

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

LCB File No. R031-10

May 12, 2010

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

AUTHORITY: §§1, 13 and 14, NRS 385.080; §2, NRS 385.080 and 385.361; §§3 and 4, NRS 385.080, 385.3721, 385.3743 and 385.3744; §§5 and 6, NRS 385.080, 385.3745 and 385.376; §§7 and 8, NRS 385.080 and 385.3746; §§9 and 10, NRS 385.080, 385.37603 and 385.37605; §§11 and 12, NRS 385.080 and 385.37607.

A REGULATION relating to education; prescribing the differentiated corrective actions, consequences and sanctions that apply to public schools that are designated as demonstrating need for improvement for 4 or more consecutive years; prescribing provisions governing actions that may be taken for public schools that are designated as demonstrating need for improvement for 3 or more consecutive years; and providing other matters properly relating thereto.

Section 1. Chapter 385 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this regulation.

Sec. 2. *The differentiated corrective actions, consequences or sanctions, or any combination thereof, that may be applied to a public school which is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years include, without limitation:*

1. Conducting an update of the comprehensive audit with assistance from persons who have experience conducting such audits and who are not directly employed by the public school.

2. In addition to the technical assistance that must be made available pursuant to NRS 385.3745, 385.3746, 385.37603 and 385.37607, providing technical assistance to the public school which is:

(a) Based upon the needs of the public school that are identified in the comprehensive audit conducted pursuant to NRS 385.3721;

(b) Provided to the public school by persons who have expertise in providing such technical assistance to a public school with similar needs and demographics; and

(c) Based upon scientific research, including, without limitation, assistance in:

(1) Acquiring, analyzing and using data from the automated system of accountability information established by the Department pursuant to NRS 386.650 and other data concerning the achievement of pupils which can be used to identify problems at the public school and develop solutions to those problems;

(2) Identifying the needs of the public school concerning professional development and assistance in coordinating access to instructional strategies and methods that are proven effective in addressing the instructional deficiencies of the public school; and

(3) Analyzing and revising the budget of the public school to effectively allocate resources to implement the turnaround plan or the plan for restructuring developed for the public school.

3. Providing instruction in professional development that is in addition to any instruction in professional development available to public schools within the school district. Such professional development must:

(a) To the extent applicable, comply with the uniform standards for use by the governing body of each regional training program in the review and approval of training adopted by the

Statewide Council for the Coordination of the Regional Training Programs pursuant to NRS 391.520;

(b) Be based upon the needs of the public school that are identified in the comprehensive audit required by NRS 385.3721;

(c) Address the problems associated with the academic achievement of pupils in the public school; and

(d) Provide an opportunity for maximum participation of personnel at the public school, including, without limitation, mandatory participation in professional development.

4. Establishing a support team for the public school in accordance with NRS 385.36125, 385.36127 and 385.36129.

5. Purchasing materials or programs, or both, that are aligned with the needs of the public school which are identified in the comprehensive audit, including, without limitation:

(a) Programs based upon research that is proven to increase pupil achievement at public schools with similar needs and demographics;

(b) A system to collect and manage data to track the progress of pupils in achieving goals established for pupils enrolled in the public school; and

(c) Equipment that assists the efforts of the public school to improve the achievement of pupils enrolled in the public school.

6. Employing additional personnel to provide supplemental educational services to pupils in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto.

7. Implementing any other differentiated corrective action, consequence or sanction, or any combination thereof, that the Department determines is appropriate for the public school

based upon the results of the comprehensive audit and any other data the Department deems relevant.

Sec. 3. 1. *Except as otherwise provided in section 4 of this regulation, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years, the board of trustees of the school district shall:*

(a) Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.3721.

(b) Not later than May 31 of the school year, conduct the comprehensive audit required by NRS 385.3721, which must include, without limitation, an audit of the leadership of the public school.

