant to state law and regulations is preserved; and**

38 **5. Perform such other duties as are prescribed by law or the**
39 **State Public Charter School Authority.**

40 **Sec. 34. The State Public Charter School Authority may**
41 **employ such persons as it deems necessary to carry out the**
42 **provisions of NRS 386.500 to 386.610, inclusive, and sections 26**
43 **to 35.5, inclusive, of this act. The staff employed by the State**
44 **Public Charter School Authority must be qualified to carry out the**
45 **daily responsibilities of sponsoring charter schools in accordance**



1 *with the provisions of NRS 386.500 to 386.610, inclusive, and*
2 *sections 26 to 35.5, inclusive, of this act.*

3 **Sec. 35. 1.** *The Account for the State Public Charter*
4 *School Authority is hereby created in the State General Fund, to*
5 *be administered by the Director.*

6 *2. The interest and income earned on the money in the*
7 *Account must be credited to the Account.*

8 *3. The money in the Account may be used only for the*
9 *establishment and maintenance of the State Public Charter School*
10 *Authority.*

11 *4. Any money remaining in the Account at the end of a fiscal*
12 *year does not revert to the State General Fund, and the balance in*
13 *the Account must be carried forward to the next fiscal year.*

14 *5. The Director and the State Public Charter School*
15 *Authority may accept gifts, grants and bequests to carry out the*
16 *provisions of NRS 386.500 to 386.610, inclusive, and sections 26*
17 *to 35.5, inclusive, of this act. Any money from gifts, grants and*
18 *bequests must be deposited in the Account and may be expended*
19 *in accordance with the terms and conditions of the gift, grant or*
20 *bequest, or in accordance with this section.*

21 **Sec. 35.3. 1.** *The governing body of a charter school may*
22 *contract with the sponsor of the charter school for the purchase of*
23 *services, excluding those services which are covered by the*
24 *sponsorship fee paid to the sponsor pursuant to NRS 386.570. If*
25 *the governing body of a charter school elects to purchase such*
26 *services, the governing body and the sponsor shall enter into an*
27 *annual service agreement which is separate from the written*
28 *charter of the charter school.*

29 *2. If a service agreement is entered into pursuant to this*
30 *section, the sponsor of the charter school shall, not later than*
31 *August 1 after the completion of the school year, provide to the*
32 *governing body of the charter school an itemized accounting of*
33 *the actual costs of those services purchased by the charter school.*
34 *Any difference between the amount paid by the charter school*
35 *pursuant to the service agreement and the actual cost for those*
36 *services must be reconciled and paid to the party to whom it is due.*
37 *If the governing body or the sponsor disputes the amount due, the*
38 *party making the dispute may request an independent review by*
39 *the Department, whose determination is final.*

40 *3. The governing body of a charter school may not be*
41 *required to enter into a service agreement pursuant to this section*
42 *as a condition to approval of its written charter by the sponsor of*
43 *the charter school or as a condition to renewal of the written*
44 *charter.*



1 **Sec. 35.5. 1.** *The State Public Charter School Authority is*
2 *hereby deemed a local educational agency for the purpose of*
3 *directing the proportionate share of any money available from*
4 *federal and state categorical grant programs to charter schools*
5 *which are sponsored by the State Public Charter School Authority*
6 *or a college or university within the Nevada System of Higher*
7 *Education that are eligible to receive such money. A charter*
8 *school that receives money pursuant to such a grant program shall*
9 *comply with any applicable reporting requirements to receive the*
10 *grant.*

11 **2.** *If the charter school is eligible to receive special education*
12 *program units, the Department shall pay the special education*
13 *program units directly to the charter school.*

14 **3.** *As used in this section, “local educational agency” has the*
15 *meaning ascribed to it in 20 U.S.C. § 7801(26)(A).*

16 **Sec. 36.** NRS 386.500 is hereby amended to read as follows:

17 386.500 ~~[For the purposes of NRS 386.500 to 386.610,~~
18 ~~inclusive, a]~~ A pupil is “at risk” if the pupil has an economic or
19 academic disadvantage such that he or she requires special services
20 and assistance to enable him or her to succeed in educational
21 programs. The term includes, without limitation, pupils who are
22 members of economically disadvantaged families, pupils who are
23 limited English proficient, pupils who are at risk of dropping out of
24 high school and pupils who do not meet minimum standards of
25 academic proficiency. The term does not include a pupil with a
26 disability.

27 **Sec. 37.** (Deleted by amendment.)

28 **Sec. 38.** NRS 386.515 is hereby amended to read as follows:

29 386.515 1. The board of trustees of a school district may
30 apply to the Department for authorization to sponsor charter schools
31 within the school district. An application must be approved by the
32 Department before the board of trustees may sponsor a charter
33 school. Not more than 180 days after receiving approval to sponsor
34 charter schools, the board of trustees shall provide public notice of
35 its ability to sponsor charter schools and solicit applications for
36 charter schools.

37 2. The State ~~[Board]~~ *Public Charter School Authority* shall
38 sponsor charter schools whose applications have been approved by
39 the State ~~[Board]~~ *Public Charter School Authority* pursuant to NRS
40 386.525. Except as otherwise provided by specific statute, if the
41 State ~~[Board]~~ *Public Charter School Authority* sponsors a charter
42 school, the State ~~[Board or the Department]~~ *Public Charter School*
43 *Authority* is responsible for the evaluation, monitoring and
44 oversight of the charter school.



1 3. A college or university within the Nevada System of Higher
2 Education may sponsor charter schools.

3 4. *Each sponsor of a charter school shall carry out the*
4 *following duties and powers:*

5 (a) *Evaluating applications to form charter schools as*
6 *prescribed by NRS 386.525;*

7 (b) *Approving applications to form charter schools that the*
8 *sponsor determines are high quality, meet the identified*
9 *educational needs of pupils and will serve to promote the diversity*
10 *of public educational choices in this State;*

11 (c) *Declining to approve applications to form charter schools*
12 *that do not satisfy the requirements of NRS 386.525;*

13 (d) *Negotiating and executing written charters pursuant to*
14 *NRS 386.527;*

15 (e) *Monitoring, in accordance with NRS 386.500 to 386.610,*
16 *inclusive, and sections 26 to 35.5, inclusive, of this act, and in*
17 *accordance with the terms and conditions of the applicable written*
18 *charter, the performance and compliance of each charter school*
19 *sponsored by the entity; and*

20 (f) *Determining whether each written charter of a charter*
21 *school that the entity sponsors merits renewal or whether the*
22 *renewal of the written charter should be denied or the written*
23 *charter should be revoked in accordance with NRS 386.530 or*
24 *386.535, as applicable.*

25 5. *Each sponsor of a charter school shall develop policies and*
26 *practices that are consistent with state laws and regulations*
27 *governing charter schools. In developing the policies and*
28 *practices, the sponsor shall review and evaluate nationally*
29 *recognized policies and practices for sponsoring organizations of*
30 *charter schools. The policies and practices must include, without*
31 *limitation:*

32 (a) *The organizational capacity and infrastructure of the*
33 *sponsor for sponsorship of charter schools, which must not be*
34 *described as a limit on the number of charter schools the sponsor*
35 *will approve;*

36 (b) *The procedure for evaluating charter school applications*
37 *in accordance with NRS 386.525;*

38 (c) *A description of how the sponsor will maintain oversight of*
39 *the charter schools it sponsors; and*

40 (d) *A description of the process of evaluation for charter*
41 *schools it sponsors in accordance with NRS 386.610.*

42 6. *Evidence of material or persistent failure to carry out the*
43 *powers and duties of a sponsor prescribed by this section*
44 *constitutes grounds for revocation of the entity's authority to*
45 *sponsor charter schools.*



1 **Sec. 39.** NRS 386.520 is hereby amended to read as follows:

2 386.520 1. A committee to form a charter school must
3 consist of at least three teachers, as defined in subsection 4. In
4 addition to the teachers who serve, the committee may consist of:

5 (a) Members of the general public;

6 (b) Representatives of nonprofit organizations and businesses;

7 or

8 (c) Representatives of a college or university within the Nevada
9 System of Higher Education.

10 ➤ A majority of the persons described in paragraphs (a), (b) and (c)
11 who serve on the committee must be residents of this State at the
12 time that the application to form the charter school is submitted to
13 the Department.

14 2. ~~Before a committee to form a charter school may submit an~~
15 ~~application to the board of trustees of a school district, the~~
16 ~~Subcommittee on Charter Schools, the State Board or a college or~~
17 ~~university within the Nevada System of Higher Education, it must~~
18 ~~submit the application to the Department. The~~ *An application to*
19 *form a charter school* must include all information prescribed by
20 the ~~Department~~ *State Public Charter School Authority* by
21 regulation and:

22 (a) A written description of how the charter school will carry out
23 the provisions of NRS 386.500 to 386.610, inclusive ~~[]~~ , *and*
24 *sections 26 to 35.5, inclusive, of this act.*

25 (b) A written description of the mission and goals for the charter
26 school. A charter school must have as its stated purpose at least one
27 of the following goals:

28 (1) Improving the ~~opportunities for pupils to learn;~~
29 *academic achievement of pupils;*

30 (2) Encouraging the use of effective *and innovative* methods
31 of teaching;

32 (3) Providing an accurate measurement of the educational
33 achievement of pupils;

34 (4) Establishing accountability *and transparency* of public
35 schools;

36 (5) Providing a method for public schools to measure
37 achievement based upon the performance of the schools; or

38 (6) Creating new professional opportunities for teachers.

39 (c) The projected enrollment of pupils in the charter school.

40 (d) The proposed dates of enrollment for the charter school.

41 (e) The proposed system of governance for the charter school,
42 including, without limitation, the number of persons who will
43 govern, the method of selecting the persons who will govern and the
44 term of office for each person.



