

LCB File No. R025-09

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

(This regulation was previously adopted as T007-09)

**NAC 386.020 “Charter school” defined.** (NRS 386.540) “Charter school” means a public school that is formed pursuant to NRS 386.500 to 386.610, inclusive, and NAC 386.010 to 386.415, inclusive. *A “charter school” is a local government as defined by NRS 354.474(1)(a).*

**NAC 386.240 Issuance of written charter to applicant not prepared to commence operation on date of issuance; expiration, effect and contents of charter; supplemental application.** (NRS 386.527, 386.540)

1. The board of trustees of a school district or the State Board of Education may issue a written charter pursuant to subsection 7 of NRS 386.527 if the board of trustees or State Board, as applicable, determines that the applicant is not prepared to commence operation on the date of issuance of the written charter.  ~~[Except as otherwise provided in this subsection, a] A written charter issued pursuant to subsection 7 of NRS 386.527 expires [1 year after the date of issuance and is nonrenewable. A written charter issued pursuant to subsection 7 of NRS 386.527 to a charter school that is dedicated to providing educational programs and opportunities for pupils who are at risk expires 2 years after the date of issuance and is nonrenewable] *June 30 of the second fiscal year after the fiscal year in which the subsection 7 charter was approved. It may be renewed by the sponsor with cause for no more than one additional fiscal year.* If a written charter is issued pursuant to subsection 7 of NRS 386.527, a governing body must be selected and the provisions of NRS 386.549 and NAC 386.345 apply to the governing body.~~

2. A written charter issued pursuant to subsection 7 of NRS 386.527 must include:

(a) A notation indicating the date on which the charter expires and indicating that the charter is nonrenewable;

(b) Each reason why the charter school is not prepared to commence operation on the date of issuance of the charter;

(c) The conditions that the governing body of the charter school must satisfy to convert the written charter issued pursuant to subsection 7 of NRS 386.527 to a written charter issued pursuant to subsection 5 of NRS 386.527;

(d) The tasks that must be accomplished by the governing body of the charter school before it may submit a supplemental application to convert the written charter issued pursuant to subsection 7 of NRS 386.527 to a written charter issued pursuant to subsection 5 of NRS 386.527, including, without limitation, the timeline by which those tasks must be accomplished; and

(e) A statement by the governing body of the charter school indicating that it understands that:

(1) To receive apportionments from the State Distributive School Account, the charter school must comply with NAC 386.355;

(2) The governing body shall not authorize the attendance of pupils at the charter school unless the charter school has obtained a written charter issued pursuant to subsection 5 of NRS 386.527; and

(3) The governing body must obtain the insurance required by NAC 386.215 before commencing operation as a charter school.

3. Before the expiration of a written charter issued pursuant to subsection 7 of NRS 386.527, the holder of the charter may submit a supplemental application to the sponsor requesting that the sponsor determine whether the charter school is eligible for a written charter issued pursuant to subsection 5 of NRS 386.527. The supplemental application must be submitted not less than 30 days before the expiration of the written charter issued pursuant to subsection 7 of NRS 386.527.

**NAC 386.365 Reporting of data required for automated system of accountability information for Nevada.** (NRS 386.540) A charter school shall report the data required pursuant to NRS 386.650 to:

1. The school district in which the charter school is located if the school district is the sponsor of the charter school; or

2. The Department of Education if the State Board of Education *or the Nevada System of Higher Education* is the sponsor of the charter school, not later than the first day of instruction of the ~~second~~ *initial* year of operation of the charter school.

**NAC 386.370 Preparation of tentative budget; notice and public hearing; adoption of final ~~Final~~ budget.** (NRS 386.540, 386.550)

1. *The person designated by NRS 386.573 shall prepare, or the governing body shall cause to be prepared, on appropriate forms prescribed by the Department of Taxation for the use of local governments, a tentative budget for the ensuing fiscal year.*

2. *On or before April 15, a tentative budget for the following fiscal year must be submitted to the clerk or secretary of the governing body and a copy of the tentative budget must be submitted to the Department of Education.*

3. *At the time of submission of the tentative budget, the governing body shall give notice of the time and place of a public hearing on the tentative budget. The notice of public hearing must state:*

*(a) The time and place of the public hearing.*

*(b) That a tentative budget has been prepared in such detail.*

*(c) The places where copies of the tentative budget are on file and available for public inspection.*

4. *Budget hearings must be held during the second or third week in May.*

5. *At the time and place advertised for public hearing, or at any time and place to which the public hearing is from time to time adjourned, the governing body shall hold a public hearing on the tentative budget, at which time interested persons must be given an opportunity to be heard.*

6. *At the public hearing, the governing body shall indicate changes, if any, to be made in the tentative budget and shall adopt a final budget by the favorable votes of a majority of all members of the governing body. The final budget must be adopted on or before June 8 of each year. ~~Not later than May 1 of each year, the governing body of a charter school shall, at a public meeting adopt its final budget for the charter school for the ensuing fiscal year.~~*

~~2. The final budget must be prepared on forms prescribed by the Department.~~

3. 7. The governing body shall submit copies of the final budget to:
- (a) The Department;
  - (b) The Legislative Counsel Bureau; and
  - (c) The sponsor of the charter school *if different than the Department*.