(c) Develop a proposal, on a form prescribed by the Department, to implement one or more differentiated corrective actions, consequences or sanctions, or any combination thereof, in the following school year if the public school is designated as demonstrating need for improvement for a consecutive year. The proposal must, without limitation:

(1) Include a list of the differentiated corrective actions, consequences or sanctions, or any combination thereof, set forth in section 2 of this regulation that the board of trustees of the school district will implement;

(2) Provide an analysis of the results of the comprehensive audit and any additional data that the board of trustees of the school district determines is relevant;

(3) Specify the data on which the proposal is based, including, without limitation, relevant data demonstrating trends, over a period of 3 to 5 years, in the achievement of pupils who are economically disadvantaged, pupils from major racial and ethnic groups, pupils with disabilities and pupils who are limited English proficient;

(4) State how the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof, will affect the public school financially and affect the personnel of the public school;

(5) In addition to the actions taken by the Department to monitor the proposal pursuant to NRS 385.3745, designate a plan for the board of trustees of the school district to monitor and evaluate the proposal;

(6) Include any other information the board of trustees of the school district determines is relevant to the proposal; and

(7) Include a copy of the application for available funds to support the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof, submitted pursuant to section 13 of this regulation.

2. Not later than June 30 of the school year in which the public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years, the board of trustees of the school district shall submit to the Department the proposal developed pursuant to subsection 1.

3. Within 45 days after the Department receives the proposal submitted pursuant to subsection 2, the Department shall review the proposal and may:

(a) Approve and provide notice to the board of trustees of the school district that the proposal was approved; or

(b) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns the proposal pursuant to subsection 3, the board of trustees of the school district shall, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives the revised proposal submitted pursuant to subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the revised proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. The Department may grant an extension of time to the board of trustees of a school district to comply with the provisions of this section.

Sec. 4. 1. *If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years:*

(a) The governing body of the charter school shall, not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.3721.

(b) For a charter school sponsored by the board of trustees of a school district:

(1) The governing body of the charter school shall, not later than May 31 of the school year, conduct the comprehensive audit required by NRS 385.3721, which must include, without limitation, an audit of the leadership of the charter school.

(2) The board of trustees of the school district shall, in conjunction with the governing body of the charter school, develop a proposal, on a form prescribed by the Department, to implement one or more differentiated corrective actions, consequences or sanctions, or any combination thereof, in the following school year if the charter school is designated as demonstrating need for improvement for a consecutive year. The proposal must, without limitation:

(I) Include a list of the differentiated corrective actions, consequences or sanctions, or any combination thereof, set forth in section 2 of this regulation that the board of trustees of the school district will implement;

(II) Provide an analysis of the results of the comprehensive audit and any additional data that the board of trustees of the school district determines is relevant;

(III) Specify the data on which the proposal is based, including, without limitation, the relevant data demonstrating trends, over a period of 3 to 5 years, in the achievement of pupils who are economically disadvantaged, pupils from major racial and ethnic groups, pupils with disabilities and pupils who are limited English proficient;

(IV) State how the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof, will affect the charter school financially and affect the personnel of the charter school;

(V) In addition to the actions taken by the Department to monitor the proposal pursuant to NRS 385.3745, designate a plan for the governing body of the charter school to monitor and evaluate the proposal;

(VI) Include any other information that the governing body of the charter school and the board of trustees of the school district determine is relevant to the proposal; and

(VII) Include a copy of the application for available funds to support the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof, submitted pursuant to section 13 of this regulation.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education:

(1) The governing body of the charter school shall, not later than May 31 of the school year, conduct the comprehensive audit required by NRS 385.3721, which must include, without limitation, an audit of the leadership of the charter school.

(2) The Department shall, in conjunction with the governing body of the charter school, develop a proposal, on a form prescribed by the Department, to implement one or more differentiated corrective actions, consequences or sanctions, or any combination thereof, in the following school year if the charter school is designated as demonstrating need for improvement for a consecutive year. The proposal must, without limitation:

(I) Include a list of the differentiated corrective actions, consequences or sanctions, or any combination thereof, set forth in section 2 of this regulation that the Department will implement;

(II) Provide an analysis of the results of the comprehensive audit and any additional data that the Department determines is relevant;

(III) Specify the data on which the proposal is based, including, without limitation, the relevant data demonstrating trends, over a period of 3 to 5 years, in the achievement of pupils who are economically disadvantaged, pupils from major racial and ethnic groups, pupils with disabilities and pupils who are limited English proficient;

(IV) State how the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof, will affect the charter school financially and affect the personnel of the charter school;

(V) In addition to the actions taken by the Department to monitor the proposal pursuant to NRS 385.3745, designate a plan for the governing body of the charter school to monitor and evaluate the proposal;

(VI) Include any other information that the governing body of the charter school and the Department determine is relevant to the proposal; and

(VII) Include a copy of the application for available funds to support the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof, submitted pursuant to section 13 of this regulation.

