

2015-  
2016

# State Public Charter School Authority

Reporting Requirements Manual



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## INTRODUCTION

This manual lists and describes most, but not necessarily all, Nevada charter school reporting requirements. For complete reporting requirements, please refer to the Nevada Revised Statutes (NRS) Chapters 385-395, 399, and related Chapters 63, 288, 332, 354, and Sections 49.290, 49.291, 218E.600 to 218E.625, inclusive, and 236.015. Also see Nevada Administrative Code (NAC) Chapters 385-395.

Charter Schools are responsible for reading the applicable NRS and/or NAC for each report so that they know all details regarding each report.

The State Public Charter School Authority utilizes Epicenter for reporting requirement submissions; Epicenter is a web-based software system which assists in organizing and automating document submissions.

The “submission” column of the reporting requirements specifications identifies to which entity the document must be submitted to. If “Epicenter Certification of Completion” is stated in the “Submission” column, submit the actual report to the Nevada Department of Education, Legislative Council Bureau, or Governor only, as applicable. Do not submit the actual report into Epicenter. Instead, the lead administrator must complete and submit the automated Epicenter Certification of Completion attesting that the charter school is in compliance with the required report or document for the current school year, as set forth in Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), as applicable.

## PERMANENT REPORTING REQUIREMENTS

- **Contracts**
  - Contracts- Expiration <<mm-dd-yy>>
- **Facilities Management**
  - Facility Address
    - Facility Information NAC 386.140(2)
    - 3 year Asbestos Inspection- Expiration <<mm-dd-yy>>
    - Asbestos Management Plan- Expiration <<mm-dd-yy>>
    - Certificate of Occupancy
    - Facility Lease- Expiration <<mm-dd-yy>>
    - Facility Lease Amendment<<mm-dd-yy>>
    - Fire Permit Final
    - Health Permit-Final School
    - Health Permit-Final School Kitchen
    - OSHA 3-year Re-inspection-Expiration <<mm-dd-yy>>
    - OSHA Inspection- Expiration <<mm-dd-yy>>
    - OSHA Letter<<mm-dd-yy>>
    - Establishment of development committee for crisis/emergency
- **Handbooks**
  - Parent Handbook<<mm-dd-yy>>
  - Staff Handbook<<mm-dd-yy>>
  - Student Handbook<<mm-dd-yy>>
- **Board Member Information**
  - Board Roster<<mm-dd-yy>>
  - Board Member Affidavit
  - Board Member Resume
  - Request for Information – 18 questions
- **Policies**
  - Financial Policies<<mm-dd-yy>>
  - Purchasing Policies<<mm-dd-yy>>
  - Conflict of Interest Policy <<mm-dd-yy>>
- **Litigation and/or Formal Proceedings**
  - Litigation and/or Formal Proceedings<<mm-dd-yy>>
- **Staff Information**
  - Criminal background checks certification of completion
  - School administrator emergency information
  - Teacher-Administrator License-Expires<<mm-dd-yy>>
- **Curriculum**
  - Curriculum alignment attestation signed by Governing Body President and Lead School Administrator

## PERMANENT REPORTING REQUIREMENTS SPECIFICATIONS

PERMANENT REPORTING REQUIREMENTS SUMMARY	FORM	SUBMISSION
<b>CONTRACTS (ALLYSON KELLOGG)</b>		
File name: Contracts- Expiration <<mm-dd-yy>>. Copies of all contracts, except for governing body employee contracts that need to be in employees' files at the school, must be submitted. Submit contracts into the contracts folder using the file name. Note that <a href="#">NRS 386.562</a> identifies prohibited provisions of contracts, including contracts with EMOs. Charter school boards are prohibited from entering into contracts containing any of the prohibited provisions. <a href="#">NAC 386.400(2)</a>	No Form Provided	Epicenter , NDE
<b>FACILITIES MANAGEMENT (ALLYSON KELLOGG)</b>		
File name: 3 year Asbestos Inspection- Expiration <<mm-dd-yy>>. Submit documents into the active facility address folder using the file name.	No form Provided	Epicenter
File name: Asbestos Management Plan- Expiration <<mm-dd-yy>>. Submit documents into the active facility address folder using the file name.	No Form Provided	Epicenter
File name: Certificate of Occupancy. Submit documents into the active facility address folder using the file name. <a href="#">NAC 386.205</a>	No Form Provided	Epicenter
File name: Facility Lease- Expiration <<mm-dd-yy>>. Submit documents into the active facility address folder using the file name.	No Form Provided	Epicenter
File name: Facility Lease Amendment<<mm-dd-yy>>. Submit documents into the active facility address folder using the file name.	No Form Provided	Epicenter
File name: Fire Permit Final. Submit documents into the active facility address folder using the file name.	No Form Provided	Epicenter
File name: Health Permit-Final School. Submit documents into the active facility address folder using the file name.	No Form Provided	Epicenter
File name: Health Permit-Final School Kitchen. Submit documents into the active facility address folder using the file name.	No Form Provided	Epicenter
File name: OSHA Letter<<mm-dd-yy>>. Submit documents into the active facility address folder using the file name. <a href="#">NAC 386.170(3)</a>	No Form Provided	Epicenter
File name: OSHA Inspection- Expiration <<mm-dd-yy>>. Submit documents into the active facility address folder using the file name. <a href="#">NAC 386.341</a>	No Form Provided	Epicenter
File name: OSHA 3-year Re-inspection-Expiration <<mm-dd-yy>>. Submit documents into the active facility address folder using the file name. <a href="#">NAC 386.341</a>	No Form Provided	Epicenter
File name: Facility Information. Submit documents into the active facility address folder using the file name. <a href="#">NAC 386.140(2)</a>	No Form Provided	Epicenter
File name: Establishment of development committee for crisis/emergency. Submit documents into the active facility address folder using the file name. <a href="#">NRS 392.616</a>	No Form Provided	Epicenter
<b>HANDBOOKS (PATRICK GAVIN)</b>		
File name: Parent Handbook. Submit documents into the handbooks folder using the file name. <a href="#">NRS 386.583</a> requires a charter school board to adopt rules for the academic retention of pupils. <a href="#">NRS 386.585</a> requires a charter school board to adopt written rules of behavior and appropriate punishments for violation of the rules. The Parent Handbook would be a logical place for these adoptions to be memorialized and publicized. Handbooks should be approved by the board.	No Form Provided	Epicenter
File name: Staff Handbook. Submit documents into the handbooks folder using the file name. <a href="#">NRS 386.583</a> requires a charter school board to adopt rules for the academic retention of pupils. <a href="#">NRS 386.585</a> requires a charter school board to adopt written rules of behavior and appropriate punishments for violation of the rules. The Staff Handbook would be a logical place for these adoptions to be memorialized and publicized. Handbooks should be approved by the board.	No Form Provided	Epicenter
File name: Student Handbook. Submit documents into the handbooks folder using the file name. <a href="#">NRS 386.583</a> requires a charter school board to adopt rules for the academic retention of pupils. <a href="#">NRS 386.585</a> requires a charter school board to adopt written rules of behavior and appropriate punishments for violation of the rules. The Student Handbook would be a logical place for these adoptions to be memorialized and publicized. Handbooks should be approved by the board.	No Form Provided	Epicenter

PERMANENT REPORTING REQUIREMENTS SUMMARY	FORM	SUBMISSION
<b>BOARD MEMBER INFORMATION (PATRICK GAVIN)</b>		
File name: Board Roster. Submit documents into the board information folder using the file name. This is the source the SPCSA will turn to when staff need to know who is on your school's board, and who the officers are, so it's vital that you keep this information up to date. Please revise or replace the board roster in the Permanent Files whenever the composition of your board changes or any of the board information below (see a-g) changes, within 10 working days of the change. This will fulfill your obligation under <a href="#">NRS 386.549(2)</a> to inform us of board changes within 10 working days of the change. Provide the following information under the following headings for each board member: (a) Name (b) Officer? (yes or no) If yes, which office? (c) Nevada county of residence or non-Nevada state of residence (d) Month and year began serving on the board (e) How many terms served on the board, including current term? (f) The <a href="#">NRS 386.549</a> membership category of the member, if applicable. Categories are educator (2 positions); parent of pupil enrolled in the school; accounting knowledge/experience, financial services knowledge/experience, law knowledge/experience, human resources knowledge/experience (2 positions); and (g) The member's phone number, full postal mailing address, and email.	Use Board Roster Form	Epicenter
File name: Board Member Affidavit. Submit documents into the appropriate board members active folder using the file name. Criteria for Board Affidavits: (a) Current affidavit form is used. (b) All information requested by the affidavit form is provided. The affidavit form is signed by the board member and witnessed and signed by a notary public.	Use the affidavit form at <a href="http://www.doe.nv.gov/Topic/Charter_School_Resources/">http://www.doe.nv.gov/Topic/Charter_School_Resources/</a>	Epicenter
File name: Board Member Resume. Submit documents into the appropriate board members active folder using the file name. Criteria for Board Resumes: (a) Resume identifies employment during at least the prior ten years. (b) Resume identifies current employment or clearly indicates the member is not employed and identifies when the member's last employment ceased. (c) Resume identifies the member's highest level of education attained and from where it was attained. (d) Resume identifies teaching employment history, if applicable, to enable the sponsor to determine the member's/board's compliance with <a href="#">NRS 386.549(6)</a> and <a href="#">NAC 386.090</a> . Resume demonstrates member's qualifications as a person who possesses knowledge and experience in 1) accounting, 2) financial services, 3) law, and 4) human resources to comply with <a href="#">NRS 386.549</a> if applicable to that member.	No Form Provided	Epicenter
File name: Request for Information – 18 Questions. Each board member must provide answers to the 18 questions in Appendix 1 of the Call for Quality Charter Schools' application packet. Submit answers into the appropriate board member's active folder using the file name.	No Form Provided	Epicenter
<b>POLICIES (JESSICA HOBAN)</b>		
File name: Financial Policies<<mm-dd-yy>>. Submit documents into the policies folder using the file name. <a href="#">NAC 387.765</a> requires a charter school to use the Chart of Accounts prescribed by the Nevada Department of Education. The Financial Policies would be a logical place for the school to declare its intention to comply with the regulation. <a href="#">NRS 386.573(1)</a> requires a charter school board to designate a person (or position) to draw all orders for the payment of money belonging to the school. The orders must be listed on cumulative voucher sheets. <a href="#">NRS 386.573(2)</a> requires a charter school board to prescribe the procedures by which the orders for the payment of money must be approved and the cumulative voucher sheets signed. <a href="#">NAC 386.405(4)</a> requires a charter school board with an educational management organization as defined by <a href="#">NRS 386.562</a> to approve the appointment of all key personnel ( <a href="#">NRS 386.590(6)</a> school administrator(s) or <a href="#">NRS 386.573</a> person to draw orders for payment of the schools money) who are directly employed and provided to the school by an educational management organization (EMO). The Financial Policies would be a logical place for these requirements to be memorialized and publicized. Policies should be approved by the board.	No Form Provided	Epicenter

