

EXHIBIT FF

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SENATE BILL NO. 509—COMMITTEE ON EDUCATION

MARCH 23, 2015

Referred to Committee on Education

SUMMARY—Makes various changes to provisions governing charter schools. (BDR 34-1090)

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 the employees and duties of the State Public Charter School Authority; authorizing and requiring certain sponsors of charter schools to make certain agreements with the Authority and other sponsors of charter schools; revising provisions governing applications to form a charter school; revising provisions governing amendments to a written charter or charter contract; authorizing the consolidation of the operations of multiple charter schools under certain circumstances; revising the circumstances under which the sponsor of a charter school is authorized or required to revoke a written charter or terminate a charter contract; authorizing a sponsor to reconstitute the governing body of a charter school in such circumstances; authorizing the sponsor of a charter school whose written charter has been revoked or whose charter contract has been terminated to take certain measures to attempt to replace the charter school; revising certain other provisions governing the operation of a charter school; authorizing a charter school to receive certain money; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the State Public Charter School Authority, requires the
2 Authority to appoint a Director and authorizes the Authority to sponsor charter
3 schools. (NRS 386.490-386.515) **Sections 10, 12-14 and 18** of this bill change the
4 title of the Director of the Authority to “Executive Director,” and **section 13**
5 authorizes the Executive Director to pursue other businesses and hold other offices



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1 which the period to correct the deficiencies begins and the date on
2 which that period ends;

3 (c) Prescribe the date on which the sponsor will make a
4 determination regarding whether the charter school has corrected the
5 deficiencies, which determination may be made during the public
6 hearing held pursuant to subsection 3; and

7 (d) Prescribe the date on which the sponsor will hold a public
8 hearing to consider whether to *reconstitute the governing body*,
9 revoke the written charter or terminate the charter contract.

10 3. Except as otherwise provided in subsection 4, not more than
11 90 days after the notice is provided pursuant to subsection 2, the
12 sponsor shall hold a public hearing to make a determination
13 regarding whether to *reconstitute the governing body*, revoke the
14 written charter or terminate the charter contract. If the charter school
15 corrects the deficiencies to the satisfaction of the sponsor within the
16 time prescribed in paragraph (b) of subsection 2, the sponsor shall
17 not *reconstitute the governing body*, revoke the written charter or
18 terminate the charter contract of the charter school. The sponsor
19 may not include in a written notice pursuant to subsection 2 any
20 deficiency which was included in a previous written notice and
21 which was corrected by the charter school, unless the deficiency
22 recurred after being corrected ~~+~~ *or the sponsor determines that the*
23 *deficiency is evidence of an ongoing pattern of deficiencies in a*
24 *particular area.*

25 4. The sponsor of a charter school and the governing body of
26 the charter school may enter into a written agreement that prescribes
27 different time periods than those set forth in subsections 2 and 3.

28 5. If the *governing body of a charter school is reconstituted*,
29 *the* written charter is revoked or the charter contract is terminated,
30 the sponsor of the charter school shall submit a written report to the
31 Department and the governing body of the charter school setting
32 forth the reasons for the *reconstitution or* termination , *as*
33 *applicable*, not later than 10 days after *reconstituting the governing*
34 *body*, revoking the written charter or terminating the charter
35 contract.

36 **Sec. 28.** NRS 386.5351 is hereby amended to read as follows:

37 386.5351 1. The sponsor of a charter school shall
38 *reconstitute the governing body of a charter school*, revoke the
39 written charter or terminate the charter contract of the charter school
40 if ~~the~~ :

41 (a) *The* charter school *is a high school that* receives three
42 consecutive annual ratings established as the lowest rating possible
43 indicating underperformance of a public school, as determined by
44 the Department pursuant to the statewide system of accountability



1 for public schools ~~{}~~ or has a graduation rate for the immediately
2 preceding school year that is less than 60 percent;

3 (b) The charter school is an elementary or middle school that
4 is rated in the lowest 5 percent of elementary or middle schools in
5 the State in pupil achievement and school performance, as
6 determined by the Department pursuant to the statewide system of
7 accountability for public schools; or

8 (c) Pupil achievement and school performance at the charter
9 school is unsatisfactory as determined by the Department pursuant
10 to criteria prescribed by regulation by the Department to measure
11 the performance of any public school.

12 2. A charter school's annual rating pursuant to the statewide
13 system of accountability based upon the performance of the charter
14 school for any school year before the 2013-2014 school year must
15 not be included in the count of consecutive annual ratings for the
16 purposes of ~~{this subsection.~~

17 ~~—2.1~~ paragraph (a) of subsection 1, unless the sponsor
18 determines that the governing body lacks the capacity to improve
19 pupil achievement and school performance.

20 3. The Superintendent of Public Instruction may exempt a
21 charter school from the provisions of paragraphs (a) and (b) of
22 subsection 1 if the Superintendent determines that there has been
23 a significant change to the statewide system of accountability that
24 justifies such an exemption. In such cases, the years before and
25 after the exemption is awarded shall be deemed to be consecutive
26 years for the purposes of paragraph (a) of subsection 1.

27 4. If a governing body is reconstituted, a written charter is
28 revoked or a charter contract is terminated pursuant to subsection 1,
29 the sponsor of the charter school shall submit a written report to the
30 Department and the governing body of the charter school setting
31 forth the reasons for the *reconstitution, revocation or* termination
32 not later than 10 days after *reconstituting the governing body,*
33 revoking the written charter or terminating the charter contract.

34 ~~{}~~ 5. The provisions of NRS 386.535 do not apply to the
35 *reconstitution of a governing body, the* revocation of a written
36 charter or termination of a charter contract pursuant to this section.

37 **Sec. 29.** NRS 386.5351 is hereby amended to read as follows:

38 386.5351 1. ~~{The}~~ A sponsor of a charter school ~~{shall}~~
39 ~~terminate the charter contract of the charter school}~~ is required to
40 take the action described in this section if ~~{the}~~ more than 5
41 percent of the charter ~~{school receives}~~ schools that are sponsored
42 by the sponsor meet any of the following criteria:

43 (a) The charter schools are high schools that receive three
44 consecutive annual ratings established as the lowest rating possible
45 indicating underperformance of a public school, as determined by