2. Not later than June 30 of the school year in which the charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years, the board of trustees of the school district shall, for a charter school sponsored by the board of trustees, submit to the Department the proposal developed pursuant to subsection 1.

3. Within 45 days after the Department receives the proposal submitted pursuant to subsection 2, the Department shall review the proposal and may:

(a) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(b) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns the proposal pursuant to subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives the revised proposal submitted pursuant to subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the revised proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. *The Department may grant an extension of time to the governing body of a charter school to comply with the provisions of this section.*

7. *For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall provide to the sponsor of the charter school a copy of the proposal developed pursuant to subsection 1.*

Sec. 5. 1. *Except as otherwise provided in section 6 of this regulation, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years, the board of trustees of the school district shall:*

(a) *Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.3745.*

(b) *Not later than September 30, implement the proposal developed pursuant to section 3 of this regulation.*

(c) *Develop a turnaround plan to improve the academic achievement of pupils enrolled in the public school. The turnaround plan must, without limitation:*

(1) *Include a list of persons who are responsible for developing the turnaround plan;*

(2) *Be based on the needs of the public school, as identified in the comprehensive audit, including, without limitation, the analysis of the results of the comprehensive audit and any additional data that the board of trustees of the school district included in the proposal submitted pursuant to section 3 of this regulation;*

(3) *Identify the concerns of the board of trustees of the school district relating to the public school, which must be listed in order of priority, the reasons for those concerns and any solutions to the concerns;*

(4) *Identify measurable goals and objectives for obtaining adequate yearly progress;*

(5) Identify the action steps that the board of trustees of the school district will implement to ensure that the public school obtains adequate yearly progress, including, without limitation, timelines for the implementation and completion of the action steps, the allocation and reallocation of resources, documentation of the implementation of the action steps, the expected results of the action steps and the persons who are responsible for carrying out the action steps; and

(6) In addition to the actions taken by the Department to monitor the implementation of the turnaround plan pursuant to NRS 385.37605, identify the action steps that the board of trustees of the school district will take to monitor and evaluate the turnaround plan, including, without limitation, timelines for the implementation of action steps, interim goals and objectives for the public school, the persons who are responsible for monitoring and evaluating the turnaround plan, and documentation of the monitoring and evaluating activities.

2. Not later than June 30 of the school year in which the public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years, the board of trustees of the school district shall submit to the Department:

(a) The turnaround plan developed pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 3 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The turnaround plan submitted pursuant to paragraph (a) of subsection 2, the Department shall review the turnaround plan and may:

(1) Approve the turnaround plan and provide notice to the board of trustees of the school district that the turnaround plan was approved; or

(2) Return the turnaround plan to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The turnaround plan pursuant to paragraph (a) of subsection 3, the board of trustees of the school district shall, within 20 days after the board of trustees receives the turnaround plan, revise and resubmit the turnaround plan to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees shall, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised turnaround plan submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the turnaround plan. If the board of trustees of the school district failed to include in the revised turnaround plan the recommendations for

revision of the Department, the Department may include such revisions in the approved turnaround plan.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

Sec. 6. 1. *If a charter school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years:*

(a) The governing body of the charter school shall, not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.3745.

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

(1) Not later than September 30, implement the proposal developed pursuant to section 4 of this regulation.

(2) Develop a turnaround plan to improve the academic achievement of pupils enrolled in the charter school. The turnaround plan must, without limitation:

(I) Include a list of persons who are responsible for developing the turnaround plan;

(II) Be based on the needs of the charter school, as identified in the comprehensive audit, including, without limitation, the analysis of the results of the comprehensive audit and any additional data that the board of trustees of the school district included in the proposal submitted pursuant to section 4 of this regulation;

(III) Identify the concerns of the governing body of the charter school and the board of trustees of the school district relating to the charter school, which must be listed in order of priority, the reasons for those concerns and any solutions to the concerns;

(IV) Identify the measurable goals and objectives for obtaining adequate yearly progress;

(V) Identify the action steps that the board of trustees of the school district will implement to ensure that the charter school obtains adequate yearly progress, including, without limitation, the timelines for the implementation and completion of the action steps, the allocation and reallocation of resources, documentation of the implementation of the action steps, the expected results of the action steps and the persons who are responsible for carrying out the action steps; and

(VI) In addition to the actions taken by the Department to monitor the implementation of the turnaround plan pursuant to NRS 385.37605, identify the action steps that the board of trustees of the school district will take to monitor and evaluate the turnaround plan, timelines for the implementation of the action steps, interim goals and objectives for the charter school, the persons who are responsible for monitoring and evaluating the turnaround plan, and documentation of the monitoring and evaluating activities.