<b>PERMANENT REPORTING REQUIREMENTS SUMMARY</b>	<b>FORM</b>	<b>SUBMISSION</b>
File name: Purchasing Policies<<mm-dd-yy>>. Submit documents into the policies folder using the file name. <a href="#">NRS 386.573(1)</a> requires a charter school board to designate a person (or position) to draw all orders for the payment of money belonging to the school. The orders must be listed on cumulative voucher sheets. <a href="#">NRS 386.573(2)</a> requires a charter school board to prescribe the procedures by which the orders for the payment of money must be approved and the cumulative voucher sheets signed. <a href="#">NAC 386.405(4)</a> requires a charter school board with an educational management organization as defined by <a href="#">NRS 386.562</a> to approve the appointment of all key personnel ( <a href="#">NRS 386.590(6)</a> school administrator(s) or <a href="#">NRS 386.573</a> person to draw orders for payment of the schools money) who are directly employed and provided to the school by an educational management organization (EMO). The Purchasing Policies would be a logical place for these requirements to be memorialized and publicized. Policies should be approved by the board.	No Form Provided	Epicenter
File name: Conflict of Interest Policy<<mm-dd-yy>>. Submit documents into the policies folder using the file name. The State Public Charter School Authority (Authority) encourages charter school governing bodies (boards) to develop, adopt and implement a Conflict of Interest Policy. To assist boards in this effort, the Authority provides a model policy (see Model Conflict of Interest Policy) and guidance from the Nevada Commission on Ethics (see Nevada Conflict of Interest Guidance) both of which are provided on our website: <a href="http://charterschools.nv.gov/ForSchools/Resources/">http://charterschools.nv.gov/ForSchools/Resources/</a> Charter school boards are advised that model policies should never be wholly adopted without first determining the unique needs and situation of the board to which the policy will pertain. Also, models from other states should be reviewed for their applicability to Nevada law and regulation. Policies should be approved by the board. Charter school boards should consult with their legal counsel in developing policies, including Conflict of Interest policies. An additional source of information regarding Conflict of Interest Policies is <a href="http://www.councilofnonprofits.org/conflict-of-interest">http://www.councilofnonprofits.org/conflict-of-interest</a>	No Form Provided	Epicenter
<b>LITIGATION AND/OR FORMAL PROCEEDINGS (PATRICK GAVIN)</b>		
File name: Litigation and/or Formal Proceedings<<mm-dd-yy>>. Submit documents into the litigation and/or formal proceedings folder using the file name.	No Form Provided	Epicenter
<b>STAFF INFORMATION (PATRICK GAVIN )</b>		
File name: Criminal Background Checks Certificate of Completion. Certification of Completion must be completed in Epicenter attesting that the school has completed, and will continue to complete, all required background checks on all school staff and volunteers who come into contact with the school's students. <a href="#">NRS 386.588</a>	No Form Provided	Epicenter
File name: School administrator emergency information. Submit phone contact information into the Staff Information folder using the file name.	No Form Provided	Epicenter
File name: Teacher-Administrator License-Expires<<mm-dd-yy>>. For Nevada licenses provide the license number only. For non-Nevada licenses provide a copy of the license. Submit documents into the appropriate board members active folder using the file name.	No Form Provided	Epicenter
<b>CURRICULUM (JOAN JURGENSEN)</b>		
File name: Attestation of Curriculum Alignment. Submit the Attestation of Curriculum Alignment signed by both the Governing Board President and the Lead School Administrator that the school has fully aligned to the Nevada Academic Content Standards (Common Core Standards), is ready for implementation of the Smarter Balanced Assessment Program, and is aware and ready to act on the New Generation of Science Standard as they become adopted by the State Board of Education.	Attestation of Curriculum Alignment in Epicenter	Epicenter



## YEARLY REPORTING REQUIREMENTS 2015- 2016 MASTER CALENDAR

July	August	September
1 <sup>st</sup> <a href="#">2013-2014 Nevada Comprehensive Curriculum Audit</a> 1 <sup>st</sup> <a href="#">Epinephrine Dosage Report</a> 15 <sup>th</sup> <a href="#">EMO Revenue Expenditure Report</a>	1 <sup>st</sup> <a href="#">Quarterly YTD Financials (Jul-Jun)</a> 1 <sup>st</sup> <a href="#">Contact List</a> 20 <sup>th</sup> <a href="#">Annual Testing Calendar</a>	15 <sup>th</sup> <a href="#">Mckinney-Vento Data Collection</a> 15 <sup>th</sup> <a href="#">Distance Education Report</a> 15 <sup>th</sup> <a href="#">Authorization to Test Report</a> 15 <sup>th</sup> <a href="#">Discipline and Firearms Incidents Report</a> 15 <sup>th</sup> <a href="#">Written Notice Regarding Examinations</a> 15 <sup>th</sup> <a href="#">Mckinney-Vento Attestation</a> 30 <sup>th</sup> <a href="#">Establishment of Committee for Crisis/Emergency</a>
October	November	December
5 <sup>th</sup> <a href="#">Test Security Plan</a> 5 <sup>th</sup> <a href="#">Employee Information</a> 5 <sup>th</sup> <a href="#">Income Verification Data</a> 5 <sup>th</sup> <a href="#">Licensed Person Report</a>	1 <sup>st</sup> <a href="#">Plan for Progressive Discipline</a> 1 <sup>st</sup> <a href="#">Quarterly YTD Financials (Jul-Sep)</a> 1 <sup>st</sup> <a href="#">Report of Budget</a> 1 <sup>st</sup> <a href="#">Progress Toward Goals Report</a> 1 <sup>st</sup> <a href="#">Dissemination of the Nevada Report Card</a> 1 <sup>st</sup> <a href="#">EMO Evaluation</a> 1 <sup>st</sup> <a href="#">Free &amp; Reduced Lunch Income Verification</a>	1 <sup>st</sup> <a href="#">Annual Independent Audit Report</a>
January	February	March
15 <sup>th</sup> <a href="#">School Performance Plan</a> 15 <sup>th</sup> <a href="#">Crisis Response Management Plan</a>	1 <sup>st</sup> <a href="#">Capital Improvement Plan</a> 1 <sup>st</sup> <a href="#">Quarterly YTD Financials (Jul-Dec)</a>	1 <sup>st</sup> <a href="#">Annual Emergency Drill Log</a> 1 <sup>st</sup> <a href="#">Perpetual Inventory</a> 1 <sup>st</sup> <a href="#">Immigrant Child Count</a> 1 <sup>st</sup> <a href="#">NCES/F33 Report</a> 2 <sup>nd</sup> <a href="#">WiDA Access Transfer Document</a>
April	May	June
15 <sup>th</sup> <a href="#">Tentative Budget</a>	1 <sup>st</sup> <a href="#">Board Meeting Calendar</a> 1 <sup>st</sup> <a href="#">Annual Asbestos Periodic Surveillance Log</a> 1 <sup>st</sup> <a href="#">Quarterly YTD Financials(Jul-Mar)</a> 1 <sup>st</sup> <a href="#">Fire and Health Inspections</a>	8 <sup>th</sup> <a href="#">Final Budget</a> 15 <sup>th</sup> <a href="#">Approved School Calendar</a> 15 <sup>th</sup> <a href="#">Title II Plan Application</a>

**Notes:** 1. If a school has more than one campus the document/report in bold must be submitted for each campus.  
 2. If a school is in its first year of operation the document/report in italics is not required.

## YEARLY REPORTING REQUIREMENTS BASED ON APPROVED SCHOOL AND BOARD MEETING CALENDARS

The following document due-dates are based on approved school and board meeting calendars. Any variance from the board meeting calendars must be reported prior to the meeting to the SPCSA. If the calendars have not been submitted, calendar year due dates will apply (Q1-9/30, Q2-12/30, Q3-3/30, Q4-6/30).

[Board Meeting Agenda](#) - Submit the quarterly board meeting agendas no fewer than three business days prior to the meeting. See the Nevada Attorney General's Open Meeting Law Manual for details  
[http://ag.nv.gov/About/Governmental\\_Affairs/OML/](http://ag.nv.gov/About/Governmental_Affairs/OML/)

[Board Meeting Draft Minutes](#) - Submit the quarterly board meeting draft minutes no later than thirty business days after each public meeting is held. [NAC 386.345\(7\) and \(8\)](#)

[Board Meeting Approved Minutes](#) - Submit the quarterly board meeting approved minutes no later than thirty business days after each public meeting is held. [NAC 386.345\(7\) and \(8\)](#)

PATRICK GAVIN

[Enrollment and Attendance Report](#) – Submit monthly enrollment and attendance reports for each of the ten school months.