- 1 (f) The method by which disputes will be resolved between the
2 governing body of the charter school and the sponsor of the charter
3 school.
- 4 (g) The proposed curriculum for the charter school and, if
5 applicable to the grade level of pupils who are enrolled in the
6 charter school, the requirements for the pupils to receive a high
7 school diploma, including, without limitation, whether those pupils
8 will satisfy the requirements of the school district in which the
9 charter school is located for receipt of a high school diploma.
- 10 (h) The textbooks that will be used at the charter school.
- 11 (i) The qualifications of the persons who will provide instruction
12 at the charter school.
- 13 (j) Except as otherwise required by NRS 386.595, the process by
14 which the governing body of the charter school will negotiate
15 employment contracts with the employees of the charter school.
- 16 (k) A financial plan for the operation of the charter school. The
17 plan must include, without limitation, procedures for the audit of the
18 programs and finances of the charter school and guidelines for
19 determining the financial liability if the charter school is
20 unsuccessful.
- 21 (l) A statement of whether the charter school will provide for the
22 transportation of pupils to and from the charter school. If the charter
23 school will provide transportation, the application must include the
24 proposed plan for the transportation of pupils. If the charter school
25 will not provide transportation, the application must include a
26 statement that the charter school will work with the parents and
27 guardians of pupils enrolled in the charter school to develop a plan
28 for transportation to ensure that pupils have access to transportation
29 to and from the charter school.
- 30 (m) The procedure for the evaluation of teachers of the charter
31 school, if different from the procedure prescribed in NRS 391.3125.
32 If the procedure is different from the procedure prescribed in NRS
33 391.3125, the procedure for the evaluation of teachers of the charter
34 school must provide the same level of protection and otherwise
35 comply with the standards for evaluation set forth in NRS 391.3125.
- 36 (n) The time by which certain academic or educational results
37 will be achieved.
- 38 (o) The kind of school, as defined in subsections 1 to 4,
39 inclusive, of NRS 388.020, for which the charter school intends to
40 operate.
- 41 (p) A statement of whether the charter school will enroll pupils
42 who are in a particular category of at-risk pupils before enrolling
43 other children who are eligible to attend the charter school pursuant
44 to NRS 386.580 and the method for determining eligibility for



1 enrollment in each such category of at-risk pupils served by the
2 charter school.

3 3. The *proposed sponsor of a charter school may request that*
4 *the Department review an application before review by the*
5 *proposed sponsor to determine whether the application is*
6 *complete. Upon such a request, the* Department shall review an
7 application to form a charter school to determine whether it is
8 complete. If an application proposes to convert an existing public
9 school, homeschool or other program of home study into a charter
10 school, the Department shall deny the application. The Department
11 shall provide written notice to the applicant *and the proposed*
12 *sponsor of the charter school* of its ~~[approval or denial of]~~
13 *determination of whether* the application ~~[]~~ *is complete*. If the
14 Department ~~[denies]~~ *determines* an application ~~[]~~ *is not complete*,
15 the Department shall include in the written notice the reason for ~~[the~~
16 ~~denial]~~ *its determination* and the deficiencies in the application. The
17 applicant must be granted 30 days after receipt of the written notice
18 to correct any deficiencies identified in the written notice and
19 resubmit the application. *If the Department determines an*
20 *application is complete, the Department shall transmit the*
21 *application to the proposed sponsor for review pursuant to*
22 *NRS 386.525.*

23 4. As used in subsection 1, "teacher" means a person who:

24 (a) Holds a current license to teach issued pursuant to chapter
25 391 of NRS; and

26 (b) Has at least 2 years of experience as an employed teacher.

27 ↪ The term does not include a person who is employed as a
28 substitute teacher.

29 **Sec. 40.** NRS 386.525 is hereby amended to read as follows:

30 386.525 1. ~~[Upon approval of an application by the~~
31 ~~Department, a]~~ *Except as otherwise provided in this subsection, a*
32 *committee to form a charter school may submit the application to*
33 *the* ~~[board of trustees of the school district in which the]~~ *proposed*
34 *sponsor of the* charter school . ~~[will be located, a college or~~
35 ~~university within the Nevada System of Higher Education]~~ or
36 ~~[directly to the Subcommittee on Charter Schools.]~~ *If the proposed*
37 *sponsor of a charter school requested that the Department review*
38 *the application pursuant to NRS 386.520 and the Department*
39 *determined that the application was not complete pursuant to that*
40 *section, the application must not be submitted to the proposed*
41 *sponsor for review pursuant to this section. If an application*
42 *proposes to convert an existing public school, homeschool or other*
43 *program of home study into a charter school, the proposed*
44 *sponsor shall deny the application.*



1 2. If the board of trustees of a school district ~~{ }~~ or a college or
2 a university ~~{ }~~ *within the Nevada System of Higher Education*, as
3 applicable, receives an application to form a charter school, the
4 board of trustees or the institution, as applicable, shall consider the
5 application at a meeting that must be held not later than 45 days
6 after the receipt of the application, or a period mutually agreed upon
7 by the committee to form the charter school and the board of
8 trustees of the school district or the institution, as applicable, and
9 ensure that notice of the meeting has been provided pursuant to
10 chapter 241 of NRS. *If the proposed sponsor requested that the*
11 *Department review the application pursuant to NRS 386.520, the*
12 *proposed sponsor shall be deemed to receive the application*
13 *pursuant to this subsection upon transmittal of the application*
14 *from the Department.* The board of trustees, the college ~~{ }~~ or the
15 university , ~~{for the Subcommittee on Charter Schools,}~~ as
16 applicable, shall review an application to determine whether the
17 application:

18 (a) Complies with NRS 386.500 to 386.610, inclusive, *and*
19 *sections 26 to 35.5, inclusive, of this act* and the regulations
20 applicable to charter schools; and

21 (b) Is complete in accordance with the regulations of the
22 ~~{Department.~~
23 ~~—2.}~~ *State Public Charter School Authority.*

24 3. The Department shall assist the board of trustees of a school
25 district, the college or the university, as applicable, in the review of
26 an application. The board of trustees, the college or the university,
27 as applicable, may approve an application if it satisfies the
28 requirements of paragraphs (a) and (b) of subsection ~~{ }~~ 2. The
29 board of trustees, the college or the university, as applicable, shall
30 provide written notice to the applicant of its approval or denial of
31 the application.

32 ~~{3.}~~ 4. If the board of trustees, the college or the university, as
33 applicable, denies an application, it shall include in the written
34 notice the reasons for the denial and the deficiencies in the
35 application. The applicant must be granted 30 days after receipt of
36 the written notice to correct any deficiencies identified in the written
37 notice and resubmit the application.

38 ~~{4.}~~ 5. If the board of trustees, the college or the university, as
39 applicable, denies an application after it has been resubmitted
40 pursuant to subsection ~~{3.}~~ 4, the applicant may submit a written
41 request for sponsorship by the State ~~{Board to the Subcommittee on~~
42 ~~Charter Schools created pursuant to NRS 386.507}~~ *Public Charter*
43 *School Authority* not more than 30 days after receipt of the written
44 notice of denial. Any request that is submitted pursuant to this



1 subsection must be accompanied by the application to form the
2 charter school.

3 ~~[5.]~~ 6. If the ~~[Subcommittee on Charter Schools]~~ *State Public*
4 *Charter School Authority* receives an application pursuant to
5 subsection 1 or ~~[4.]~~ 5, it shall hold a meeting to consider the
6 application. *If the State Public Charter School Authority requested*
7 *that the Department review the application pursuant to NRS*
8 *386.520, the State Public Charter School Authority shall be*
9 *deemed to receive the application pursuant to this subsection upon*
10 *transmittal of the application from the Department.* The meeting
11 must be held not later than 45 days after receipt of the application.
12 Notice of the meeting must be posted in accordance with chapter
13 241 of NRS. The ~~[Subcommittee]~~ *State Public Charter School*
14 *Authority* shall review the application in accordance with the factors
15 set forth in paragraphs (a) and (b) of subsection ~~[1.]~~ ~~The~~
16 ~~Subcommittee may approve an application if it satisfies the~~
17 ~~requirements of paragraphs (a) and (b) of subsection 1.~~

18 ~~—6.— The Subcommittee on Charter Schools shall transmit the~~
19 ~~application and the recommendation of the Subcommittee for~~
20 ~~approval or denial of the application to the State Board. Not more~~
21 ~~than 14 days after the date of the meeting of the Subcommittee~~
22 ~~pursuant to subsection 5, the State Board shall hold a meeting to~~
23 ~~consider the recommendation of the Subcommittee. Notice of the~~
24 ~~meeting must be posted in accordance with chapter 241 of NRS.~~
25 ~~The State Board shall review the application in accordance with the~~
26 ~~factors set forth in paragraphs (a) and (b) of subsection 1.]~~ 2. *The*
27 *Department shall assist the State Public Charter School Authority*
28 *in the review of an application.* The State ~~[Board]~~ *Public Charter*
29 *School Authority* may approve an application if it satisfies the
30 requirements of paragraphs (a) and (b) of subsection ~~[1.]~~ 2. Not
31 more than 30 days after the meeting, the State ~~[Board]~~ *Public*
32 *Charter School Authority* shall provide written notice of its
33 determination to the applicant.

34 7. If the State ~~[Board]~~ *Public Charter School Authority* denies
35 an application, it shall include in the written notice the reasons for
36 the denial and the deficiencies in the application. The applicant must
37 be granted 30 days after receipt of the written notice to correct any
38 deficiencies identified in the written notice and resubmit the
39 application.

40 8. If the State ~~[Board]~~ *Public Charter School Authority* denies
41 an application after it has been resubmitted pursuant to subsection 7,
42 the applicant may, not more than 30 days after the receipt of the
43 written notice from the State ~~[Board.]~~ *Public Charter School*
44 *Authority*, appeal the final determination to the district court of the
45 county in which the proposed charter school will be located.