(c) For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school:

(1) Not later than September 30, implement the proposal developed pursuant to section 4 of this regulation.

(2) Develop a turnaround plan to improve the academic achievement of pupils enrolled in the charter school. The turnaround plan must, without limitation:

(I) Include a list of persons who are responsible for developing the turnaround plan;

(II) Be based on the needs of the charter school, as identified in the comprehensive audit, including, without limitation, the analysis of the results of the comprehensive audit and any additional data that the Department included in the proposal submitted pursuant to section 4 of this regulation;

(III) Identify the concerns of the governing body of the charter school and the Department relating to the charter school, which are listed in order of priority, the reasons for those concerns and any solutions to the concerns;

(IV) Identify the measurable goals and objectives for obtaining adequate yearly progress;

(V) Identify the action steps that the Department will implement to ensure that the charter school obtains adequate yearly progress, including, without limitation, the timelines for the implementation and completion of the action steps, the allocation and reallocation of resources, documentation of the implementation of the action steps, the expected results of the action steps and the persons who are responsible for carrying out the action steps; and

(VI) In addition to the actions taken by the Department to monitor the implementation of the plan for restructuring the school pursuant to NRS 385.37605, identify the action steps that the governing body of the charter school will take to monitor and evaluate the turnaround plan, including, without limitation, timelines for the implementation of the action steps, interim goals and objectives for the charter school, the persons who are

responsible for monitoring and evaluating the turnaround plan, and documentation of the monitoring and evaluating activities.

2. Not later than June 30 of the school year in which the charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years, the board of trustees of the school district shall, for a charter school sponsored by the board of trustees, submit to the Department:

(a) The turnaround plan developed pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 4 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The turnaround plan submitted pursuant to paragraph (a) of subsection 2, the Department shall review the turnaround plan and may:

(1) Approve the turnaround plan and provide notice to the board of trustees of the school district that the turnaround plan was approved; or

(2) Return the turnaround plan to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the updated proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The turnaround plan pursuant to paragraph (a) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the turnaround plan, revise and resubmit the turnaround plan to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised turnaround plan submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the turnaround plan. If the board of trustees of the school district failed to include in the revised turnaround plan the recommendations for revision of the Department, the Department may include such revisions in the approved turnaround plan.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall provide to the sponsor of the charter school a copy of the turnaround plan developed pursuant to subsection 1.

Sec. 7. 1. Except as otherwise provided in section 8 of this regulation, if a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years, the board of trustees of a school district shall:

(a) Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.3746.

(b) Not later than September 30, implement the proposal developed pursuant to section 3 of this regulation.

(c) Develop a plan for restructuring the school. The plan for restructuring the school must, without limitation:

(1) Include a list of persons who are responsible for developing the plan for restructuring the school;

(2) Be based on the needs of the public school, as identified in the comprehensive audit, including, without limitation, the analysis of the results of the comprehensive audit and any additional data that the board of trustees included in the proposal submitted pursuant to section 3 of this regulation;

(3) Identify the concerns of the board of trustees of the school district relating to the public school, which must be listed in the order of priority, the reasons for those concerns and any solutions to the concerns;

(4) Identify measurable goals and objectives for obtaining adequate yearly progress;

(5) Identify the action steps that the board of trustees of the school district will implement to ensure that the public school obtains adequate yearly progress, including, without limitation, timelines for the implementation and completion of the action steps, the allocation and reallocation of resources, documentation of the implementation of the action steps, the expected results of the action steps and the persons who are responsible for carrying out the action steps; and

(6) In addition to the actions taken by the Department to monitor the implementation of the plan for restructuring the school pursuant to NRS 385.37607, identify the action steps that the board of trustees of the school district will take to monitor and evaluate the plan for restructuring the school, including, without limitation, timelines for the implementation of the action steps, interim goals and objectives for the public school, the persons who are responsible for monitoring and evaluating the plan for restructuring, and documentation of the monitoring and evaluating activities.