TRACI HOUSE

[Proof of Insurance](#) – Submit the Affidavit of Insurance Coverage Form, Certificate of Worker's Compensation Coverage, Certificate of General Liability Coverage, [\(NAC 386.215\)](#) and the Special Education Insurance or \$25K Set-Aside listing the SPCSA as additional insured. **If a school has more than one campus this reporting requirement must be submitted for each campus.**

ALLYSON KELLOGG

[OSHA 3-Year Inspection](#) – Submit the OSHA 3-Year Inspection. **If a school has more than one campus this reporting requirement must be submitted for each campus.**

ALLYSON KELLOGG

[Asbestos 3-Year Inspection](#) – Submit the Asbestos 3-Year Inspection. **If a school has more than one campus this reporting requirement must be submitted for each campus.**

ALLYSON KELLOGG

## YEARLY REPORTING REQUIREMENTS SPECIFICATIONS

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Jul 1 <sup>st</sup>	<u>Nevada Comprehensive Curriculum Audit Tool (NCCAT-S)</u>  Kathy Robson	LCB, NDE, Epicenter (Accountability Folder)	Forms located at: <a href="http://www.doe.nv.gov/SchoolImprovement/">http://www.doe.nv.gov/SchoolImprovement/</a>	Submit the NCCAT-S for all schools designated 1, 2, or 3 stars on the Nevada State Performance Framework. If the school is not designated 1, 2, or 3 stars submit a memo stating so. <a href="#">NRS 385.357</a>
Jul 1 <sup>st</sup>	<u>Epinephrine Dosage Report</u>  Allyson Kellogg	Epicenter (Student Information Folder)	Epinephrine Dosage Report	Submit the Epinephrine Dosage Report to Epicenter. <b>This report is not required of first year schools</b> , if the school is in its first year of operation submit a memo stating so. <a href="#">NRS 388.421(3)</a>
Aug 1 <sup>st</sup> Nov 1 <sup>st</sup> Feb 1 <sup>st</sup> May 1 <sup>st</sup>	<u>Quarterly Year to Date Financial Statements</u>  Jessica Hoban	Epicenter (Financial Folder)	Quarterly Financial Statement Template	Quarterly (Jul-Sept, Jul-Dec, Jul-Mar, Jul-Jun) unaudited year-to-date financial statements, including: (a) Statement of Net Assets (Balance Sheet) (b) Statement of Revenue & Expenditures (Income statement) showing quarterly actual, year-to-date actual, year-to-date budget, variance.
Jul 15 <sup>th</sup>	<u>EMO Revenue Expenditure Report</u>  Patrick Gavin	On File at School, Schools Governing Body, Epicenter Certification of Completion (EMO Folder)	EMO Revenue and Expenditure Form	Certification of Completion must be completed in Epicenter. The amount of money received by the EMO and expenditures of the EMO relating to carrying out the contract. The report must be in a format approved by the Superintendent of Public Instruction. An EMO must provide the report to the school's governing body; the report need not be submitted to the schools' sponsor or NDE. <a href="#">NAC 386.405</a>
Aug 1 <sup>st</sup>	<u>Contact List</u>  Allyson Kellogg	Epicenter (Accountability Folder)	Contact List Template	Submit the completed Contact List Template into Epicenter.
Aug 20 <sup>th</sup>	<u>Annual Testing Calendar</u>  Joan Jurgensen	NDE, Epicenter (Testing & Assessment Folder)	No form provided	Submit the school's annual testing calendar to Epicenter and the Department of Education, Tom MacDiarmid at <a href="mailto:tmacdiarmid.doe.nv.gov">tmacdiarmid.doe.nv.gov</a> . <b>If a school has more than one campus this reporting requirement must be submitted for each campus.</b>
Sep 15 <sup>th</sup>	<u>Mckinney-Vento Attestation</u>  Kathy Robson	Epicenter (Accountability Folder)	Mckinney-Vento Attestation form	Attestation must be signed by the lead administrator and the school's Mckinney-Vento advocate.
Sep 15 <sup>th</sup>	<u>Mckinney-Vento Data Collection</u>  Kathy Robson	Epicenter (Accountability Folder)	Mckinney-Vento Data Collection form	Submit the Mckinney-Vento Data Collection form.

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Sep 15 <sup>th</sup>	<u>Distance Education Report</u>  Patrick Gavin	School Districts, Epicenter Certification of Completion (Accountability Folder)	No form provided	Certification of Completion must be completed in Epicenter. Written notice(s) required by <a href="#">NRS 388.846(2)</a> must be sent to school districts for all enrolled pupils prior to the pupil receiving services through the distance education program, whether on or off campus, regardless when the pupil enrolls and begins receiving educational services. (a) For Clark County School District pupils submit to Ruth Joseph, <a href="mailto:rajoseph@interact.ccsd.net">rajoseph@interact.ccsd.net</a> (b) For all other school districts submit to the district superintendent. <a href="#">NRS 388.846(2)</a>
Sep 15 <sup>th</sup>	<u>Authorization to Test Report</u>  Joan Jurgensen	On File at School, Epicenter (Testing & Assessment Folder)	Authorization to Test form	The designated form must be signed by the current school administrator. In order to participate in the Nevada Proficiency Testing, a completed 'Authorization for Private, Exempt and Other Non-District Affiliated Schools to Administer Tests in the Nevada Proficiency Examination Program' form must be submitted to Epicenter no later than September 15. <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>
Sep 15 <sup>th</sup>	<u>Discipline and Firearms Incidents Report</u>  Joan Jurgensen	Epicenter (Student Information Folder)	Discipline and Firearms Incident Report form and Discipline and Firearms Incident Definitions	Report will be considered complete and accurate on the receipt of a completed form containing all required data. N136: Discipline Incidents - Please indicate the student counts by incident type that resulted in a removal from a regular education program for at least an ENTIRE school day for discipline. N094, N086, and N163: Firearm Incidents and Discipline Methods. Please retain a copy in the school office. Gun-Free Schools Act (GSFA), Part A Subpart 3
Sep 15 <sup>th</sup>	<u>Written Notice Regarding Examinations</u>  Joan Jurgensen	On File at School, Epicenter Certification of Completion (Testing & Assessment Folder)	No form provided, NRS 389.620 guidelines	Certification of Completion must be completed in Epicenter. The governing body of each charter school shall provide a written notice regarding examinations to all teachers and educational personnel employed by the governing body who are involved in the administration of the examinations, all pupils who are required to take the examinations, and all parents and legal guardians of such pupils. The written notice must be prepared in a format that is easily understood and must include all elements described in NRS 389.620 subsection 4. <a href="#">NRS 389.620(4)</a>
Sep 30 <sup>th</sup>	<u>Establishment of the Committee for Crisis/Emergency</u>  Allyson Kellogg	Epicenter (Facility Management Folder)	No form provided	Submit documentation of the establishment of a development committee for crisis and emergency. <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Oct 5 <sup>th</sup>	<u>Test Security Plan</u> Joan Jurgensen	Epicenter (Testing & Assessment Folder)	Test Security Plan form and NRS 389.620 guidelines	Submit the Test Security Plan which must be consistent with both the State and District security plans and must include: the name of school, principal, and school year; names and titles of individuals responsible for carrying out the procedures of the School Test Security Plan; location of where test materials are stored; names and titles of individuals who have access to the secured testing materials; how, when, and where school personnel who administer tests to students are trained; procedures for the verification of the identity of secondary students participating in testing; procedures for collecting test materials from students after each testing session; procedures for collecting test materials from school personnel administering tests after each testing session; procedures for ordering and returning testing materials to vendor following each test administration; plan to address test security issues during an emergency situation; procedures for allowing additional testing time for students; procedures for ensuring compliance with student testing accommodation plans; and certification that computers are prepared for online testing. Accuracy is to be determined by the completeness of the plan. <a href="#">NAC 389.054</a> <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>
Oct 5 <sup>th</sup>	<u>Employee Information</u> Patrick Gavin	NDE, Epicenter (Staff Information Folder)	Employee Information Form	List of names and qualifications of all persons (licensed and non-licensed, instructional and non-instructional) who are or will be employed by the charter school. NOTE: This is not the information called for in the November 15, <a href="#">NRS 386.590(10)</a> report of licensed employees. Please provide for each employee, even if you've provided this information in the past for the employee: name, job title, duties, whether the person is "instructional" or "non-instructional" staff, educational credentials and field (for example, BS Ed., MBA, Associate Degree Administrative Assistant), including highest educational credential received (for example, high school diploma), If "instructional" (licensed or unlicensed), list all courses taught by the person, licensing/certification credentials, like licenses, certificates, etc., held by the employee (for example, Nevada teaching license). For licensed teachers and administrators, provide the license number, expiration date of license and all endorsements of the license. For unlicensed teachers who teach courses of study for which a teaching license is not required (like automobile technology), submit a copy of the degree, license or certificate in the field for which the person is employed to teach; and a resume indicating two years of experience in that field. <a href="#">NAC 386.350(3)</a>
Oct 5 <sup>th</sup>	<u>Income Verification Data</u> Allyson Kellogg	Epicenter (Financial Folder)	No form provided	Submit the school's income verification data report by pulling student level data from your school's student information system. The SPCSA will schedule income verification audits during the first two weeks of October.