1 9. On or before January 1 of each odd-numbered year, the
2 Superintendent of Public Instruction shall submit a written report to
3 the Director of the Legislative Counsel Bureau for transmission to
4 the next regular session of the Legislature. The report must include:

5 (a) A list of each application to form a charter school that was
6 submitted to the board of trustees of a school district, the State
7 ~~{Board,}~~ *Public Charter School Authority*, a college or a university
8 during the immediately preceding biennium;

9 (b) The educational focus of each charter school for which an
10 application was submitted;

11 (c) The current status of the application; and

12 (d) If the application was denied, the reasons for the denial.

13 **Sec. 41.** NRS 386.527 is hereby amended to read as follows:

14 386.527 1. If the State ~~{Board,}~~ *Public Charter School*
15 *Authority*, the board of trustees of a school district or a college or
16 university within the Nevada System of Higher Education approves
17 an application to form a charter school, it shall grant a written
18 charter to the applicant. The State ~~{Board,}~~ *Public Charter School*
19 *Authority*, the board of trustees, the college or the university, as
20 applicable, shall, not later than 10 days after the approval of the
21 application, provide written notice to the Department of the
22 approval and the date of the approval. If the board of trustees
23 approves the application, the board of trustees shall be deemed the
24 sponsor of the charter school.

25 2. If the State ~~{Board}~~ *Public Charter School Authority*
26 approves the application:

27 (a) The State ~~{Board}~~ *Public Charter School Authority* shall be
28 deemed the sponsor of the charter school.

29 (b) Neither the State of Nevada, the State Board , *the State*
30 *Public Charter School Authority* nor the Department is an
31 employer of the members of the governing body of the charter
32 school or any of the employees of the charter school.

33 3. If a college or university within the Nevada System of
34 Higher Education approves the application:

35 (a) That institution shall be deemed the sponsor of the charter
36 school.

37 (b) Neither the State of Nevada, the State Board nor the
38 Department is an employer of the members of the governing body of
39 the charter school or any of the employees of the charter school.

40 4. The governing body of a charter school may request, at any
41 time, a change in the sponsorship of the charter school to an entity
42 that is authorized to sponsor charter schools pursuant to NRS
43 386.515. The State ~~{Board}~~ *Public Charter School Authority* shall
44 adopt:



1 (a) ~~[An application]~~ A process for a charter school that requests
2 a change in the sponsorship of the charter school, which must not
3 require the ~~[applicant]~~ *charter school* to undergo *all* the
4 requirements of an initial application to form a charter school ; and

5 (b) Objective criteria for the conditions under which such a
6 request may be granted.

7 5. Except as otherwise provided in subsection 7, a written
8 charter must be for a term of 6 years unless the governing body of a
9 charter school renews its initial charter after 3 years of operation
10 pursuant to subsection 2 of NRS 386.530. A written charter must
11 include all conditions of operation set forth in subsection 2 of NRS
12 386.520 and include the kind of school, as defined in subsections 1
13 to 4, inclusive, of NRS 388.020 for which the charter school is
14 authorized to operate. If the State ~~[Board]~~ *Public Charter School*
15 *Authority* or a college or university within the Nevada System of
16 Higher Education is the sponsor of the charter school, the written
17 charter must set forth the responsibilities of the sponsor and the
18 charter school with regard to the provision of services and programs
19 to pupils with disabilities who are enrolled in the charter school in
20 accordance with the Individuals with Disabilities Education Act, 20
21 U.S.C. §§ 1400 et seq., and NRS 388.440 to 388.520, inclusive. As
22 a condition of the issuance of a written charter pursuant to this
23 subsection, the charter school must agree to comply with all
24 conditions of operation set forth in NRS 386.550.

25 6. The governing body of a charter school may submit to the
26 sponsor of the charter school a written request for an amendment of
27 the written charter of the charter school. Such an amendment may
28 include, without limitation, the expansion of instruction and other
29 educational services to pupils who are enrolled in grade levels other
30 than the grade levels of pupils currently approved for enrollment in
31 the charter school if the expansion of grade levels does not change
32 the kind of school, as defined in NRS 388.020, for which the charter
33 school is authorized to operate. If the proposed amendment
34 complies with the provisions of ~~[this section,]~~ NRS 386.500 to
35 386.610, inclusive, *and sections 26 to 35.5, inclusive, of this act,*
36 and any other statute or regulation applicable to charter schools, the
37 sponsor may amend the written charter in accordance with the
38 proposed amendment. If a charter school wishes to expand
39 the instruction and other educational services offered by the charter
40 school to pupils who are enrolled in grade levels other than the
41 grade levels of pupils currently approved for enrollment in the
42 charter school and the expansion of grade levels changes the kind of
43 school, as defined in NRS 388.020, for which the charter school is
44 authorized to operate, the governing body of the charter school must
45 submit a new application to form a charter school. If such an



1 application is approved, the charter school may continue to operate
2 under the same governing body and an additional governing body
3 does not need to be selected to operate the charter school with the
4 expanded grade levels.

5 7. The State ~~[Board]~~ *Public Charter School Authority* shall
6 adopt objective criteria for the issuance of a written charter to an
7 applicant who is not prepared to commence operation on the date of
8 issuance of the written charter. The criteria must include, without
9 limitation, the:

10 (a) Period for which such a written charter is valid; and

11 (b) Timelines by which the applicant must satisfy certain
12 requirements demonstrating its progress in preparing to commence
13 operation.

14 ➤ A holder of such a written charter may apply for grants of money
15 to prepare the charter school for operation. A written charter issued
16 pursuant to this subsection must not be designated as a conditional
17 charter or a provisional charter or otherwise contain any other
18 designation that would indicate the charter is issued for a temporary
19 period.

20 8. The holder of a written charter that is issued pursuant to
21 subsection 7 shall not commence operation of the charter school and
22 is not eligible to receive apportionments pursuant to NRS 387.124
23 until the sponsor has determined that the requirements adopted by
24 the State ~~[Board]~~ *Public Charter School Authority* pursuant to
25 subsection 7 have been satisfied and that the facility the charter
26 school will occupy has been inspected and meets the requirements
27 of any applicable building codes, codes for the prevention of fire,
28 and codes pertaining to safety, health and sanitation. Except as
29 otherwise provided in this subsection, the sponsor shall make such a
30 determination 30 days before the first day of school for the:

31 (a) Schools of the school district in which the charter school is
32 located that operate on a traditional school schedule and not a year-
33 round school schedule; or

34 (b) Charter school,

35 ➤ whichever date the sponsor selects. The sponsor shall not require
36 a charter school to demonstrate compliance with the requirements of
37 this subsection more than 30 days before the date selected.
38 However, it may authorize a charter school to demonstrate
39 compliance less than 30 days before the date selected.

40 **Sec. 42.** NRS 386.530 is hereby amended to read as follows:

41 386.530 1. Except as otherwise provided in subsection 2, an
42 application for renewal of a written charter may be submitted to
43 the sponsor of the charter school not less than 120 days before the
44 expiration of the charter. The application must include the
45 information prescribed by the regulations of the ~~[Department]~~ *State*



1 *Public Charter School Authority*. The sponsor shall conduct an
2 intensive review and evaluation of the charter school in accordance
3 with the regulations of the ~~Department~~ *State Public Charter*
4 *School Authority*. The sponsor shall renew the charter unless it
5 finds the existence of any ground for revocation set forth in NRS
6 386.535. The sponsor shall provide written notice of its
7 determination not fewer than 30 days before the expiration of the
8 charter. If the sponsor intends not to renew the charter, the written
9 notice must:

10 (a) Include a statement of the deficiencies or reasons upon
11 which the action of the sponsor is based; and

12 (b) Prescribe a period of not less than 30 days during which the
13 charter school may correct any such deficiencies.

14 ➤ If the charter school corrects the deficiencies to the satisfaction of
15 the sponsor within the time prescribed in paragraph (b), the sponsor
16 shall renew the charter of the charter school.

17 2. A charter school may submit an application for renewal of
18 its initial charter after 3 years of operation of the charter school. The
19 application must include the information prescribed by the
20 regulations of the ~~Department~~ *State Public Charter School*
21 *Authority*. The sponsor shall conduct an intensive review and
22 evaluation of the charter school in accordance with the regulations
23 of the ~~Department~~ *State Public Charter School Authority*. The
24 sponsor shall renew the charter unless it finds the existence of any
25 ground for revocation set forth in NRS 386.535. The sponsor shall
26 provide written notice of its determination. If the sponsor intends
27 not to renew the charter, the written notice must:

28 (a) Include a statement of the deficiencies or reasons upon
29 which the action of the sponsor is based; and

30 (b) Prescribe a period of not less than 30 days during which the
31 charter school may correct any such deficiencies.

32 ➤ If the charter school corrects the deficiencies to the satisfaction of
33 the sponsor within the time prescribed in paragraph (b), the sponsor
34 shall renew the charter of the charter school.

35 **Sec. 43.** NRS 386.540 is hereby amended to read as follows:

36 386.540 1. ~~The Department~~ *Subject to the provisions of*
37 *subsections 3 and 4, the State Public Charter School Authority*
38 shall adopt regulations that prescribe:

39 (a) The process for submission of an application by the board of
40 trustees of a school district to the Department for authorization to
41 sponsor charter schools and the contents of the application;

42 (b) The process for submission of an application to form a
43 charter school to the ~~Department, the~~ board of trustees of a school
44 district, the ~~Subcommittee on~~ *State Charter Schools* *Public*
45 *Charter School Authority* and a college or university within the



1 Nevada System of Higher Education, and the contents of the
2 application;

3 (c) The process for submission of an application to renew a
4 written charter; and

5 (d) The criteria and type of investigation that must be applied by
6 the board of trustees, ~~[the Subcommittee on Charter Schools,]~~ the
7 State ~~[Board]~~ *Public Charter School Authority* and a college or
8 university within the Nevada System of Higher Education in
9 determining whether to approve an application to form a charter
10 school or an application to renew a written charter.