2. Not later than June 30 of the school year in which the school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years, the board of trustees of the school district shall submit to the Department:

(a) The plan for restructuring the school developed pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 3 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The plan for restructuring the school submitted pursuant to paragraph (a) of subsection 2, the Department shall review the plan for restructuring the school and may:

(1) Approve the plan for restructuring the school and provide notice to the board of trustees of the school district that the plan for restructuring the school was approved; or

(2) Return the plan for restructuring the school to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The plan for restructuring the school pursuant to paragraph (a) of subsection 3, the board of trustees shall, within 20 days after the board of trustees receives the plan for restructuring the school, revise and resubmit the plan for restructuring the school to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees shall, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised plan for restructuring the school submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the plan for restructuring the school. If

the board of trustees of the school district failed to include in the revised plan for restructuring the school the recommendations for revisions of the Department, the Department may include such revisions in the approved plan for restructuring the school.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the updated proposal the recommendations for revisions of the Department, the Department may include such revisions in the approved proposal.

Sec. 8. 1. *If a charter school that is a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years:*

(a) The governing body of the charter school shall, not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.3746.

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

(1) Not later than September 30, implement the proposal developed pursuant to section 4 of this regulation.

(2) Develop a plan for restructuring the school. The plan for restructuring the school must, without limitation:

(I) Include a list of persons who are responsible for developing the plan for restructuring the school;

(II) Be based on the needs of the charter school, as identified in the comprehensive audit, including, without limitation, the analysis of the results of the comprehensive audit and any additional data that the board of trustees included in the proposal submitted pursuant to section 4 of this regulation;

(III) Identify the concerns of the governing body of the charter school and the board of trustees of the school district relating to the charter school, which must be listed in the order of priority, the reasons for those concerns and any solutions to the concerns;

(IV) Identify measurable goals and objectives for obtaining adequate yearly progress;

(V) Identify the action steps that the board of trustees of the school district will implement to ensure that the charter school obtains adequate yearly progress, including, without limitation, timelines for the implementation and completion of the action steps, the allocation and reallocation of resources, documentation of the implementation of the action steps, the expected results of the action steps and the persons who are responsible for carrying out the action steps; and

(VI) In addition to the actions taken by the Department to monitor the implementation of the plan for restructuring the school pursuant to NRS 385.37607, identify the action steps that the board of trustees of the school district will take to monitor and evaluate the plan for restructuring, including, without limitation, timelines for the implementation of the action steps, interim goals and objectives for the charter school, the persons who are responsible for monitoring and evaluating the restructuring plan, and documentation of the monitoring and evaluating activities.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school:

(1) Not later than September 30, implement the proposal developed pursuant to section 4 of this regulation.

(2) Develop a plan for restructuring the school. The plan for restructuring the school must, without limitation:

(I) Include a list of persons responsible for developing the plan for restructuring the school;

(II) Be based on the needs of the charter school, as identified in the comprehensive audit, including, without limitation, the analysis of the results of the comprehensive audit and any additional data that the Department included in the proposal submitted pursuant to section 4 of this regulation;

(III) Identify the concerns of the governing body of the charter school and the Department relating to the charter school, which must be listed in the order of priority, the reasons for those concerns and any solutions to the concerns;

(IV) Identify measurable goals and objectives for obtaining adequate yearly progress;

(V) Identify the action steps that the Department will implement to ensure that the charter school obtains adequate yearly progress, including, without limitation, timelines for the implementation and completion of the action steps, the allocation and reallocation of resources, documentation of the implementation of the action steps, the expected results of the action steps and the persons who are responsible for carrying out the action steps; and

(VI) In addition to the actions taken by the Department to monitor the implementation of the plan for restructuring the school pursuant to NRS 385.37607, identify the action steps that the governing body of the charter school will take to monitor and evaluate the plan for restructuring, including, without limitation, timelines for the implementation of the action steps, interim goals and objectives for the charter school, the persons who are

responsible for monitoring and evaluating the restructuring plan, and documentation of the monitoring and evaluating activities.