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Oct 5 <sup>th</sup>	<u>Licensed Person Report</u> (Due the 2 <sup>nd</sup> Friday of October each year) Traci House	Epicenter (Staff Information Folder)	Licensed Person Report Template, Licensed Person Report – Highly Qualified and Assignment Info and Licensed Person Report Coding Reference Document	The report will be considered complete and accurate on the receipt of the required data being uploaded into Epicenter using the format outlined by NDE and there is no notification from the SPCSA of any problems. <a href="#">NRS 386.590(10)</a>
Nov 1 <sup>st</sup>	<u>Dissemination of the Nevada Report Card</u> Traci House	On File at School, Epicenter Certification of Completion (Accountability Folder)	No form provided	Certification of Completion must be completed in Epicenter. The school must publicly disseminate the Nevada Report Card to all parents of students attending the school in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand, and make the information widely available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies. <b>This report is not required of first year schools</b> , if the school is in its first year of operation submit a memo stating so. <a href="#">NRS 385.347</a> . ESEA Subpart I, Sec. 1111 (h)(2)(e).
Nov 1 <sup>st</sup>	<u>EMO Evaluation</u> Patrick Gavin	On File at School, Epicenter Certification of Completion (EMO Folder)	No form provided	Certification of Completion must be completed in Epicenter. If the school contracts with any corporation, business, organization or other entity to assist with the operation, management or provision and implementation of educational services and programs of the charter school; or if the school contracts with any corporation, business, organization or other entity that directly employs and provides personnel to the school; or if the employer of the school's personnel is some entity other than the school's governing body' or if, in order to receive Public Employee Retirement System payments, an employee of the school who has retired from public employment is employed through an entity other than the school; then the school, by definition ( <a href="#">NRS 386.562</a> ) contracts with an Educational Management Organization (EMO). If the school contracts with an EMO, the school shall evaluate the performance of the EMO. The school need not submit the evaluation to the schools' sponsor or to NDE. <b>This report is not required of first year schools</b> , if the school is in its first year of operation submit a memo stating so. <a href="#">NAC 386.405</a>
Nov 1 <sup>st</sup>	<u>Free &amp; Reduced Lunch Income Verification</u> Allyson Kellogg	Bighorn, On File at School, Epicenter (Financial Folder)	Certification of Free and Reduced Students from Bighorn	Submit into Epicenter the Certification of Free and Reduced Students form from the Nutrition tab in Bighorn for the current school year signed by the Charter School Executive Director or Designated Representative and the SAIN contact. Data is locked down annually as of Oct 1 <sup>st</sup> , adjustments are allowed until Oct 31 <sup>st</sup> . The verification is utilized to gain access to federal funding.

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Nov 1 <sup>st</sup>	<u>Plan for Progressive Discipline</u> Joan Jurgensen	Epicenter (Accountability Folder)	Progressive Discipline School Form	The designated form must be filled out in full, signed, and all applicable documents attached. Annual review and revision of Discipline plan and approval of plan by Governing Board must be submitted into Epicenter. The SPCSA will serve as the LEA for purposes of this report. <a href="#">NRS 392.464</a> & <a href="#">NRS 386.585</a>
Nov 1 <sup>st</sup>	<u>Report of Budget</u> Jessica Hoban	NDE, Epicenter (Financial Folder)	NDE will email	Schools will receive instructions from NDE for completing this report <b>This report is not due from first year schools</b> , if your school is in its first year of operation submit a memo stating so. <a href="#">NRS 387.303</a> [ <a href="#">NRS 386.600(1)(b-j)</a> ]
Nov 1 <sup>st</sup>	<u>Progress Toward Goals Report</u> Joan Jurgensen	LCB, NDE, Epicenter (Accountability Folder)	No form provided	A written description of the progress of the school in achieving the mission and goals of the school set forth in its application. Make sure that the mission and goals that you are reporting on are the mission/goals that are currently identified in your charter school application NOTE: There is a difference between this <a href="#">NRS 386.600(1) (a)</a> progress report and the <a href="#">NRS 386.610(1) (a)</a> progress report. The 386.600 report is an opportunity for the school to report on its progress toward attainment of its educational goals; the 386.610 report is an opportunity for the school's sponsor to report on the school's attainment of its educational goals. <a href="#">NRS 386.600(1)(a)</a>
Dec 1 <sup>st</sup>	<u>Annual Independent Audit Report</u> Jessica Hoban	LCB, NDE, Epicenter (Financial Folder)	No form provided	Submit to Sponsor the final independent audit report. <b>This report is not due from first year schools</b> , if your school is in its first year of operation submit a memo stating so <a href="#">NAC 387.775</a>
Jan 15 <sup>th</sup>	<u>School Performance Plan</u> Kathy Robson	LCB, NDE, Epicenter (Accountability Folder)	Forms located at: <a href="http://www.doe.nv.gov/SchoolImprovement/DistrictandSchoolPerformancePlanningResources/">http://www.doe.nv.gov/SchoolImprovement/District and School Performance Planning Resources/</a>	Submit the annual School Performance Plan. <a href="#">NRS 385.357</a>
Jan 15 <sup>th</sup>	<u>Crisis Response Management Plan</u> Allyson Kellogg	Nevada Dept. of Safety, Emergency Mgmt., Epicenter (Facilities Management Folder)	No form provided	Submit into Epicenter (a) documentation of the committee's yearly review (b) documentation of annual submittal to Department of Public Safety, Division of Emergency Management ( <a href="mailto:NDEPlanning@dps.state.nv.us">NDEPlanning@dps.state.nv.us</a> ) (c) crisis response management plan. Notification must be posted at the school showing the annual review to be complete (do not post the actual crisis response plan). NRS 392.624. <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>
Feb 1 <sup>st</sup>	<u>Capital Improvement Plan</u> Jessica Hoban	LCB, NDE, Epicenter (Financial Folder)	Capital Improvement Plan Form	The Capital Improvement Plan must be completed by all charters. This outlines the capital spending plans of all charters and is used in the budget process. <a href="#">NAC 387.700</a>
Mar 1 <sup>st</sup>	<u>NCES/F33 Report</u> Jessica Hoban	LCB, NDE, Epicenter (Financial Folder)	NDE will email	Submit the report per Federal requirements on NCES website. <b>This is not required of 1<sup>st</sup> year schools</b> , if your school is in its first year of operation submit a memo stating so.

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Mar 1 <sup>st</sup>	<u>Annual Emergency Drill Log</u> Allyson Kellogg	Epicenter (Facilities Management Folder)	No form provided	Provide detailed information on the schedule for conducting drills, including proper procedures to be followed in the event of a fire or other emergency with not more than three of those drills to include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters other than fire drills. There must be an Emergency drill logged each and every month. Of the monthly drills performed, there are more than three of those drills that include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters. These fire drills are conducted with the presence of the local fire department. They provided a signature as proof of their attendance. <a href="#">NRS 392.450</a> . <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>
Mar 1 <sup>st</sup>	<u>Perpetual Inventory</u> Allyson Kellogg	Epicenter (Financial Folder)	Inventory Template	Submit the current written inventory of equipment, supplies, and textbooks. Identify the source of money used to purchase each item. <a href="#">NAC 386.342(4)</a> , <a href="#">NAC 387.770</a>
Mar 1 <sup>st</sup>	<u>Immigrant Child Count</u> Kathy Robson	Epicenter (Student Information Folder)	Immigrant Child Count Form	To comply with the No Child Left Behind (NCLB) Act and to determine district's Immigrant Grant awards, submit your report/count of all Immigrant students enrolled in your school as of the school day March 3. The definition for "Immigrant Student" is as follows: (a) is of age three (3) through twenty one (21), (b) was not born in any State of the United States, (c) has not been attending one or more schools in any one or more States for more than three (3) full academic years. Note: that language has no bearing on being an immigrant student.



DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Mar 2 <sup>nd</sup>	<u>WiDA Access Transfer Document</u>  Joan Jurgensen	Epicenter (Testing & Assessment Folder)	WiDA Access Interschool Transfer Document	Please use the WiDA Access Interschool Transfer Document when transferring WiDA Access student test booklets between State Public Charter School Authority schools. Update the header on the transfer form to reflect your school's name and state testing id number (ex. Any Academy 18436). Any transferred WiDA Access materials must be hand delivered to the receiving school by school personnel who have read and signed the Agreement to Maintain Confidentiality form and have attended the mandatory Testing Security training. The documents must be received by school personnel who have read and signed the Agreement to Maintain Confidentiality form and have attended the mandatory Testing Security training. If no documents were transferred into or out of your school, write N/A on the form, scan, and submit. All students coded as ELL must complete the WiDA Access assessment during the designated testing window. Any student enrolling or transferring into your school at any time during this window that has not already completed the test must complete the assessment at your school. Any student transferring into your school during the testing window that has already completed the assessment at another school location does not need to retest. An Access Student Transfer Form will need to be completed and clipped to the front of the student's test booklet for return. Detailed directions are outlined on the student transfer form, which is attached to this email.
Apr 15 <sup>th</sup>	<u>Tentative Budget</u>  Jessica Hoban	NDE, Epicenter (Financial Folder)	Forms located at: <a href="http://www.doe.nv.gov/Topic/Charter_School_Resources/">http://www.doe.nv.gov/Topic/Charter_School_Resources/</a>	Submit tentative budget for the ensuing fiscal year to their governing body and Department of Education. <a href="#">NAC 387.720</a>
May 1 <sup>st</sup>	<u>Board Meeting Calendar</u>  Katie Higday	Epicenter (Board Meeting Information Folder)	No form provided	Submit a board approved board meeting calendar for the approaching school year. A minimum of one board meeting per quarter is required.
May 1 <sup>st</sup>	<u>Annual Asbestos Periodic Surveillance Log</u>  Allyson Kellogg	On file at school, Epicenter Certificate of Completion (Facilities Management Folder)	No form provided	Certification of Completion must be completed in Epicenter. The Annual Asbestos Periodic Surveillance Log is required by the Environmental Protection Agency. 40 CFR 763 Subpart E <a href="http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&amp;SID=e7325233e2080256dde59391dfb5ac6a&amp;n=40y32.0.1.1.19.2&amp;r=SUBPART&amp;ty=HTML">http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&amp;SID=e7325233e2080256dde59391dfb5ac6a&amp;n=40y32.0.1.1.19.2&amp;r=SUBPART&amp;ty=HTML</a> . <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
May 1 <sup>st</sup>	<u>Fire and Health Inspections</u> Allyson Kellogg	On file at school, Epicenter Certificate of Completion (Facilities Management Folder)	No form provided	Certification of Completion must be completed in Epicenter. <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>
Jun 8 <sup>th</sup>	<u>Final Budget</u> Jessica Hoban	LCB, NDE, Epicenter (Financial Folder)	Forms located at: <a href="http://www.doe.nv.gov/Topic/Charter_School_Resources/">http://www.doe.nv.gov/Topic/Charter_School_Resources/</a>	Adopt and submit a final budget for the ensuing fiscal year. <a href="#">NAC 387.725</a>
Jun 15 <sup>th</sup>	<u>Approved School Calendar</u> Traci House	Epicenter (School Calendar /Enrollment Folder)	NDE will email	Submit the schools calendar to Dana Embro ( <a href="mailto:dembro@doe.nv.gov">dembro@doe.nv.gov</a> ) by May 1 <sup>st</sup> and then submit the NDE approved school calendar for the approaching school year into Epicenter. <a href="#">NAC 387.120</a>
Jun 15 <sup>th</sup>	<u>Title II Plan Application</u> Kathy Robson	Epicenter (Title IIA Folder)	Title II Teacher Training Plan or Non-Participation Memo	Submit the schools Title II Teacher Training Plan Application or Non-Participation Memo.
Based on Board Meeting Calendar	<u>Board Meeting Agenda</u> Patrick Gavin	Authority Board, Anyone requesting notification, Epicenter (Board Meeting Information Folder)	No form provided	Charter school governing bodies (boards) must comply with the Nevada Open Meeting Law, including regarding notices/agendas of all meetings. See the Nevada Attorney General's Open Meeting Law Manual for details <a href="http://ag.nv.gov/About/Governmental_Affairs/OML/">http://ag.nv.gov/About/Governmental_Affairs/OML/</a> Notice/agendas must be sent to anyone who requests notification no fewer than 3 working days prior to the meeting, so they should be submitted to Epicenter within that time frame, regardless of the due date identified in Epicenter. Schools must also email the notices and agendas to the each of the seven State Public Charter School Authority Board members. The submission to Epicenter is to Authority staff; the email is to Authority Board members. Any other member of the public who wants to be noticed (that is, notified of meetings and provided agendas at least three working days prior to meetings) needs to contact the school directly to make that request, and then the school needs to provide the notice/agenda directly to that member of the public. Agendas and minutes must correlate item for item. Agendas must contain a clear and complete statement of topics to be considered at the meeting. All action items must be identified. An opportunity for public comment must be included. If any portion of the meeting will be closed to consider an individual, the name of the person must be provided. If the board must consider whether to take action against someone, the name of the person must be provided.

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Based on Board Meeting Calendar	<u>Board Meeting Draft and Final/Approved Minutes</u> Patrick Gavin	NDE, Epicenter (Board Meeting Information Folder)	No form provided	Boards must submit to Epicenter draft and final/approved minutes of all meetings pursuant to <a href="#">NAC 386.345(7) and (8)</a> . The timelines in the regulation must be complied with, regardless what due dates may be identified in Epicenter. They must not be later than 30 business days after each public meeting held by the governing body of a charter school pursuant to subsection 4 of <a href="#">NRS 386.549</a> , the governing body shall submit to the Department and to the sponsor of the charter school a copy of the minutes of the meeting. The minutes of each public meeting must be approved at the next meeting of the governing body and revised as necessary. If the minutes of a meeting have not been approved by the governing body when it submits the minutes pursuant to subsection 7, the governing body shall; submit a written statement, accompanying the minutes that are submitted pursuant to subsection 7, indicating that the minutes have not been approved and are subject to revision; and submit to the Department and the sponsor of the charter school a copy of the approved minutes not later than 10 days after such approval. Agendas and minutes must correlate item for item. The minutes must indicate the date, beginning and ending time, and place of the meeting. The minutes must indicate the members who were present and the members who were absent. The minutes must identify the substance of all matters proposed, discussed or decided. The names of the members making and seconding motions must be provided. A statement of whether or not the motion carried must be provided. Written minutes must be kept for both open and closed meetings. If not, provide a statement clarifying that the board has determined that the matters discussed still require confidentiality and that the person who was discussed has not consented to their disclosure.
Based on School Calendar	<u>Enrollment and Attendance Report</u> Traci House	NDE, Epicenter (School Calendar /Enrollment Folder)	Monthly Enrollment and Attendance Form	Monthly Enrollment and Attendance Reports for each of the ten school months. A charter school that submits this report shall, upon the request of its sponsor or a school district in which a pupil enrolled in the charter school resides, provide a copy of the report to the requestor.

DUE DATE	YEARLY REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Based on Expiration of Insurance	<u>Proof of Insurance - Affidavit of Insurance Coverage, Certificate of General Liability Insurance, and Certificate of Worker's Compensation, Special Education Insurance or \$25K Set-Aside</u>  Allyson Kellogg	Epicenter (Facilities Management Folder)	The forms can be found at: <a href="http://www.doe.nv.gov/Topic/Charter_School_Resources/">http://www.doe.nv.gov/Topic/Charter_School_Resources/</a>	<p>A Charter School shall obtain insurance from an authorized insurer and submit the certificate showing additional insured (SPCSA) including the additional insured form. <a href="#">NAC 386.215</a>. Industrial insurance coverage in accordance with the applicable provisions of the Nevada Industrial Insurance Act, chapters 616A to 616D, inclusive, of NRS, except as otherwise provided in subsection 2, general liability insurance with a minimum coverage of \$1,000,000. The general liability insurance policy must include coverage for molestation and sexual abuse, and have a broad form policy, with the named insured's as follows: the sponsor of the charter school; all employees of the charter school, including, without limitation, former, present and future employees; volunteers at the charter school; and directors of the charter school, including, without limitation, executive directors. Umbrella liability insurance with a minimum coverage of \$3,000,000. Educators' legal liability insurance with a minimum coverage of \$1,000,000. Employment practices liability insurance with a minimum coverage of \$1,000,000. Employment benefits liability insurance with a minimum coverage of \$1,000,000. Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000. If applicable, motor vehicle liability insurance with a minimum coverage of \$1,000,000. If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000. A charter school shall obtain proof of Special Education due process claim coverage in the form of a letter provided by an authorized insurance underwriter. If coverage is not obtained a letter of guarantee stating that \$25,000.00 has been set aside in lieu of coverage signed by both the governing body president and the lead administrator. The cost of insurance required by this subsection must be provided to the proposed sponsor by the authorized insurer and included in each budget submitted pursuant to subsection 4 of <a href="#">NAC 386.180</a>. <b>Note: general liability and workers compensation certificates must be submitted for all campuses, address for all campuses must be reflected in the "description of operations/location" section of the certificates.</b></p>

## SPECIAL EDUCATION REPORTING REQUIREMENTS 2015- 2016 MASTER CALENDAR

July	August	September
1 <sup>st</sup> <a href="#">Memorandum of Understanding</a>	31 <sup>st</sup> <a href="#">Aversive Intervention Video</a>	15 <sup>th</sup> <a href="#">OT/PT Report (odd years only)</a>
October	November	December
5 <sup>th</sup> <a href="#">ADM-11 Report – Proposed Units</a> 5 <sup>th</sup> <a href="#">Child Count Report</a> 5 <sup>th</sup> <a href="#">Child Count Verification Form</a> 5 <sup>th</sup> <a href="#">Statewide Shortage Data</a>		
January	February	March
15 <sup>th</sup> <a href="#">Special Education Semi-Annual Certification (fall semester)</a>	1 <sup>st</sup> <a href="#">Senior Exit Survey Data</a>	
April	May	June
	1 <sup>st</sup> <a href="#">ADM-11 Report – Actual Units</a>	15 <sup>th</sup> <a href="#">AB 56/Restraint Report</a> 15 <sup>th</sup> <a href="#">Special Education Semi-Annual Certification (spring semester)</a> 15 <sup>th</sup> <a href="#">AB 316 Report</a> 15 <sup>th</sup> <a href="#">Speech-Language Pathologist Data Table</a> 15 <sup>th</sup> <a href="#">Local Plan Data Tables (9 reports):</a> <a href="#">Child Identification Activities</a> <a href="#">Personnel</a> <a href="#">Disciplinary Removal</a> <a href="#">Supplemental Discipline Data</a> <a href="#">Early Intervening</a> <a href="#">Parentally Placed</a> <a href="#">Exiting</a> <a href="#">Excess Cost Computation</a> <a href="#">Submission of Assurances</a> 30 <sup>th</sup> <a href="#">Special Education Semi-Annual Certification (spring semester)</a>