11 2. *Subject to the provisions of subsections 3 and 4, the State*
12 *Public Charter School Authority may adopt regulations as it*
13 *determines are necessary to carry out the provisions of NRS*
14 *386.500 to 386.610, inclusive, and sections 26 to 35.5, inclusive, of*
15 *this act, including, without limitation, regulations that prescribe*
16 *the:*

17 (a) *Requirements for performance audits of charter schools on*
18 *an annual basis for charter schools that do not satisfy the*
19 *requirements of subsection 1 of NRS 386.5515; and*

20 (b) *Requirements for performance audits every 3 years for*
21 *charter schools that satisfy the requirements of subsection 1 of*
22 *NRS 386.5515.*

23 3. The Department may adopt regulations *relating to the*
24 *finances and budgets of charter schools* as it determines are
25 necessary to carry out the provisions of NRS 386.500 to 386.610,
26 inclusive, *and sections 26 to 35.5, inclusive, of this act*, including,
27 without limitation, regulations that prescribe the:

28 (a) Procedures for accounting and budgeting;

29 (b) Requirements for ~~[performance audits and]~~ financial audits
30 of charter schools on an annual basis for charter schools that do not
31 satisfy the requirements of subsection 1 of NRS 386.5515; and

32 (c) Requirements for ~~[performance audits every 3 years and]~~
33 financial audits on an annual basis for charter schools that satisfy the
34 requirements of subsection 1 of NRS 386.5515.

35 4. *The State Board of Education may disapprove any*
36 *regulation adopted by the State Public Charter School Authority if*
37 *the regulation:*

38 (a) *Threatens the efficient operation of the public schools in*
39 *this State; or*

40 (b) *Creates an undue financial hardship for any charter*
41 *school in this State.*

42 ↪ *A regulation shall be deemed approved if the State Board of*
43 *Education does not disapprove the regulation within 45 days after*
44 *it is adopted by the State Public Charter School Authority.*



1 **Sec. 44.** NRS 386.547 is hereby amended to read as follows:
2 386.547 The State ~~[Board]~~ *Public Charter School Authority*
3 shall:

4 1. Review all statutes and regulations from which charter
5 schools are exempt and determine whether such exemption assisted
6 or impeded the charter schools in achieving their educational goals
7 and objectives.

8 2. Make available information concerning the formation and
9 operation of charter schools in this State to pupils, parents and legal
10 guardians of pupils, teachers and other educational personnel and
11 members of the general public.

12 **Sec. 45.** NRS 386.5515 is hereby amended to read as follows:

13 386.5515 1. To the extent money is available from legislative
14 appropriation or otherwise, a charter school may apply to the
15 Department for money for facilities if:

16 (a) The charter school has been operating in this State for at
17 least 5 consecutive years and is in good financial standing;

18 (b) Each financial audit and each performance audit of the
19 charter school required ~~[by the Department]~~ *pursuant to NRS*
20 *386.540* contains no major notations, corrections or errors
21 concerning the charter school for at least 5 consecutive years;

22 (c) The charter school has met or exceeded adequate yearly
23 progress as determined pursuant to NRS 385.3613 or has
24 demonstrated improvement in the achievement of pupils enrolled in
25 the charter school, as indicated by annual measurable objectives
26 determined by the State Board, for the majority of the years of its
27 operation; *and*

28 (d) ~~[The charter school offers instruction on a daily basis during~~
29 ~~the school week of the charter school on the campus of the charter~~
30 ~~school; and~~

31 ~~—(e)]~~ At least 75 percent of the pupils enrolled in the charter
32 school who are required to take the high school proficiency
33 examination have passed that examination, if the charter school
34 enrolls pupils at a high school grade level.

35 2. A charter school that satisfies the requirements of subsection
36 1 shall submit to a performance audit as required by the
37 ~~[Department]~~ *State Public Charter School Authority* one time
38 every 3 years. The sponsor of the charter school and the
39 ~~[Department]~~ *regulations of the State Public Charter School*
40 *Authority* shall not ~~[request]~~ *require* a performance audit of the
41 charter school more frequently than every 3 years without
42 reasonable evidence of noncompliance in achieving the educational
43 goals and objectives of the charter school based upon the annual
44 report submitted to the ~~[State Board]~~ *Department* pursuant to NRS
45 386.610. If the charter school no longer satisfies the requirements of



1 subsection 1 or if reasonable evidence of noncompliance in
2 achieving the educational goals and objectives of the charter school
3 exists based upon the annual report, the charter school shall, upon
4 written notice from the sponsor, submit to an annual performance
5 audit. Notwithstanding the provisions of paragraph (b) of subsection
6 1, such a charter school:

7 (a) May, after undergoing the annual performance audit, reapply
8 to the sponsor to determine whether the charter school satisfies the
9 requirements of paragraphs (a), (c) ~~(d)~~ and (d) ~~(and (e))~~ of
10 subsection 1.

11 (b) Is not eligible for any available money pursuant to
12 subsection 1 until the sponsor determines that the charter school
13 satisfies the requirements of that subsection.

14 3. A charter school that does not satisfy the requirements of
15 subsection 1 shall submit a quarterly report of the financial status of
16 the charter school if requested by the sponsor of the charter school.

17 **Sec. 45.5.** NRS 386.560 is hereby amended to read as follows:

18 386.560 1. The governing body of a charter school may
19 contract with the board of trustees of the school district in which the
20 charter school is located or the Nevada System of Higher Education
21 for the provision of facilities to operate the charter school or to
22 perform any service relating to the operation of the charter school,
23 including, without limitation, transportation, the provision of health
24 services for the pupils who are enrolled in the charter school and the
25 provision of school police officers. *If the board of trustees of a*
26 *school district or a college or university within the Nevada System*
27 *of Higher Education is the sponsor of the charter school, the*
28 *governing body and the sponsor must enter into a service*
29 *agreement pursuant to section 35.3 of this act before the provision*
30 *of such services.*

31 2. A charter school may use any public facility located within
32 the school district in which the charter school is located. A charter
33 school may use school buildings owned by the school district only
34 upon approval of the board of trustees of the school district and
35 during times that are not regular school hours.

36 3. The board of trustees of a school district may donate surplus
37 personal property of the school district to a charter school that is
38 located within the school district.

39 4. Except as otherwise provided in this subsection, upon the
40 request of a parent or legal guardian of a pupil who is enrolled in a
41 charter school, the board of trustees of the school district in which
42 the pupil resides shall authorize the pupil to participate in a class
43 that is not available to the pupil at the charter school or participate in
44 an extracurricular activity, excluding sports, at a public school
45 within the school district if:



1 (a) Space for the pupil in the class or extracurricular activity is
2 available; and

3 (b) The parent or legal guardian demonstrates to the satisfaction
4 of the board of trustees that the pupil is qualified to participate in the
5 class or extracurricular activity.

6 ➤ If the board of trustees of a school district authorizes a pupil to
7 participate in a class or extracurricular activity, excluding sports,
8 pursuant to this subsection, the board of trustees is not required to
9 provide transportation for the pupil to attend the class or activity.
10 The provisions of this subsection do not apply to a pupil who is
11 enrolled in a charter school and who desires to participate on a part-
12 time basis in a program of distance education provided by the board
13 of trustees of a school district pursuant to NRS 388.820 to 388.874,
14 inclusive. Such a pupil must comply with NRS 388.858.

15 5. Upon the request of a parent or legal guardian of a pupil who
16 is enrolled in a charter school, the board of trustees of the school
17 district in which the pupil resides shall authorize the pupil to
18 participate in sports at the public school that he or she would
19 otherwise be required to attend within the school district, or upon
20 approval of the board of trustees, any public school within the same
21 zone of attendance as the charter school if:

22 (a) Space is available for the pupil to participate; and

23 (b) The parent or legal guardian demonstrates to the satisfaction
24 of the board of trustees that the pupil is qualified to participate.

25 ➤ If the board of trustees of a school district authorizes a pupil to
26 participate in sports pursuant to this subsection, the board of trustees
27 is not required to provide transportation for the pupil to participate.

28 6. The board of trustees of a school district may revoke its
29 approval for a pupil to participate in a class, extracurricular activity
30 or sports at a public school pursuant to subsections 4 and 5 if the
31 board of trustees or the public school determines that the pupil has
32 failed to comply with applicable statutes, or applicable rules and
33 regulations of the board of trustees, the public school or the Nevada
34 Interscholastic Activities Association. If the board of trustees so
35 revokes its approval, neither the board of trustees nor the public
36 school is liable for any damages relating to the denial of services to
37 the pupil.

38 **Sec. 46.** NRS 386.570 is hereby amended to read as follows:

39 386.570 1. Each pupil who is enrolled in a charter school,
40 including, without limitation, a pupil who is enrolled in a program
41 of special education in a charter school, must be included in the
42 count of pupils in the school district for the purposes of
43 apportionments and allowances from the State Distributive
44 School Account pursuant to NRS 387.121 to 387.126, inclusive,
45 unless the pupil is exempt from compulsory attendance pursuant to



1 NRS 392.070. A charter school is entitled to receive its
2 proportionate share of any other money available from federal, state
3 or local sources that the school or the pupils who are enrolled in the
4 school are eligible to receive. If a charter school receives special
5 education program units directly from this State, the amount of
6 money for special education that the school district pays to the
7 charter school may be reduced proportionately by the amount of
8 money the charter school received from this State for that purpose.

9 2. All money received by the charter school from this State or
10 from the board of trustees of a school district must be deposited in
11 an account with a bank, credit union or other financial institution in
12 this State. The governing body of a charter school may negotiate
13 with the board of trustees of the school district and the State Board
14 for additional money to pay for services which the governing body
15 wishes to offer.