2. Not later than June 30 of the school year in which the charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years, the board of trustees shall, for a charter school sponsored by the board of trustees of a school district, submit to the Department:

(a) The plan for restructuring the school developed pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 4 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The plan for restructuring the school submitted pursuant to paragraph (a) of subsection 2, the Department shall review the plan for restructuring the school and may:

(1) Approve the plan for restructuring the school and provide notice to the board of trustees of the school district that the plan for restructuring the school was approved; or

(2) Return the plan for restructuring the school to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The plan for restructuring the school pursuant to paragraph (a) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the plan for restructuring the school, revise and resubmit the plan for restructuring the school to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised plan for restructuring the school submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the plan for restructuring the school. If the board of trustees of the school district failed to include in the revised plan for restructuring the school the recommendations for revision of the Department, the Department may include such revisions in the approved plan for restructuring the school.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall provide to the sponsor of the

charter school a copy of the plan for restructuring the school developed pursuant to subsection 1.

Sec. 9. 1. *Except as otherwise provided in section 10 of this regulation, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years, the board of trustees of the school district shall:*

(a) Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.37603.

(b) Not later than September 30, pursuant to NRS 385.37603, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and implement the turnaround plan developed by the board of trustees of the school district pursuant to section 5 of this regulation or the revised turnaround plan developed pursuant to this section, whichever is applicable.

(c) Not later than September 30, implement the most recently updated proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof.

(d) Revise the turnaround plan and update each component of the turnaround plan set forth in section 5 of this regulation.

2. *Not later than June 30 of the school year in which the school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years, the board of trustees of the school district shall submit to the Department:*

(a) The turnaround plan which is revised pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 5 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The turnaround plan submitted pursuant to paragraph (a) of subsection 2, the Department shall review the turnaround plan and may:

(1) Approve the turnaround plan and provide notice to the board of trustees of the school district that the turnaround plan was approved; or

(2) Return the turnaround plan to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The turnaround plan pursuant to paragraph (a) of subsection 3, the board of trustees of the school district shall, within 20 days after the board of trustees receives the turnaround plan, revise and resubmit the turnaround plan to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees of the school district shall, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised turnaround plan submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the turnaround plan. If the board of trustees of the school district failed to include in the revised turnaround plan the recommendations for revision of the Department, the Department may include the revisions in the approved turnaround plan.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. On or before January 31 and on or before June 30 of each school year during which the turnaround plan is implemented in a public school, the board of trustees of a school district shall submit to the Department status reports concerning the implementation of the turnaround plan. The status reports must, without limitation:

(a) Include a list of persons who are responsible for the implementation of the turnaround plan; and

(b) For each action step listed in the turnaround plan:

(1) State the extent to which the action step has been implemented and, if the action step was not implemented, the reasons that the action step was not implemented;

(2) Designate a timeline for completion of the action step;

(3) Include a list of reports and other data to document the implementation of the action step;

(4) Describe any monitoring completed by the board of trustees of the school district;

(5) Describe any consequences imposed upon the public school by the board of trustees of the school district for failure to complete an activity required by the turnaround plan; and

(6) Include a list of the personnel of the school district who have oversight for the completion of the action step.

Sec. 10. 1. *If a charter school that is not a Title I charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years:*

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

(1) Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.37603.

(2) Not later than September 30, pursuant to NRS 385.37603, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and implement the turnaround plan developed pursuant to section 6 of this regulation or the revised turnaround plan developed pursuant to this section, whichever is applicable.

(3) Not later than September 30, implement the most recently updated proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof.

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

turnaround plan and update each component of the turnaround plan set forth in section 6 of this regulation.

(c) For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, revise the turnaround plan and update each component of the turnaround plan set forth in section 6 of this regulation.

2. Not later than June 30 of the school year in which the charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years, the board of trustees of a school district shall, for a charter school sponsored by the board of trustees, submit to the Department:

(a) The turnaround plan which is revised pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 6 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The turnaround plan submitted pursuant to paragraph (a) of subsection 2, the Department shall review the turnaround plan and may:

(1) Approve the turnaround plan and provide notice to the board of trustees of the school district that the turnaround plan was approved; or

(2) Return the turnaround plan to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The turnaround plan pursuant to paragraph (a) of subsection 3, the board of trustees shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the turnaround plan, revise and resubmit the turnaround plan to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised turnaround plan submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the turnaround plan. If the board of trustees of the school district failed to include in the revised turnaround plan the recommendations for revision of the Department, the Department may include such revisions in the approved turnaround plan.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school

district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall provide to the sponsor of the charter school a copy of the turnaround plan developed pursuant to subsection 1.