**SPECIAL EDUCATION REPORTING REQUIREMENTS SPECIFICATIONS**

<b>DUE DATE</b>	<b>SPECIAL EDUCATION REPORTING REQUIREMENTS DOCUMENT</b>	<b>SUBMISSION</b>	<b>FORM</b>	<b>GUIDELINES</b>
Jun 30 <sup>th</sup> & Jan 15 <sup>th</sup>	<u>Special Education Semi-Annual Certification</u>  Angela Blair	Epicenter	Special Education Semi-Annual Certification form	See Below:
Submit the Special Education semi-annual certification for employees who have worked solely on a single Federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. OMB Circular A-87.				
Jun 15 <sup>th</sup>	<u>AB 56/Restraint Report</u> Instructions will be sent annually to the school.  Angela Blair	Epicenter	Special Education AB 56 Restraint Report Template and Special Education AB 56 Restraint Definitions	See Below:
In accordance with <a href="#">NRS 388.521-5315</a> , schools must prepare and submit a report that includes the following: 1. The number of instances in which physical restraint was used during the previous school year, which must indicate the number of instances per teacher and per pupil). 2. The number of instances in which mechanical restraint was used during the previous school year, which must indicate the number of instances per teacher and per pupil. 3. The number of violation of the statutes, by type of violation, which must indicate the number of violations per teacher and per pupil. The information gathered from each charter school on the school level template is compiled by the State Public Charter School Authority into one district report and submitted to the Nevada Department of Education (NDE). The district data obtained by NDE is then compiled to prepare a state report to be submitted by 10/1 to the following agencies: 1. In even-numbered years, the Director of the Legislative Counsel Bureau 2. In odd-numbered years, the Legislative Committee on Education. Templates #1 & #2 are provided as an example for the use of data collection at the school site level. Template #3 is a cumulative of templates #1 & #2.				
Jun 15 <sup>th</sup>	<u>AB 316 Report</u>  Angela Blair	Epicenter	Special Education AB316 Report Template	See Below:
For the current school year report how many total students are enrolled in the charter school that are known to have Autism Spectrum Disorder (primary or otherwise), the age of the student, and how many have an individualized education program (IEP).				
Jun 15 <sup>th</sup>	<u>Speech-Language Pathologist Data Table</u>  Angela Blair	Epicenter	Special Education Speech-Language Pathologist Data Table Report Template	See Below:
The Nevada Department of Education in collaboration with the NSHA Coalition to Address Personnel Shortages gathers information on the number of speech-language pathologists (SLPs) who hold either a bachelor's degree or a master's degree in speech pathology. Complete the data table concerning your contracted and employed speech therapists and their level of degrees.				
Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Child Identification Activities</u>  Angela Blair	Epicenter	Special Education Child Identification Report Template	See Below:

Child Identification Activities: Complete the name of the child find coordinator. Item 1: Indicating the number of separate activities, do not include the number of recipients or the number of multiple copies of the same item. Item 2: List the name of the agency and the approximate number of child identification related contacts with the agency during the year. Item 3: List the title or description of the materials developed and distributed. Use additional pages if the space provided on the form is inadequate. Item 4: Insert the total number of initial special education evaluations conducted or facilitated through the charter school. This number should include all persons evaluated, including preschool, school-aged and post-school individuals. Item 5: Of the individuals evaluated in Item 4, insert the number of those who were determined to have a disability. Item 6: Of the individuals, who were determined to be disabled in Item 5, insert the number of those receiving special education within the charter school program. Item 7: Of the students determined to be disabled in Item 5 but not placed within the charter school program, indicate the disposition of these cases by writing the number of persons placed in the options listed on the form. The sum of Items 6 and 7 should equal the number in Item 5. Do not include gifted and talented evaluations in this data. [NAC 388.294](#), [NAC 388.296](#)

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Personnel</u>  Angela Blair	Epicenter	Special Education Personnel Report Template	See below:
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Personnel: Using the Excel template, provide the number of full-time equivalent personnel employed and contracted to provide special education and related services on or about the child count date. The figures must include data from all agencies having responsibility for educating children with disabilities, including personnel employed by private agencies. Report personnel employed to serve students with disabilities ages 3-21 regardless of funding source (i.e., Part B of IDEA, State, or local). Do not count teachers and other instructional personnel who serve children from birth through age 2, unless they also serve children with disabilities ages 3 through 21. The number of personnel should be reported in full-time equivalency of assignment. That is, a part-time teacher working 4 hours per day (in a 6-hour school day) would be reported as .67 FTE. Decimals may be used. Place zero's (0) in categories where no personnel are employed. Section A is for reporting the number of FTE Special Education teachers contracted or employed to work with children who are receiving special education, according to whether or not the teachers are highly qualified. On the upper row, report teachers working with 3 through 5 year old children with disabilities. On the lower row, report teachers working with children ages 6 through 21. Special education teachers include teachers employed to provide special education to children with disabilities, including preschool teachers, itinerant/consulting teachers, and home/hospital teachers. This count should include teachers of children with disabilities in separate schools and facilities. Section B is for reporting the number of FTE Special Education paraprofessionals contracted or employed to work with children who are receiving special education, according to whether or not the teachers are qualified for the position held. On the upper row, report paraprofessionals who work with 3 through 5 year old children with disabilities. On the lower row, report paraprofessionals who work with children ages 6 through 21. Paraprofessionals are employees who provide instructional support, including those who: (1) provide one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher, (2) assist with classroom management, such as organizing instructional and other materials, (3) provide instructional assistance in a computer laboratory, (4) conduct parental involvement activities, (5) provide support in a library or media center, (6) act as a translator, or (7) provide instructional support services under the direct supervision of a teacher.1 Section C is for reporting the number of FTE related services personnel, by type of personnel contracted and employed to provide related services for children with disabilities ages 3-21, according to whether or not they are fully certified for the position held. Note that the number of speech-language pathologists employed has been included in this section. This report is not intended to be a comprehensive count of all types of personnel providing services to children with disabilities. Report only those personnel specified: Specific Instructions, Section A: Column (1) For teachers employed or contracted to provide special education and related services on or about the child count date, report the number of FTE teachers who meet the State standard of highly qualified\* for the position. \*Teachers reported as highly qualified must meet the State standard based on the definition of highly qualified in 20 U.S.C. Section 1401(10). If teachers who work with children ages 3 through 5 are not included in the State's definition of highly qualified, report these personnel as highly qualified if they meet the definition of fully certified provided in the instructions for Section C. Column (2) For teachers employed or contracted to provide special education and related services on or about the child count date, report the number of FTE teachers who do NOT meet the State standard for highly qualified for the position in which they are employed. Column (3) The numbers in columns (1) and (2) will be automatically calculated to obtain the total number of FTE special education teachers employed or contracted on or about the child count date. Do not enter numbers in this column. Specific Instructions, Section B: Column (1) For paraprofessionals employed or contracted to provide special education and related services on or about the child count date, report the number of FTE paraprofessionals who meet

the State standard of "qualified" for the position. If paraprofessionals are required to be "qualified" under State standards (as at Title I schools), and they are "qualified," report these paraprofessionals in column 1. If no State standards for "qualified" exist for the position in which they are employed, report the paraprofessionals as "qualified" in column 1. Column (2) For paraprofessionals employed or contracted to provide special education and related services on or about the child count date, report the number of FTE paraprofessionals who do NOT meet the State standard for qualified for the position in which they are employed. Column (3) The numbers in columns (1) and (2) will be automatically calculated to obtain the total number of FTE paraprofessionals employed or contracted on or about the child count date. Do not enter numbers in this column. Specific Instructions, Section C: Column (1) For personnel employed or contracted to provide related services on or about the child count date, report the number of FTE personnel who are considered fully certified for the position. This category includes: (a) personnel who hold appropriate State certification or licensure for the position held; and (b) personnel who hold positions for which no State requirements exist (i.e., no certification or licensure requirements). Column (2) For personnel employed or contracted to provide related services on or about the child count date, report the number of FTE personnel NOT fully certified. These persons, who may have been employed on an emergency, provisional, or other basis, should be reported in this column if they did not hold standard State certification or licensure for the position to which they were assigned, or if they did not meet other existing State requirements for the position. This includes long-term substitutes. Column (3) The numbers in columns (1) and (2) will be automatically calculated to obtain the total number of FTE related services personnel employed on or about the child count date. Do not enter numbers in this column. Rows (1)-(11) For each related services personnel category (rows 1-11), report the total number of FTE personnel employed to provide related services to children with disabilities ages 3-21, according to whether or not they are fully certified for the position held. Do not include personnel already accounted for in Sections A or B. All definitions included in section C are based on 34 CFR 300.34, unless otherwise noted. Row (1) Report an unduplicated count of the number of FTE audiologists who provide the following services to children with disabilities, or in evaluations for special education eligibility: (i) "Identification of children with hearing loss; (ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;(iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation; (iv) Creation and administration of programs for prevention of hearing loss; (v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and (vi) Determination of the children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification." Row (2) Report an unduplicated count of the number of FTE speech-language pathologists providing the following services to children with disabilities: (i) "Identification of children with speech or language impairments; (ii) Diagnosis and appraisal of specific speech or language impairments; (iii) Referral for medical or other professional attention necessary for the habilitation of speech or language impairments; (iv) Provision of speech and language services for the habilitation or prevention of communicative impairments; and (v) Counseling and guidance of parents, children, and teachers regarding speech and language impairments." Do not include speech teachers reported in Section B. Row (3) Report an unduplicated count of the number of FTE interpreters who provide services, as used with respect to children who are deaf or hard of hearing, including oral transliteration services, cued language transliteration services, and sign language interpreting services. Row (4) Report an unduplicated count of the number of FTE psychologists who provide the following services to children with disabilities: (i) "Administering psychological and educational tests, and other assessment procedures; (ii) Interpreting assessment results; (iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning; (iv) Consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, and behavioral evaluations; (v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and (vi) Assisting in developing positive behavioral intervention strategies." Note: For reporting psychologists whose service time is divided between students with disabilities and students in the general population, base the reported FTE on only the percentage of time the psychologist works specifically with students receiving (or being evaluated for) special education and related services. Row (5) Report an unduplicated count of the number of FTE occupational therapists who provide the following services to children with disabilities: (i) "Improving, developing or restoring functions impaired or lost through illness, injury, or deprivation; (ii) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and (iii) Preventing, through early intervention, initial or further impairment or loss of function." Row (6) Report an unduplicated count of the number of FTE physical therapists who provide the following services to children with disabilities: (i) Screening, evaluation, and assessment of children "... to identify movement dysfunction; (ii) Obtaining, interpreting, and integrating information appropriate to program planning to prevent, alleviate, or compensate for movement dysfunction and related functional problems; and (iii) Providing individual and group services or treatment to prevent, alleviate, or compensate for movement dysfunction and related functional problems." Row (7) Report an unduplicated count of the number of FTE physical education