16 3. Upon completion of each school quarter, the ~~[sponsor of a~~
17 ~~charter school may request reimbursement from the governing body~~
18 ~~of the charter school]~~ *Superintendent of Public Instruction shall*
19 *pay to the sponsor of a charter school one-quarter of the yearly*
20 *sponsorship fee* for the administrative costs associated with
21 sponsorship for that school quarter ~~[if the sponsor provided~~
22 ~~administrative services during that school quarter. The request must~~
23 ~~include an itemized list of those costs. Unless a delay is granted~~
24 ~~pursuant to subsection 9, upon receipt of such a request, the~~
25 ~~governing body shall pay the reimbursement to the board of trustees~~
26 ~~of the school district if the board of trustees sponsors the charter~~
27 ~~school, to the Department if the State Board sponsors the charter~~
28 ~~school or to the college or university within the Nevada System of~~
29 ~~Higher Education if that institution sponsors the charter school. If a~~
30 ~~governing body fails to pay the reimbursement pursuant to this~~
31 ~~subsection or pursuant to a plan approved by the Superintendent of~~
32 ~~Public Instruction in accordance with subsection 9, the charter~~
33 ~~school shall be deemed to have violated its written charter and the~~
34 ~~sponsor may take such action to revoke the written charter pursuant~~
35 ~~to NRS 386.535 as it deems necessary. If the board of trustees of a~~
36 ~~school district is the sponsor of a charter school, the amount of~~
37 ~~money that may be paid to the sponsor pursuant to this subsection~~
38 ~~for administrative expenses in 1 school year must not exceed:~~

39 —(a) For the first year of operation of the charter school, 2 percent
40 of the total amount of money apportioned to the charter school
41 during the year pursuant to NRS 387.124, as adjusted by the final
42 computation of apportionment pursuant to subsection 4 of
43 NRS 387.1243.

44 —(b) For any year after the first year of operation of the charter
45 school, 1 percent of the total amount of money apportioned to the



1 ~~charter school during the year pursuant to NRS 387.124, as adjusted~~
2 ~~by the final computation of apportionment pursuant to subsection 4~~
3 ~~of NRS 387.1243.~~

4 ~~—4. If the State Board or a college or university within the~~
5 ~~Nevada System of Higher Education is the sponsor of a charter~~
6 ~~school, the amount of money that may be paid to the Department or~~
7 ~~to the institution, as applicable, pursuant to subsection 3 for~~
8 ~~administrative expenses in 1 school year must not exceed:~~

9 ~~—(a) For the first year of operation of the charter school, 2 percent~~
10 ~~of the total amount of money apportioned to the charter school~~
11 ~~during the year pursuant to NRS 387.124, as adjusted by the final~~
12 ~~computation of apportionment pursuant to subsection 4 of~~
13 ~~NRS 387.1243.~~

14 ~~—(b) For any year after the first year of operation of the charter~~
15 ~~school, 1.5 percent of the total amount of money apportioned to the~~
16 ~~charter school during the year pursuant to NRS 387.124, as adjusted~~
17 ~~by the final computation of apportionment pursuant to subsection 4~~
18 ~~of NRS 387.1243.~~

19 ~~—5.1, which must be deducted from the quarterly apportionment~~
20 ~~to the charter school made pursuant to NRS 387.124. Except as~~
21 ~~otherwise provided in this subsection, the yearly sponsorship fee~~
22 ~~for the sponsor of a charter school must be in an amount of~~
23 ~~money not to exceed 2 percent of the total amount of money~~
24 ~~apportioned to the charter school during the school year pursuant~~
25 ~~to NRS 387.124. If the governing body of a charter school satisfies~~
26 ~~the requirements of this subsection, the governing body may~~
27 ~~submit a request to the sponsor of the charter school for~~
28 ~~transmittal to the Superintendent of Public Instruction for~~
29 ~~approval of a sponsorship fee in an amount that is less than 2~~
30 ~~percent but at least 1 percent of the total amount of money~~
31 ~~apportioned to the charter school during the school year pursuant~~
32 ~~to NRS 387.124. The Superintendent of Public Instruction shall~~
33 ~~approve such a request if the Superintendent determines that the~~
34 ~~charter school satisfies the requirements of this subsection. If the~~
35 ~~Superintendent of Public Instruction approves such a request,~~
36 ~~the Superintendent shall provide notice of his or her decision to~~
37 ~~the governing body of the charter school and the sponsor of the~~
38 ~~charter school. The governing body of a charter school may~~
39 ~~submit a request for a reduction of the sponsorship fee if:~~

40 (a) *The charter school has been operating in this State for at*
41 *least 3 consecutive years and is in good financial standing;*

42 (b) *Each financial audit and each performance audit of the*
43 *charter school required pursuant to NRS 386.540 contains no*
44 *major notations, corrections or errors concerning the charter*
45 *school for at least 3 consecutive years;*



* S B 2 1 2 R 1 *

1 (c) *The charter school has met or exceeded adequate yearly*
2 *progress as determined pursuant to NRS 385.3613 or has*
3 *demonstrated improvement in the achievement of pupils enrolled*
4 *in the charter school, as indicated by annual measurable*
5 *objectives determined by the State Board, for the majority of the*
6 *years of its operation; and*

7 (d) *At least 75 percent of the pupils enrolled in the charter*
8 *school who are required to take the high school proficiency*
9 *examination have passed that examination, if the charter school*
10 *enrolls pupils at the high school grade level.*

11 4. To determine the amount of money for distribution to a
12 charter school in its first year of operation, the count of pupils who
13 are enrolled in the charter school must initially be determined 30
14 days before the beginning of the school year of the school district,
15 based on the number of pupils whose applications for enrollment
16 have been approved by the charter school. The count of pupils who
17 are enrolled in the charter school must be revised on the last day of
18 the first school month of the school district in which the charter
19 school is located for the school year, based on the actual number of
20 pupils who are enrolled in the charter school. Pursuant to subsection
21 5 of NRS 387.124, the governing body of a charter school may
22 request that the apportionments made to the charter school in its first
23 year of operation be paid to the charter school 30 days before the
24 apportionments are otherwise required to be made.

25 ~~[6-]~~ 5. If a charter school ceases to operate as a charter school
26 during a school year, the remaining apportionments that would have
27 been made to the charter school pursuant to NRS 387.124 for that
28 year must be paid on a proportionate basis to the school districts
29 where the pupils who were enrolled in the charter school reside.

30 ~~[7-]~~ 6. The governing body of a charter school may solicit and
31 accept donations, money, grants, property, loans, personal services
32 or other assistance for purposes relating to education from members
33 of the general public, corporations or agencies. The governing body
34 may comply with applicable federal laws and regulations governing
35 the provision of federal grants for charter schools. The State ~~[Board]~~
36 *Public Charter School Authority* may assist a charter school that
37 operates exclusively for the enrollment of pupils who receive special
38 education in identifying sources of money that may be available
39 from the Federal Government or this State for the provision of
40 educational programs and services to such pupils.

41 ~~[8-]~~ 7. If a charter school uses money received from this State
42 to purchase real property, buildings, equipment or facilities, the
43 governing body of the charter school shall assign a security interest
44 in the property, buildings, equipment and facilities to the State of
45 Nevada.



~~1 [9. The governing body of a charter school may submit to the
2 Superintendent of Public Instruction a written request to delay a
3 quarterly payment of a reimbursement for the administrative costs
4 that a charter school owes pursuant to this section. The written
5 request must be in the form prescribed by the Superintendent and
6 must include, without limitation, documentation that a financial
7 hardship exists for the charter school and a plan for the payment of
8 the reimbursement. The Superintendent may approve or deny the
9 request and shall notify the governing body and the sponsor of the
10 charter school of the approval or denial of the request.]~~

11 **Sec. 47.** NRS 386.576 is hereby amended to read as follows:

12 386.576 1. The Fund for Charter Schools is hereby created in
13 the State Treasury as a revolving loan fund, to be administered by
14 the ~~[Department.]~~ *State Public Charter School Authority.*

15 2. The money in the revolving fund must be invested as other
16 state funds are invested. All interest and income earned on the
17 money in the revolving fund must be credited to the revolving fund.
18 Any money remaining in the revolving fund at the end of a fiscal
19 year does not revert to the State General Fund, and the balance in
20 the Fund must be carried forward.

21 3. All payments of principal and interest on all the loans made
22 to a charter school from the revolving fund must be deposited in the
23 State Treasury for credit to the revolving fund.

24 4. Claims against the revolving fund must be paid as other
25 claims against the State are paid.

26 5. The ~~[Department.]~~ *State Public Charter School Authority*
27 may accept gifts, grants, bequests and donations from any source for
28 deposit in the revolving fund.

29 **Sec. 48.** NRS 386.577 is hereby amended to read as follows:

30 386.577 1. After deducting the costs directly related to
31 administering the Fund for Charter Schools, the ~~[Department.]~~ *State
32 Public Charter School Authority* may use the money in the Fund
33 for Charter Schools, including repayments of principal and interest
34 on loans made from the Fund, and interest and income earned on
35 money in the Fund, only to make loans at or below market rate to
36 charter schools for the costs incurred:

37 (a) In preparing a charter school to commence its first year of
38 operation; and

39 (b) To improve a charter school that has been in operation.

40 2. The total amount of a loan that may be made to a charter
41 school in 1 year must not exceed \$25,000.

42 **Sec. 49.** NRS 386.578 is hereby amended to read as follows:

43 386.578 1. If the governing body of a charter school has a
44 written charter issued pursuant to NRS 386.527, the governing body
45 may submit an application to the ~~[Department.]~~ *State Public Charter*



1 *School Authority* for a loan from the Fund for Charter Schools. An
2 application must include a written description of the manner in
3 which the loan will be used to prepare the charter school for its first
4 year of operation or to improve a charter school that has been in
5 operation.

6 2. The ~~[Department]~~ *State Public Charter School Authority*
7 shall, within the limits of money available for use in the Fund, make
8 loans to charter schools whose applications have been approved. If
9 the ~~[Department]~~ *State Public Charter School Authority* makes a
10 loan from the Fund, the ~~[Department]~~ *State Public Charter School*
11 *Authority* shall ensure that the contract for the loan includes all
12 terms and conditions for repayment of the loan.