7. On or before January 31 and on or before June 30 of each school year during which a turnaround plan is implemented in a charter school, the governing body of the charter school shall submit to the Department status reports concerning the implementation of the turnaround plan. The status reports must, without limitation:

(a) Include a list of persons who are responsible for the implementation of the turnaround plan; and

(b) For each action step listed in the turnaround plan:

(1) State the extent to which the action step has been implemented and, if the action step was not implemented, the reasons that the action step was not implemented;

(2) Designate a timeline for completion of the action step;

(3) Include a list of reports and other data to document the implementation of the action step;

(4) Describe any monitoring completed by the board of trustees of the school district for a charter school sponsored by the board of trustees or completed by the governing body of the charter school for a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education;

(5) Describe any consequences imposed upon the charter school by the board of trustees of the school district for a charter school sponsored by the board of trustees or imposed by the

Department for a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education for failure to complete an activity required by the turnaround plan; and

(6) Include a list of the personnel of the charter school who have oversight for the completion of the action step.

Sec. 11. 1. *Except as otherwise provided in section 12 of this regulation, if a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years, the board of trustees of the school district shall:*

(a) Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.37607.

(b) Not later than September 30, pursuant to NRS 385.37603, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and implement the plan for restructuring the school developed pursuant to section 7 of this regulation or the revised plan for restructuring the school developed pursuant to this section, whichever is applicable.

(c) Not later than September 30, implement the most recently updated proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof.

(d) Revise the plan for restructuring the school and update each component of the plan for restructuring the school set forth in section 7 of this regulation.

2. *Not later than June 30 of the school year in which the school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years, the board of trustees of the school district shall submit to the Department:*

(a) The plan for restructuring the school which is revised pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 7 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The plan for restructuring the school submitted pursuant to paragraph (a) of subsection 2, the Department shall review the plan for restructuring the school and may:

(1) Approve the plan for restructuring the school and provide notice to the board of trustees of the school district that the plan for restructuring the school was approved; or

(2) Return the plan for restructuring the school to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The plan for restructuring the school pursuant to paragraph (a) of subsection 3, the board of trustees of the school district shall, within 20 days after the board of trustees receives the plan for restructuring the school, revise and resubmit the plan for restructuring the school to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees of the school district shall, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised plan for restructuring the school submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the plan for restructuring the school. If the board of trustees of the school district failed to include in the revised plan for restructuring the school the recommendations for revision of the Department, the Department may include such revisions in the approved plan for restructuring the school.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. On or before January 31 and on or before June 30 of each school year during which a plan for restructuring the school is implemented in a public school, the board of trustees of the school district shall submit to the Department status reports concerning the implementation of the plan for restructuring the school. The status reports must, without limitation:

(a) Include a list of persons who are responsible for the implementation of the plan for restructuring the school; and

(b) For each action step listed in the plan for restructuring the school:

(1) State the extent to which the action step has been implemented and, if the action step was not implemented, the reasons that the action step was not implemented;

(2) Designate a timeline for completion of the action step;

(3) Include a list of reports and other data to document the implementation of the action step;

(4) Describe any monitoring completed by the board of trustees of the school district;

(5) Describe any consequences imposed upon the public school by the board of trustees of the school district for failure to complete an activity required by the plan for restructuring the school; and

(6) Include a list of the personnel of the school district who have oversight for the completion of the action step.

Sec. 12. 1. *If a charter school that is a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years:*

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

(1) Not later than 14 days before the beginning of the school year, provide notice of the designation pursuant to NRS 385.37607.

(2) Not later than September 30, pursuant to NRS 385.37607, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and implement the plan for restructuring the school developed pursuant to section 8 of this regulation or the revised plan for restructuring the school developed pursuant to this section, whichever is applicable.

(3) Not later than September 30, implement the most recently updated proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, revise the plan for

restructuring the school and update each component of the plan set forth in section 8 of this regulation.

