

TECHNICAL SUMMARY OF PROPOSED REVISIONS TO ASSEMBLY BILL 78

The proposed revisions to Assembly Bill 78 set out five specific, high-impact policy goals arrived at through substantial collaboration between the State Public Charter School Authority (SPCSA) and the Nevada Department of Education (NDE). These five policy priorities can be categorized into two broad purposes.

1. Clear Lines of Authority and Accountability

a. The SPCSA’s Local Education Agency Status

The proposed revisions to Assembly Bill 78 would clarify that the SPCSA is the Local Education Agency (“LEA”) for SPCSA-sponsored public charter schools. The proposal would also allow individual SPCSA-sponsored public charter schools to become their own LEAs.

b. The SPCSA’s Regulatory Authority

Currently, Nevada’s Department of Education is vested with plenary authority to adopt regulations regarding public charter schools, while the SPCSA has limited regulatory authority. The proposed revisions to Assembly Bill 78 would maintain the Department’s plenary regulatory authority but provide the SPCSA with the ability to adopt regulations related to SPCSA-sponsored public charter schools and regulations consistent with NRS Chapter 388A.

c. Oversight of Charter School Sponsors

The proposed revisions to Assembly Bill 78 would increase transparency of annual reports submitted by charter school sponsors by requiring that reports be submitted on a form prescribed by the department and that the reports be reviewed by the State Board of Education annually.

Additionally, the proposal would codify in statute current regulations that mandate that the Department of Education conduct a “comprehensive review” of public charter school sponsors every three years and allow for the revocation of the ability to sponsor public charter schools.

The proposed revisions to Assembly Bill 78 would amend NRS 388A.153 by expanding the SPCSA Board to include two members appointed by the State Board of Education. In addition to members appointed by the Governor, the Majority Leader of the Senate, the Speaker of the Assembly, and the Charter School Association of Nevada, the proposal provides for two members of the SPCSA to be appointed by the State Board of Education to enable increased alignment between the two Boards.

2. Equitable Enrollment and Access

a. Equitable Admission and Enrollment

The proposed revisions to Assembly Bill 78 would amend NRS 388A.453(2), related to admission and enrollment to public charter schools. The amendment would make clear that public charter schools must, as required under state and federal laws, immediately enroll certain at-risk populations, including but not limited to homeless pupils that meet the criteria set forth in 42 USC 11301 et seq.

The proposal would also revise NRS 388A.453, in order to make clear that public charter schools must serve all students, regardless of disability and provide appropriate special education programs to students with disabilities.

b. Achievement School District

The proposed revisions to Assembly Bill 78 would transfer schools currently sponsored by the Achievement School District (ASD) to the SPCSA. Duties and responsibilities related to identification of low performing schools would remain with the Department of Education, while duties and responsibilities related to the approval and oversight of Achievement Charter Schools would be transferred to the State Public Charter School Authority and its Executive Director.

The proposal would add an additional protection for at-risk students attending Achievement Charter Schools by requiring that they provide a program of free and reduced price lunch.

In addition, the proposal would clarify provisions and define certain requirements relating to Neighborhood Options Achievement Charter Schools to serve as options for students zoned to attend low-performing schools. Specifically, Neighborhood Option Achievement Charter Schools would be required to:

- Before enrolling other students, enroll those that are zoned to attend low-performing schools
- Locate in the vicinity of an existing one-star school
- Maintain a rate of students qualifying for free or reduced price lunch (FRL) that is at least 90% of the rate of the local school district
 - *For example, in 2017-18, Clark County's FRL rate was 67.02%. An Achievement Charter School located in Clark County would have to maintain an FRL rate of $90\% \times 67.02\% = 60.3\%$*

The proposal would establish a streamlined process for high-performing, in-state charter school operators to become approved to operate achievement charter schools to expand access for students zoned to attend low-performing schools.

In addition to existing provisions that allow charter sponsors to reconstitute or close a low-performing charter school, the proposed revisions to Assembly Bill 78 would provide an additional accountability option for low-performing charter schools through conversion to an achievement charter school.

Finally, the proposed revisions to Assembly Bill 78 would establish the requirement for an annual report on achievement charter schools.