13 3. ~~[The]~~ *Subject to the provisions of subsection 3 of NRS*
14 *386.540, the State [Board:] Public Charter School Authority:*

15 (a) Shall adopt regulations that prescribe the:

16 (1) Annual deadline for submission of an application to the
17 ~~[Department]~~ *State Public Charter School Authority* by a charter
18 school that desires to receive a loan from the Fund; and

19 (2) Period for repayment and the rate of interest for loans
20 made from the Fund.

21 (b) May adopt such other regulations as it deems necessary to
22 carry out the provisions of this section and NRS 386.576 and
23 386.577.

24 **Sec. 50.** NRS 386.605 is hereby amended to read as follows:

25 386.605 1. On or before July 15 of each year, the governing
26 body of a charter school shall submit the information concerning the
27 charter school that is required pursuant to ~~[subsection 2 of]~~ NRS
28 385.347 to ~~[the board of trustees of the school district in which the~~
29 ~~charter school is located]~~ *the sponsor of the charter school* for
30 inclusion in the report ~~[of the school district]~~ *required* pursuant to
31 that section. The information must be submitted ~~[by the charter~~
32 ~~school]~~ in a format prescribed by the ~~[board of trustees.]~~ *State*
33 *Public Charter School Authority.*

34 2. The Legislative Bureau of Educational Accountability and
35 Program Evaluation created pursuant to NRS 218E.625 may
36 authorize a person or entity with whom it contracts pursuant to NRS
37 385.359 to review and analyze information submitted ~~[by charter~~
38 ~~schools]~~ pursuant to this section and pursuant to NRS 385.357,
39 385.3745 or 385.3746, whichever is applicable for the school,
40 consult with *the sponsors of the charter schools and* the governing
41 bodies of charter schools and submit written reports concerning
42 charter schools pursuant to NRS 385.359.

43 **Sec. 51.** NRS 386.610 is hereby amended to read as follows:

44 386.610 1. On or before August 15 of each year, ~~[if the State~~
45 ~~Board, the board of trustees of a school district or a college or~~



1 ~~university within the Nevada System of Higher Education sponsors~~
2 ~~a charter school, the Department, the board of trustees or the~~
3 ~~institution, as applicable,] the sponsor of a charter school~~ shall
4 submit a written report to the ~~[State Board.]~~ *Department*. The
5 written report must include:

6 (a) An evaluation of the progress of each charter school
7 ~~[sponsored by the State Board, the board of trustees or the~~
8 ~~institution, as applicable,] that it sponsors~~ in achieving ~~[its] the~~
9 educational goals and objectives ~~[.] of the charter school~~.

10 (b) A description of all administrative support and services
11 provided by the ~~[Department, the school district or the institution, as~~
12 ~~applicable,] sponsor~~ to the charter school ~~[.]~~, *including, without*
13 *limitation, an itemized accounting for the costs of the support and*
14 *services.*

15 (c) *An identification of each charter school approved by the*
16 *sponsor:*

17 (1) *Which has not opened and the scheduled time for*
18 *opening, if any;*

19 (2) *Which is open and in operation;*

20 (3) *Which has transferred sponsorship;*

21 (4) *Whose written charter has been revoked by the sponsor;*

22 (5) *Whose written charter has not been renewed by the*
23 *sponsor; and*

24 (6) *Which has voluntarily ceased operation.*

25 (d) *A description of the strategic vision of the sponsor for the*
26 *charter schools that it sponsors and the progress of the sponsor in*
27 *achieving that vision.*

28 (e) *A description of the services provided by the sponsor*
29 *pursuant to a service agreement entered into with the governing*
30 *body of the charter school pursuant to section 35.3 of this act,*
31 *including an itemized accounting of the actual costs of those*
32 *services.*

33 2. The governing body of a charter school shall, after 3 years of
34 operation under its initial charter, submit a written report to the
35 sponsor of the charter school. The written report must include a
36 description of the progress of the charter school in achieving its
37 educational goals and objectives. If the charter school submits an
38 application for renewal in accordance with the regulations of the
39 ~~[Department,] State Public Charter School Authority~~, the sponsor
40 may renew the written charter of the school pursuant to subsection 2
41 of NRS 386.530.

42 **Sec. 52.** NRS 386.650 is hereby amended to read as follows:

43 386.650 1. The Department shall establish and maintain an
44 automated system of accountability information for Nevada. The
45 system must:



* S B 2 1 2 R 1 *

- 1 (a) Have the capacity to provide and report information,
2 including, without limitation, the results of the achievement of
3 pupils:
- 4 (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and
5 the regulations adopted pursuant thereto, and NRS 385.3469 and
6 385.347; and
- 7 (2) In a separate reporting for each group of pupils identified
8 in paragraph (b) of subsection 1 of NRS 385.361;
- 9 (b) Include a system of unique identification for each pupil:
- 10 (1) To ensure that individual pupils may be tracked over time
11 throughout this State; and
- 12 (2) That, to the extent practicable, may be used for purposes
13 of identifying a pupil for both the public schools and the Nevada
14 System of Higher Education, if that pupil enrolls in the System after
15 graduation from high school;
- 16 (c) Have the capacity to provide longitudinal comparisons of the
17 academic achievement, rate of attendance and rate of graduation of
18 pupils over time throughout this State;
- 19 (d) Have the capacity to perform a variety of longitudinal
20 analyses of the results of individual pupils on assessments,
21 including, without limitation, the results of pupils by classroom and
22 by school;
- 23 (e) Have the capacity to identify which teachers are assigned to
24 individual pupils and which paraprofessionals, if any, are assigned
25 to provide services to individual pupils;
- 26 (f) Have the capacity to provide other information concerning
27 schools and school districts that is not linked to individual pupils,
28 including, without limitation, the designation of schools and school
29 districts pursuant to NRS 385.3623 and 385.377, respectively, and
30 an identification of which schools, if any, are persistently
31 dangerous;
- 32 (g) Have the capacity to access financial accountability
33 information for each public school, including, without limitation,
34 each charter school, for each school district and for this State as a
35 whole; and
- 36 (h) Be designed to improve the ability of the Department, *the*
37 *sponsors of charter schools, the* school districts and the public
38 schools in this State, including, without limitation, charter schools,
39 to account for the pupils who are enrolled in the public schools,
40 including, without limitation, charter schools.
- 41 ➤ The information maintained pursuant to paragraphs (c), (d) and
42 (e) must be used for the purpose of improving the achievement of
43 pupils and improving classroom instruction. The information must
44 be considered, but must not be used as the sole criterion, in



- 1 evaluating the performance of or taking disciplinary action against
2 an individual teacher, paraprofessional or other employee.
- 3 2. The board of trustees of each school district shall:
- 4 (a) Adopt and maintain the program prescribed by the
5 Superintendent of Public Instruction pursuant to subsection 3 for the
6 collection, maintenance and transfer of data from the records of
7 individual pupils to the automated system of information, including,
8 without limitation, the development of plans for the educational
9 technology which is necessary to adopt and maintain the program;
- 10 (b) Provide to the Department electronic data concerning pupils
11 as required by the Superintendent of Public Instruction pursuant to
12 subsection 3; and
- 13 (c) Ensure that an electronic record is maintained in accordance
14 with subsection 3 of NRS 386.655.
- 15 3. The Superintendent of Public Instruction shall:
- 16 (a) Prescribe a uniform program throughout this State for the
17 collection, maintenance and transfer of data that each school district
18 must adopt, which must include standardized software;
- 19 (b) Prescribe the data to be collected and reported to the
20 Department by each school district and each sponsor of a charter
21 school pursuant to subsection 2 and by each university school for
22 profoundly gifted pupils;
- 23 (c) Prescribe the format for the data;
- 24 (d) Prescribe the date by which each school district shall report
25 the data to the Department;
- 26 (e) Prescribe the date by which each charter school shall report
27 the data to the sponsor of the charter school;
- 28 (f) Prescribe the date by which each university school for
29 profoundly gifted pupils shall report the data to the Department;
- 30 (g) Prescribe standardized codes for all data elements used
31 within the automated system and all exchanges of data within the
32 automated system, including, without limitation, data concerning:
- 33 (1) Individual pupils;
- 34 (2) Individual teachers and paraprofessionals;
- 35 (3) Individual schools and school districts; and
- 36 (4) Programs and financial information;
- 37 (h) Provide technical assistance to each school district to ensure
38 that the data from each public school in the school district,
39 including, without limitation, each charter school and university
40 school for profoundly gifted pupils located within the school
41 district, is compatible with the automated system of information and
42 comparable to the data reported by other school districts; and
- 43 (i) Provide for the analysis and reporting of the data in the
44 automated system of information.



1 4. The Department shall establish, to the extent authorized by
2 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
3 1232g, and any regulations adopted pursuant thereto, a mechanism
4 by which persons or entities, including, without limitation, state
5 officers who are members of the Executive or Legislative Branch,
6 administrators of public schools and school districts, teachers and
7 other educational personnel, and parents and guardians, will have
8 different types of access to the accountability information contained
9 within the automated system to the extent that such information is
10 necessary for the performance of a duty or to the extent that such
11 information may be made available to the general public without
12 posing a threat to the confidentiality of an individual pupil.

13 5. The Department may, to the extent authorized by the Family
14 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,
15 and any regulations adopted pursuant thereto, enter into an
16 agreement with the Nevada System of Higher Education to provide
17 access to data contained within the automated system for research
18 purposes.

19 **Sec. 53.** NRS 387.124 is hereby amended to read as follows:

20 387.124 Except as otherwise provided in this section and
21 NRS 387.528:

22 1. On or before August 1, November 1, February 1 and May 1
23 of each year, the Superintendent of Public Instruction shall
24 apportion the State Distributive School Account in the State General
25 Fund among the several county school districts, charter schools and
26 university schools for profoundly gifted pupils in amounts
27 approximating one-fourth of their respective yearly apportionments
28 less any amount set aside as a reserve. The apportionment to a
29 school district, computed on a yearly basis, equals the difference
30 between the basic support and the local funds available pursuant to
31 NRS 387.1235, minus all the funds attributable to pupils who reside
32 in the county but attend a charter school, all the funds attributable to
33 pupils who reside in the county and are enrolled full-time or part-
34 time in a program of distance education provided by another school
35 district or a charter school and all the funds attributable to pupils
36 who are enrolled in a university school for profoundly gifted pupils
37 located in the county. No apportionment may be made to a school
38 district if the amount of the local funds exceeds the amount of basic
39 support.