(c) For a charter school sponsored by the State Board or by a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, revise the plan for restructuring the school and update each component of the plan set forth in section 8 of this regulation.

2. Not later than June 30 of the school year in which the charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years, the board of trustees shall, for a charter school sponsored by the board of trustees of a school district, submit to the Department:

(a) The plan for restructuring the school which is revised pursuant to subsection 1.

(b) An update of the proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, developed pursuant to section 8 of this regulation, including, without limitation, a copy of the application submitted pursuant to section 13 of this regulation.

3. Within 45 days after the Department receives:

(a) The plan for restructuring the school submitted pursuant to paragraph (a) of subsection 2, the Department shall review the plan for restructuring the school and may:

(1) Approve the plan for restructuring the school and provide notice to the board of trustees of the school district that the plan for restructuring the school was approved; or

(2) Return the plan for restructuring the school to the board of trustees of the school district with its recommendations for revision.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 2, the Department shall review the proposal and may:

(1) Approve the proposal and provide notice to the board of trustees of the school district that the proposal was approved; or

(2) Return the proposal to the board of trustees of the school district with its recommendations for revision.

4. If the Department returns:

(a) The plan for restructuring the school pursuant to paragraph (a) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the plan for restructuring the school, revise and resubmit the plan for restructuring the school to the Department.

(b) The updated proposal pursuant to paragraph (b) of subsection 3, the board of trustees of the school district shall, in conjunction with the governing body of the charter school, within 20 days after the board of trustees receives the proposal, revise and resubmit the proposal to the Department.

5. Within 20 days after the Department receives:

(a) The revised plan for restructuring the school submitted pursuant to paragraph (a) of subsection 4, the Department shall review and approve the plan for restructuring the school. If the board of trustees of the school district failed to include in the revised plan for restructuring the school the recommendations for revision of the Department, the Department may include such revisions in the approved plan.

(b) The updated proposal submitted pursuant to paragraph (b) of subsection 4, the Department shall review and approve the proposal. If the board of trustees of the school

district failed to include in the updated proposal the recommendations for revision of the Department, the Department may include such revisions in the approved proposal.

6. For a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education, the Department shall provide to the sponsor of the charter school the plan for restructuring the school developed pursuant to subsection 1.

7. On or before January 31 and on or before June 30 of each school year during which the plan for restructuring the school is implemented in the charter school, the governing body of the charter school shall submit to the Department status reports concerning the implementation of the plan for restructuring the school. The status reports must, without limitation:

(a) Include a list of persons who are responsible for the implementation of the plan for restructuring the school; and

(b) For each action step listed in the plan for restructuring the school:

(1) State the extent to which the action step has been implemented and, if the action step was not implemented, the reasons that the action step was not implemented;

(2) Designate a timeline for completion of the action step;

(3) Include a list of reports and other data to document the implementation of the action step;

(4) Describe any monitoring completed by the board of trustees of the school district for a charter school sponsored by the board of trustees or completed by the governing body of the charter school for a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education;

(5) Describe any consequences imposed upon the charter school by the board of trustees of the school district for a charter school sponsored by the board of trustees or imposed by the Department for a charter school sponsored by the State Board or a college or university within the Nevada System of Higher Education for failure to complete an activity required by the plan for restructuring the school; and

(6) Include a list of the personnel of the charter school who have oversight for the completion of the action step.

Sec. 13. 1. *On or before April 1 of each school year, the Department shall make available the form for an application for available funds to support the implementation of one or more differentiated corrective actions, consequences or sanctions, or any combination thereof.*

2. Not later than June 30 of each school year, each public school for which a proposal to implement one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof, is submitted pursuant to section 3 or 4 of this regulation or for which a revised proposal is submitted pursuant to sections 5 to 12, inclusive, of this regulation, shall submit an application made available pursuant to subsection 1 for available funds to support the implementation of one or more of the differentiated corrective actions, consequences or sanctions, or any combination thereof.

3. The Department shall monitor the expenditure of any funds which are awarded to the public schools to support the implementation of the differentiated corrective actions, consequences or sanctions, or any combination thereof.

4. The Department may grant an extension of time for submitting an application pursuant to this section.

Sec. 14. This regulation becomes effective on July 1, 2010.