

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

LCB File No. R025-09

June 24, 2009

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

AUTHORITY: §1, NRS 385.527 and 386.540; §2, NRS 386.540 and 386.650.

A REGULATION relating to charter schools; revising provisions governing the issuance of a written charter under certain circumstances; revising provisions relating to the submission of certain data by charter schools; and providing other matters properly relating thereto.

Section 1. NAC 386.240 is hereby amended to read as follows:

386.240 1. The board of trustees of a school district, a college or university within the Nevada System of Higher Education or the State Board of Education may issue a written charter pursuant to subsection 7 of NRS 386.527 if the board of trustees, the college or university or the 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 ~~[H]~~ *on June 30 of the second fiscal* 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.]~~ *and may be renewed for not more than 1 fiscal year upon showing of good cause to the sponsor.* 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;~~ *may be renewed for not more than 1 fiscal year;*

(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.

Sec. 2. NAC 386.365 is hereby amended to read as follows:

386.365 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;
 2. The Department if the State Board of Education is the sponsor of the charter school; or
 3. The Department if a college or university within the Nevada System of Higher Education is the sponsor of the charter school,
- ↪ not later than the first day of instruction of the ~~second~~ *first* year of operation of the charter school.