40 2. Except as otherwise provided in subsection 3, the
41 apportionment to a charter school, computed on a yearly basis, is
42 equal to the sum of the basic support per pupil in the county in
43 which the pupil resides plus the amount of local funds available per
44 pupil pursuant to NRS 387.1235 and all other funds available for
45 public schools in the county in which the pupil resides minus *the*



1 *sponsorship fee prescribed by NRS 386.570 and minus* all the
2 funds attributable to pupils who are enrolled in the charter school
3 but are concurrently enrolled part-time in a program of distance
4 education provided by a school district or another charter school. If
5 the apportionment per pupil to a charter school is more than the
6 amount to be apportioned to the school district in which a pupil who
7 is enrolled in the charter school resides, the school district in which
8 the pupil resides shall pay the difference directly to the charter
9 school.

10 3. The apportionment to a charter school that is sponsored by
11 the State ~~[Board]~~ *Public Charter School Authority* or by a college
12 or university within the Nevada System of Higher Education,
13 computed on a yearly basis, is equal to the sum of the basic support
14 per pupil in the county in which the pupil resides plus the amount of
15 local funds available per pupil pursuant to NRS 387.1235 and all
16 other funds available for public schools in the county in which the
17 pupil resides, minus *the sponsorship fee prescribed by NRS*
18 *386.570 and minus* all funds attributable to pupils who are enrolled
19 in the charter school but are concurrently enrolled part-time in a
20 program of distance education provided by a school district or
21 another charter school.

22 4. In addition to the apportionments made pursuant to this
23 section, an apportionment must be made to a school district or
24 charter school that provides a program of distance education for
25 each pupil who is enrolled part-time in the program. The amount of
26 the apportionment must be equal to the percentage of the total time
27 services are provided to the pupil through the program of distance
28 education per school day in proportion to the total time services are
29 provided during a school day to pupils who are counted pursuant to
30 subparagraph (2) of paragraph (a) of subsection 1 of NRS 387.1233
31 for the school district in which the pupil resides.

32 5. The governing body of a charter school may submit a
33 written request to the Superintendent of Public Instruction to
34 receive, in the first year of operation of the charter school, an
35 apportionment 30 days before the apportionment is required to be
36 made pursuant to subsection 1. Upon receipt of such a request, the
37 Superintendent of Public Instruction may make the apportionment
38 30 days before the apportionment is required to be made. A charter
39 school may receive all four apportionments in advance in its first
40 year of operation.

41 6. The apportionment to a university school for profoundly
42 gifted pupils, computed on a yearly basis, is equal to the sum of the
43 basic support per pupil in the county in which the university school
44 is located plus the amount of local funds available per pupil
45 pursuant to NRS 387.1235 and all other funds available for public



1 schools in the county in which the university school is located. If the
2 apportionment per pupil to a university school for profoundly gifted
3 pupils is more than the amount to be apportioned to the school
4 district in which the university school is located, the school district
5 shall pay the difference directly to the university school. The
6 governing body of a university school for profoundly gifted pupils
7 may submit a written request to the Superintendent of Public
8 Instruction to receive, in the first year of operation of the university
9 school, an apportionment 30 days before the apportionment is
10 required to be made pursuant to subsection 1. Upon receipt of such a
11 request, the Superintendent of Public Instruction may make the
12 apportionment 30 days before the apportionment is required to be
13 made. A university school for profoundly gifted pupils may receive
14 all four apportionments in advance in its first year of operation.

15 7. The Superintendent of Public Instruction shall apportion, on
16 or before August 1 of each year, the money designated as the
17 "Nutrition State Match" pursuant to NRS 387.105 to those school
18 districts that participate in the National School Lunch Program, 42
19 U.S.C. §§ 1751 et seq. The apportionment to a school district must
20 be directly related to the district's reimbursements for the Program
21 as compared with the total amount of reimbursements for all school
22 districts in this State that participate in the Program.


23 8. If the State Controller finds that such an action is needed to
24 maintain the balance in the State General Fund at a level sufficient
25 to pay the other appropriations from it, the State Controller may pay
26 out the apportionments monthly, each approximately one-twelfth of
27 the yearly apportionment less any amount set aside as a reserve. If
28 such action is needed, the State Controller shall submit a report to
29 the Department of Administration and the Fiscal Analysis Division
30 of the Legislative Counsel Bureau documenting reasons for the
31 action.

32 **Sec. 54.** NRS 388.795 is hereby amended to read as follows:

33 388.795 1. The Commission shall establish a plan for the use
34 of educational technology in the public schools of this State. In
35 preparing the plan, the Commission shall consider:

36 (a) Plans that have been adopted by the Department and the
37 school districts in this State;

38 (b) Plans that have been adopted in other states;

39 (c) The information reported pursuant to paragraph (t) of
40 subsection 2 of NRS 385.347  *and similar information included*
41 *in the annual report of accountability information prepared by the*
42 *State Public Charter School Authority and a college or university*
43 *within the Nevada System of Higher Education that sponsors a*
44 *charter school pursuant to subsection 3 of NRS 385.347;*



1 (d) The results of the assessment of needs conducted pursuant to
2 subsection 6; and

3 (e) Any other information that the Commission or the
4 Committee deems relevant to the preparation of the plan.

5 2. The plan established by the Commission must include
6 recommendations for methods to:

7 (a) Incorporate educational technology into the public schools of
8 this State;

9 (b) Increase the number of pupils in the public schools of this
10 State who have access to educational technology;

11 (c) Increase the availability of educational technology to assist
12 licensed teachers and other educational personnel in complying with
13 the requirements of continuing education, including, without
14 limitation, the receipt of credit for college courses completed
15 through the use of educational technology;

16 (d) Facilitate the exchange of ideas to improve the achievement
17 of pupils who are enrolled in the public schools of this State; and

18 (e) Address the needs of teachers in incorporating the use of
19 educational technology in the classroom, including, without
20 limitation, the completion of training that is sufficient to enable the
21 teachers to instruct pupils in the use of educational technology.

22 3. The Department shall provide:

23 (a) Administrative support;

24 (b) Equipment; and

25 (c) Office space,

26 ↪ as is necessary for the Commission to carry out the provisions of
27 this section.

28 4. The following entities shall cooperate with the Commission
29 in carrying out the provisions of this section:

30 (a) The State Board.

31 (b) The board of trustees of each school district.

32 (c) The superintendent of schools of each school district.

33 (d) The Department.

34 5. The Commission shall:

35 (a) Develop technical standards for educational technology and
36 any electrical or structural appurtenances necessary thereto,
37 including, without limitation, uniform specifications for computer
38 hardware and wiring, to ensure that such technology is compatible,
39 uniform and can be interconnected throughout the public schools of
40 this State.

41 (b) Allocate money to the school districts from the Trust Fund
42 for Educational Technology created pursuant to NRS 388.800 and
43 any money appropriated by the Legislature for educational
44 technology, subject to any priorities for such allocation established
45 by the Legislature.



1 (c) Establish criteria for the board of trustees of a school district
2 that receives an allocation of money from the Commission to:

3 (1) Repair, replace and maintain computer systems.

4 (2) Upgrade and improve computer hardware and software
5 and other educational technology.

6 (3) Provide training, installation and technical support related
7 to the use of educational technology within the district.

8 (d) Submit to the Governor, the Committee and the Department
9 its plan for the use of educational technology in the public schools
10 of this State and any recommendations for legislation.

11 (e) Review the plan annually and make revisions as it deems
12 necessary or as directed by the Committee or the Department.

13 (f) In addition to the recommendations set forth in the plan
14 pursuant to subsection 2, make further recommendations to the
15 Committee and the Department as the Commission deems
16 necessary.

17 6. During the spring semester of each even-numbered school
18 year, the Commission shall conduct an assessment of the needs of
19 each school district relating to educational technology. In
20 conducting the assessment, the Commission shall consider:

21 (a) The recommendations set forth in the plan pursuant to
22 subsection 2;

23 (b) The plan for educational technology of each school district,
24 if applicable;

25 (c) Evaluations of educational technology conducted for the
26 State or for a school district, if applicable; and

27 (d) Any other information deemed relevant by the Commission.

28 ➔ The Commission shall submit a final written report of the
29 assessment to the Superintendent of Public Instruction on or before
30 April 1 of each even-numbered year.

31 7. The Superintendent of Public Instruction shall prepare a
32 written compilation of the results of the assessment conducted by
33 the Commission and transmit the written compilation on or before
34 June 1 of each even-numbered year to the Legislative Committee on
35 Education and to the Director of the Legislative Counsel Bureau for
36 transmission to the next regular session of the Legislature.

37 8. The Commission may appoint an advisory committee
38 composed of members of the Commission or other qualified persons
39 to provide recommendations to the Commission regarding standards
40 for the establishment, coordination and use of a telecommunications
41 network in the public schools throughout the various school districts
42 in this State. The advisory committee serves at the pleasure of the
43 Commission and without compensation unless an appropriation or
44 other money for that purpose is provided by the Legislature.



1 9. As used in this section, “public school” includes the Caliente
2 Youth Center, the Nevada Youth Training Center and any other
3 state facility for the detention of children that is operated pursuant to
4 title 5 of NRS.

5 **Sec. 55.** NRS 392.128 is hereby amended to read as follows:

6 392.128 1. Each advisory board to review school attendance
7 created pursuant to NRS 392.126 shall:

8 (a) Review the records of the attendance and truancy of pupils
9 submitted to the advisory board to review school attendance by the
10 board of trustees of the school district *or the State Public Charter*
11 *School Authority or a college or university within the Nevada*
12 *System of Higher Education that sponsors a charter school*
13 pursuant to subsection ~~7~~ 8 of NRS 385.347;

14 (b) Identify factors that contribute to the truancy of pupils in the
15 school district;

16 (c) Establish programs to reduce the truancy of pupils in the
17 school district, including, without limitation, the coordination of
18 services available in the community to assist with the intervention,
19 diversion and discipline of pupils who are truant;

20 (d) At least annually, evaluate the effectiveness of those
21 programs;

22 (e) Establish a procedure for schools and school districts for the
23 reporting of the status of pupils as habitual truants; and

24 (f) Inform the parents and legal guardians of the pupils who are
25 enrolled in the schools within the district of the policies and
26 procedures adopted pursuant to the provisions of this section.

27 2. The chair of an advisory board may divide the advisory
28 board into subcommittees. The advisory board may delegate one or
29 more of the duties of the advisory board to a subcommittee of the
30 advisory board, including, without limitation, holding hearings
31 pursuant to NRS 392.147. If the chair of an advisory board divides
32 the advisory board into subcommittees, the chair shall notify the
33 board of trustees of the school district of this action. Upon receipt of
34 such a notice, the board of trustees shall establish rules and
35 procedures for each such subcommittee. A subcommittee shall abide
36 by the applicable rules and procedures when it takes action or makes
37 decisions.

38 3. An advisory board to review school attendance may work
39 with a family resource center or other provider of community
40 services to provide assistance to pupils who are truant. The advisory
41 board shall identify areas within the school district in which
42 community services are not available to assist pupils who are truant.
43 As used in this subsection, “family resource center” has the meaning
44 ascribed to it in NRS 430A.040.



1 4. An advisory board to review school attendance created in a
2 county pursuant to NRS 392.126 may use money appropriated by
3 the Legislature and any other money made available to the advisory
4 board for the use of programs to reduce the truancy of pupils in the
5 school district. The advisory board to review school attendance
6 shall, on a quarterly basis, provide to the board of trustees of the
7 school district an accounting of the money used by the advisory
8 board to review school attendance to reduce the truancy of pupils in
9 the school district.

10 **Sec. 56.** NRS 218E.615 is hereby amended to read as follows:

11 218E.615 1. The Committee may:

12 (a) Evaluate, review and comment upon issues related to
13 education within this State, including, but not limited to:

14 (1) Programs to enhance accountability in education;

15 (2) Legislative measures regarding education;

16 (3) The progress made by this State, the school districts and
17 the public schools in this State in satisfying the goals and objectives
18 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
19 et seq., and the annual measurable objectives established by the
20 State Board of Education pursuant to NRS 385.361;

21 (4) Methods of financing public education;

22 (5) The condition of public education in the elementary and
23 secondary schools;

24 (6) The program to reduce the ratio of pupils per class per
25 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

26 (7) The development of any programs to automate the
27 receipt, storage and retrieval of the educational records of pupils;
28 and

29 (8) Any other matters that, in the determination of the
30 Committee, affect the education of pupils within this State.

31 (b) Conduct investigations and hold hearings in connection with
32 its duties pursuant to this section.

33 (c) Request that the Legislative Counsel Bureau assist in the
34 research, investigations, hearings and reviews of the Committee.

35 (d) Make recommendations to the Legislature concerning the
36 manner in which public education may be improved.

37 2. The Committee shall:

38 (a) In addition to any standards prescribed by the Department of
39 Education, prescribe standards for the review and evaluation of the
40 reports of the State Board of Education, *State Public Charter*
41 *School Authority*, school districts and public schools pursuant to
42 paragraph (a) of subsection 1 of NRS 385.359.

43 (b) For the purposes set forth in NRS 385.389, recommend to
44 the Department of Education programs of remedial study for each
45 subject tested on the examinations administered pursuant to



1 NRS 389.015. In recommending these programs of remedial study,
2 the Committee shall consider programs of remedial study that have
3 proven to be successful in improving the academic achievement of
4 pupils.

5 (c) Recommend to the Department of Education providers of
6 supplemental educational services for inclusion on the list of
7 approved providers prepared by the Department pursuant to NRS
8 385.384. In recommending providers, the Committee shall consider
9 providers with a demonstrated record of effectiveness in improving
10 the academic achievement of pupils.

11 (d) For the purposes set forth in NRS 385.3785, recommend to
12 the Commission on Educational Excellence created by NRS
13 385.3784 programs, practices and strategies that have proven
14 effective in improving the academic achievement and proficiency of
15 pupils.

16 **Sec. 57.** NRS 386.507 and 386.508 are hereby repealed.

17 **Sec. 58.** The Department of Education shall, on or before
18 October 1, 2011, transfer to the Account for the State Public Charter
19 School Authority created by section 35 of this act any unexpended
20 money collected by the Department pursuant to NRS 386.570 for
21 reimbursement of the administrative costs associated with
22 sponsorship of charter schools sponsored by the State Board of
23 Education.

24 **Sec. 59.** Notwithstanding the provisions of section 31 of this
25 act to the contrary, on October 1, 2011, the Governor shall appoint a
26 Director of the State Public Charter School Authority to a term of 3
27 years. The Director appointed by the Governor must have a
28 demonstrated understanding of charter schools and a commitment to
29 using charter schools as a way to strengthen public education in this
30 State. Upon the expiration of the term of the Director or if a vacancy
31 occurs before the expiration of the term, the State Public Charter
32 School Authority shall appoint the Director in accordance with
33 section 31 of this act.

34 **Sec. 60.** 1. To assist the State Public Charter School
35 Authority created by section 28.5 of this act in carrying out its duties
36 and responsibilities, the Director of the State Public Charter School
37 Authority shall, on or before January 1, 2012:

38 (a) Hire an administrative assistant and an accounting assistant;
39 and

40 (b) Hire an educational consultant.

41 2. On January 1, 2012, one management analyst position in the
42 Department of Education with job duties and responsibilities that
43 relate to charter schools must be transferred to the State Public
44 Charter School Authority.



1 **Sec. 61.** On or before January 1, 2012, the members of the
2 State Public Charter School Authority created by section 28.5 of this
3 act shall be appointed to terms commencing on January 1, 2012, as
4 follows:

5 1. One member appointed by the Governor to a term that
6 expires on June 30, 2013.

7 2. One member appointed by the Governor to a term that
8 expires on June 30, 2015.

9 3. One member appointed by the Majority Leader of the Senate
10 to a term that expires on June 30, 2013.

11 4. One member appointed by the Majority Leader of the Senate
12 to a term that expires on June 30, 2015.

13 5. One member appointed by the Speaker of the Assembly to a
14 term that expires on June 30, 2013.

15 6. One member appointed by the Speaker of the Assembly to a
16 term that expires on June 30, 2015.

17 7. One member must be appointed by an association of charter
18 schools to a term that expires on June 30, 2015. For the initial
19 selection pursuant to this subsection, the Superintendent of Public
20 Instruction shall designate the association of charter schools that is
21 authorized to appoint a member of the State Public Charter School
22 Authority.

23 **Sec. 62.** The Legislative Counsel shall, in preparing the reprint
24 and supplement to the Nevada Revised Statutes with respect to any
25 section which is not amended by this act or is adopted or amended
26 by another act, appropriately change any reference to an officer or
27 agency whose responsibilities have been transferred pursuant to the
28 provisions of this act to refer to the appropriate officer or agency. If
29 any internal reference is made to a section repealed by this act, the
30 Legislative Counsel shall delete the reference and replace it by
31 reference to the superseding section, if any.

32 **Sec. 63.** Any regulations adopted by the Department of
33 Education or the State Board of Education pursuant to NRS 386.500
34 to 386.610, inclusive, before January 1, 2012, remain in effect and
35 may be enforced by the State Public Charter School Authority
36 created by section 28.5 of this act until the State Public Charter
37 School Authority adopts regulations to repeal or replace those
38 regulations.

39 **Sec. 64.** A charter school that is approved to operate as a
40 charter school sponsored by the State Board of Education before
41 January 1, 2012, shall be deemed to be sponsored by the State
42 Public Charter School Authority created pursuant to section 28.5 of
43 this act commencing on January 1, 2012, and the written charter of
44 the charter school shall remain in effect until the expiration of the
45 written charter, unless the written charter is revoked by the State



1 Public Charter School Authority pursuant to NRS 386.535. Before
2 expiration of the written charter, such a charter school may apply to
3 the State Public Charter School Authority for renewal of its written
4 charter pursuant to NRS 386.530.

5 **Sec. 65.** This act becomes effective upon passage and approval
6 for the purpose of adopting regulations and performing any other
7 preparatory administrative tasks that are necessary to carry out the
8 provisions of this act, and on July 1, 2011, for all other purposes.

TEXT OF REPEALED SECTIONS

386.507 Subcommittee on Charter Schools: Appointment of members; terms. The Subcommittee on Charter Schools of the State Board is hereby created. The President of the State Board shall appoint three members of the State Board to serve on the Subcommittee. Except as otherwise provided in this section, the members of the Subcommittee serve terms of 2 years. If a member is not reelected to the State Board during his or her service on the Subcommittee, the term of the member on the Subcommittee expires when his or her membership on the State Board expires. Members of the Subcommittee may be reappointed.

386.508 Charter School District for State Board-Sponsored Charter Schools and Nevada System of Higher Education-Sponsored Charter Schools. There is hereby created a school district to be designated as the Charter School District for State Board-Sponsored Charter Schools and Nevada System of Higher Education-Sponsored Charter Schools. The School District comprises only those charter schools that are sponsored by the State Board or sponsored by a college or university within the Nevada System of Higher Education. The State Board is hereby deemed the Board of Trustees of the School District. The School District is created for the sole purpose of providing local educational agency status to the School District for purposes of federal law governing charter schools.