teachers and recreation and therapeutic recreation specialists. Include physical education teachers who provide special physical education, adaptive physical education, movement education, or motor development to children and youth with disabilities. Include recreation and therapeutic recreation specialists who provide the following: (i) "Assessment of leisure function; (ii) Therapeutic recreation services; (iii) Recreation programs in schools and community agencies; and (iv) Leisure education." Row (8) Report an unduplicated count of the number of FTE social workers who provide the following services to children with disabilities: (i) "Preparing a social or developmental history on a child with a disability; (ii) Group and individual counseling with the child and family; (iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school; (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and (v) Assisting in developing positive behavioral intervention strategies." Note: For reporting social workers, whose service time is divided between students with disabilities and students in the general population, base the reported FTE on only the percentage of time the social worker works specifically with students receiving special education and related services. Row (9) Report an unduplicated count of the number of FTE personnel providing medical/nursing services. Include medical services for diagnostic and evaluation purposes provided to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. Also include personnel who provide nursing services designed to enable a child with a disability to receive FAPE as described in the child's IEP, with the exception of services related to medical devices that are surgically implanted (e.g., cochlear implants). Row (10) Report an unduplicated count of the number of FTE counselors and rehabilitation counselors. Counselors are professionals who guide "individuals, families, groups, and communities by assisting them in problem solving, decision making, discovering meaning, and articulating goals related to personal, educational and career development." Note: For reporting counselors, whose service time is divided between students with disabilities and students in the general population, base the reported FTE on only the percentage of time the counselor works specifically with students receiving special education and related services. Include rehabilitation counselors who provide services in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with disabilities by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended. Row (11) Report an unduplicated count of the number of FTE personnel providing orientation and mobility services including: (i) "Services provided to blind or visually impaired students to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community;" and (ii) Teaching students the following, as appropriate: (A) "Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street); (B) To use the long cane to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision; (C) To understand and use remaining vision and distance low vision aids; and (D) Other concepts, techniques, and tools."

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Disciplinary Removal</u>  Angela Blair	Epicenter	Special Education Disciplinary Removal Template and Special Education Disciplinary Removal Data Definitions	See below:
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**Disciplinary Removal:** Provide student-level removal data on Excel template in accordance with instructions provided with template. Date of birth and district student identification numbers are required. (1) Student Name: Last, First (2) District Student ID#: Use the district identification number assigned to the student. (3) Date of Birth (4) Disability Code: Use the same disability codes used for child count. (5) Ethnicity Code: Use two-digit code (See "Codes" tab in this workbook.) (6) Gender: Indicate "M" (Male) or "F" (Female). (7) LEP: Limited English Proficient - Indicate "LEP" or "NLEP" as used in child count. (8) Type of Removal -- Choose one of the following: IAES-SP = unilateral removal to IAES under School Personnel authority to remove the student for up to 45 school days for conduct involving drugs, weapons, and/or infliction of serious bodily injury; IAES-HO = removal to an IAES for up to 45 school days based on Due Process Hearing Officer determination of likely injury to self or others; OS = out-of-school suspensions where student was temporarily removed from school to another setting; or IS = in-school suspensions where student was temporarily removed from the classroom but remained under the direct supervision of school personnel. (9) Date Removal Commenced: Enter the first day of this removal. (Each removal is entered separately) (10) Duration: Enter the number of days (may be entered in fractions of a school day if available) the student was removed. (11) Basis for IAES-SP Removal: If the removal was to an IAES under school personnel authority (IAES-SP), indicate the conduct (Drugs, Weapons, and/or Serious Bodily Injury) for which student was removed. Indicate "Y" in applicable column(s). (NOTE: This column is only required if the removal was coded as IAES-SP in column 6.) DO NOT complete this column unless the removal in Column 6 was IAES-SP. (12) Expulsion: Enter "Y" or "N" to indicate whether student was expelled (prohibited from returning to regular school campus) in conjunction with this removal. (13) Services During Expulsion: If the student was expelled, enter "Y" or "N" to indicate whether services were provided during the expulsion. Leave blank if the student was not expelled. (14) State School Code: Enter the five digit school code.

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Supplemental Discipline Data</u> Angela Blair	Epicenter	Special Education Supplemental Discipline Data Report Template	See below:
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**Supplemental Discipline Data:** (1) During the school year, provide the unduplicated number of children, ages 3 through 21, without disabilities in grades K through 12 who were expelled from their regular school for disciplinary purposes with and without the provision of educational services for the remainder of the school year or longer. (2) Provide the number who received services. (3) Complete the supplemental discipline data table on Excel.

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Early Intervening Services</u> Angela Blair	Epicenter	Special Education Early Intervening Services Report Template	See below:
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Early Intervening Services: The purpose of this form is to collect data from schools regarding the use of IDEA funds for Early Intervening Services (EIS). The statutory authority for this data collection can be found in IDEA 2004 (20 USC 1413 (f)). In general, schools using IDEA funds must report annually to the state the number of students who received EIS services; and, the number of students who received EIS services and subsequently receive special education and related services during the two-year period after receiving EIS. You may only use federal funds for EIS if you “met requirements” in your most recent Report Card under the SPP/APR requirements. The Report Card issued in May each year controls whether a school may use federal funds for EIS in the following school year. To assist in understanding this data collection, consider the following: 1. Did your school use IDEA funds for Early Intervening Services (EIS) during the current school year? EIS can include “professional development (which may be provided by entities other than local educational agencies) for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction” (20 USC 1413 (f)(2)). If your school used IDEA funds (up to 15%) for EIS, please select “Yes” and continue on to #2. If your school district did not do this, please select “No.”\_2. How many students received EIS paid for with IDEA funds during the current school year? Please enter the total number of students who received EIS paid for with IDEA funds during the current school year. Schools may provide EIS to “students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3) who have not been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment” (20 USC 1413 (f)(1)). 3. How many students were found eligible for special education during the current school year who: a. Received EIS paid for with IDEA funds during the current school year? Please enter the total number of students who received EIS in the current school year who were subsequently identified as eligible for special education and related services during the current school year. b. Received EIS paid for with IDEA funds during the prior school year? Please enter the total number of students who received EIS in the prior school year who were subsequently identified as eligible for special education and related services during the current school year. c. Received EIS paid for with IDEA funds during the year before the prior school year? Please enter the total number of students who received EIS in the year before the prior school year who were subsequently identified as eligible for special education and related services during the current school year.

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Parentally Placed Students</u>  Angela Blair	Epicenter	Special Education Parentally Placed Student Report Template	See below:
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Parentally Placed Students: Section A. Enter the number of parentally-placed private school students who were evaluated (A.1), found eligible (A.2), and provided services through a Services Plan during the current school year (A.3). Provide the total number of parentally-placed private school students with disabilities located in the school during the current school year as of the date the school used to count such students for purposes of calculating the proportionate share of federal funding to be spent on services for some or all of these students (A.4). Section B. Enter the number of home-schooled students who were evaluated (B.1), found eligible (B.2), and provided services through a Services Plan during the current school year (B.3). Provide the total number of home-schooled students with disabilities located in the school during the current school year as of the date the district used to count such students for purposes of calculating the proportionate share of federal funding to be spent on services for some or all of these students (B.4).

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Exiting</u>  Angela Blair	Epicenter	Special Education Exiting Report Template and Special Education Exiting Data Definitions	See below:
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**Exiting:** On the Excel template provide an unduplicated list of all children and youth with disabilities by age ( only students ages 14–21 are reported, age is calculated as of the most current count date Oct 1<sup>st</sup> of each year), date of birth, disability category, race/ethnicity, gender, and Limited English proficiency (LEP) status, who were in special education at the start of the reporting period, but were not in special education at the end of the reporting period, from July 1 to June 30. The age of the student should reflect his/her age in years on the date of the most recent child count prior to the child’s exiting, not at time of exit. Data collection period: July 1 through June 30. On the Excel template provide an unduplicated list of all children and youth with disabilities, by age, date of birth, disability category, race/ethnicity, gender, and Limited English proficiency (LEP) status, which were in special education at the start of the reporting period, but were not in special education at the end of the reporting period, from 7/1-6/30. The age of the student should reflect his/her age in years on the date of the most recent child count prior to the child's exiting, not at time of exit. The student's identification number is required.

Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Excess Cost Computation</u>  Angela Blair	Epicenter	Special Education Excess Cost Computation Template	See Below:
<b>Excess Cost Computation:</b> 1. Table 5A is for the cost of educating the elementary-age population. Table 5B is for the secondary-age population. 2. Item VII must be zero or a negative number in order for the requirement to be fulfilled.				
Jun 15 <sup>th</sup>	<u>Local Data Plan Tables – Submission of Assurances</u>  Angela Blair	Epicenter	Special Education Submission of Assurances Template	Submit Annually
Jul 1 <sup>st</sup>	<u>Memorandum of Understanding</u>  Angela Blair	Epicenter	Form will be emailed	Submit the Memorandum of Understanding signed by both the board president and the lead administrator.
Aug 31 <sup>st</sup>	<u>Aversive Intervention Video</u>  Angela Blair	Epicenter	Aversive Intervention Sign-In Sheet, AB56/280 Updated Reporting Procedures, NRS 388.521-388.5317 Reference Document, Aversive Intervention Technical Assistance Document	Submit the Aversive Intervention Sign-In Sheet. The Aversive Intervention DVD will be mailed to each school. At the beginning of each school year show the 8 ½ minute DVD on Aversive Intervention to each staff member that will come into contact with students whether in a brick and mortar or virtual environment. The staff who viewed the DVD must sign the Aversive Intervention Sign-In sheet. <a href="#">NRS 388.521-388.5317</a>
Sep 15 <sup>th</sup>	<u>OT/PT Report</u> (Odd number years only, e.g., 2015, 2017, etc.)  Angela Blair	Posted to School Website, Epicenter	Special Education OT/PT Report Template and Special Education OT/PT NAC Requirement	<a href="#">NRS 385.080</a> , <a href="#">388.492</a> , <a href="#">388.493</a> , <a href="#">388.520</a> , <a href="#">NAC 388.297</a>
Oct 5 <sup>th</sup> and May 1 <sup>st</sup>	<u>ADM-11 Report – Proposed &amp; Actual Units and Alternative Route to Certification (if applicable)</u>  Angela Blair	Epicenter	Special Education ADM 11 Report Template and Special Education Alternative Route to Certification Template	See below:

The ADM 11 is used to verify special education units in operation for the current school year. A special education unit is an organized unit of special education and related services which includes full-time services of persons licensed by the superintendent of public instruction or other appropriate licensing body, providing a program of instruction in accordance with minimum standards prescribed by the state board. The box must be checked for either the 'proposed units' (report due Oct 1st) or the 'actual units' (report due May 1st). Complete the ADM-11 form for all special education personnel that you operate within each funding source. NOTE: the number of special education personnel reported on the ADM-11 must match the number of Discretionary Units your school was awarded. Specifically, you must provide the following information: (1) The name of the special education staff. (2) Employee license number. (3) The location of the program (school site). (4) The current caseload count for the program (unit) they are teaching. (5) Amount of Full Time Equivalent (FTE) (6) The date the program starts and (7) ends. (8) The program purpose (specify disability area of the majority of the students served). (9) The license and endorsements held by the employee. (10) Whether or not the employee's salary is supported with State Funded Special Education Discretionary Units. In view of the fact that you may utilize a unit for a related service provider licensed by a body other than the Department of Education, it will be necessary to attach a copy of the specific license for those individuals you wish to fund under the state unit. In addition, if you have teachers who do not have the requisite licensure under NAC 391 who is working in special education programs pursuant to the three-year special education alternative route to certification (i.e. options program), you must provide the necessary notice for each teacher which is provided in Epicenter. Those teachers working under the options program must be entered into NV SEARS no later than May 1st. Please be advised that in light of requirements set forth in the No Child Left Behind Act and clarified through the reauthorization of the Individuals with Disabilities Education Act, specific requirements exist relative to the submission of these data and for accountability measures relative to ensuring that teachers meet these requirements. These requirements include ensuring that a three year individualized professional development plan is in place and adhering to expectations regarding the timeline in which coursework will be completed. The Authority recommends schools annually monitor each ARC teacher's progress toward completion of the plan, since the school is required to ensure that all ARC teachers: 1.Receive high-quality professional development that is sustained, intensive, and classroom focused before and while teaching; 2.Participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher-mentoring program; 3.Assume functions as a teacher only for a specified period of time not to exceed three years; and 4 Demonstrate satisfactory progress toward full certification as prescribed by the State.

Oct 5 <sup>th</sup>	<u>Child Count Report and Child Count Verification Form</u>  Angela Blair	Epicenter	Special Education Child Count Report Template and Special Education Child Count Verification Form	See below:
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The electronic report must be sent password protected and the password provided in a separate email. All children with disabilities receiving special education and related services (or special education services only) according to an IEP or a service plan in place on the count date must be included in column one under NAME without being duplicated. Every student's date of birth must be provided in column two under DOB in M/D/YYYY format. Every student's primary disability (or under the category of multiple impairment, if that category applies) must be listed under column three under DISABILITY (e.g. LD, DD, AU, AH, DB, TB, OI, HI, MU, SL, ME, VH, EH). Every student's placement code must be provided under column four under PLACEMENT. Every student's grade level (PK-12) must be provided in column five under GRADE. Every student's age must be provided in column six under AGE. Every student's school name must be provided in column seven under SCHOOL NAME. Every student's school code must be provided in column eight under STATE SCHOOL CODE. Every student's ethnicity code (American Indian or Alaskan Native=I7, Asian=A7, Black or African American=B7, Hispanic or Latino=H7, Native Hawaiian or Other Pacific Islander=P7, White=W7, and two or more races=M7) must be provided in column nine under ETHNICITY. Every student's gender must be provided as either "M" or "F" in column ten under GENDER. Every student's Limited English Proficiency (LEP) status must be provided in column eleven under LEP as either "NLEP" or "LEP". Every student's district of residence must be provided as 01-17, (as applicable) in the column under DOR. Gifted and Talented (GT) students should be counted on a separate page and NOT included on the same page with special education students. [NAC 388.294](#), [NAC 388.296](#).

Oct 5 <sup>th</sup>	<u>Statewide Shortage Data</u>  Angela Blair	Epicenter	Special Education Statewide Shortage Data Form	See Below:
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The Statewide Shortage Data Request, which includes one data table for shortages in academic/content areas and another data table for information on Special Education and Related Service Providers as well as shortage information. This collected data information will be used to complete the written documentation required by the U.S. Department of Education (USDOE) in order to submit Nevada's "teacher shortage area" proposal for designation by the U.S. Department of Education (USDOE).

Feb 1 <sup>st</sup>	<u>Senior Exit Survey Data / SEARS Program</u>  Only for schools who offer 12 <sup>th</sup> grade.  Angela Blair	Special Education Audit Reporting System (SEARS), Epicenter Certificate of Completion	No form provided	Certification of Completion must be completed in Epicenter. <b>Only for schools who offer 12<sup>th</sup> grade.</b>
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## TITLE I REPORTING REQUIREMENTS 2015- 2016 MASTER CALENDAR

July	August	September
		15 <sup>th</sup> <a href="#">Notification of Non-Highly Qualified Personnel</a> 15 <sup>th</sup> <a href="#">Parents Right to Know Qualification Notice</a>
October	November	December
5 <sup>th</sup> <a href="#">Paraprofessional Listing</a> 5 <sup>th</sup> <a href="#">Parent Involvement Checklist and Policy</a> <sup>®</sup> 5 <sup>th</sup> <a href="#">Educational Involvement Accord/Compact</a> <sup>®</sup> 5 <sup>th</sup> <a href="#">Annual Title I Meeting</a> 5 <sup>th</sup> <a href="#">Staff Schedules</a> 5 <sup>th</sup> <a href="#">Nevada State Performance Framework Notification</a> 5 <sup>th</sup> <a href="#">School Performance Plan Consultation Narrative</a> 5 <sup>th</sup> <a href="#">Parent Involvement Activity Calendar</a>		5 <sup>th</sup> <a href="#">Educational Family Events</a> 5 <sup>th</sup> <a href="#">Professional Development</a>
January	February	March
15 <sup>th</sup> <a href="#">Title I Semi-Annual Certification (fall semester)</a>		
April	May	June
	5 <sup>th</sup> <a href="#">Educational Family Events</a> 5 <sup>th</sup> <a href="#">Professional Development</a>	15 <sup>th</sup> <a href="#">School Performance Plan – Title I Draft</a> 15 <sup>th</sup> <a href="#">Title I School Budget</a> 30 <sup>th</sup> <a href="#">Title I Data Collection Form</a> 30 <sup>th</sup> <a href="#">Title I Semi-Annual Certification (spring semester)</a> <sup>®</sup>

**Notes:** 1. It is the responsibility of the Charter School to ensure that all Title I documents, regardless of submission; are kept on file at the school for auditing purposes

## TITLE I REPORTING REQUIREMENTS SPECIFICATIONS

DUE DATE	TITLE I REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Jun 15 <sup>th</sup>	<u>School Performance Plan Title I – Draft</u> Kathy Robson	Epicenter	Forms located at: <a href="http://www.doe.nv.gov/SchoolImprovement/District_and_School_Performance_Planning_Resources/">http://www.doe.nv.gov/SchoolImprovement/District_and_School_Performance_Planning_Resources/</a>	Submit the annual School Performance Plan Title I – Draft version.
Jun 15 <sup>th</sup>	<u>Title I School Budget</u> Kathy Robson	Epicenter	Form will be emailed	Submit the Title I school budget for the following school year. If a budget and plan is not approved by the SPCSA any requests for funding or reimbursement will be denied. Opportunity to amend 3 (three) times.
Jun 30 <sup>th</sup> & Jan 1 <sup>st</sup>	<u>Title I Semi-Annual Certification</u> Kathy Robson	Epicenter	Title I Semi-Annual Certification form	Submit the semi-annual certification for employees who have worked solely on a single Federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. OMB Circular A-87.
Jun 30 <sup>th</sup>	<u>Title I Data Collection Form</u> Kathy Robson	Epicenter	Title I Data Collection Form	Submit the annual Title I Data Collection Form.
Sep 15 <sup>th</sup>	<u>Notification of Non-Highly Qualified Personnel</u> Kathy Robson	Epicenter	Title I Notification of Non-Highly Qualified Personnel Letter Template	Submit a copy of the Notification of Non-Highly Qualified Personnel letter. Schools shall provide timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified. The notice and information provided to parents shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. ESEA Subpart 1, Sec. 1111 (h)(6)(b)(ii)
Sep 15 <sup>th</sup>	<u>Parents Right to Know Qualification Notice</u> Kathy Robson	Epicenter	Title I Parents Right to Know Qualifications Letter Template	Submit a copy of the Parents Right to Know Qualifications letter. At the beginning of each school year, a school that receives Title I funding shall notify the parents of each student attending the school that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following: (i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction. (ii) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived. (iii) The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree. (iv) Whether the child is provided services by paraprofessionals and, if so, their qualifications. Letters must be dated, a Parents Right to Know Qualifications form template is provided in Epicenter. ESEA Subpart 1, Sec. 1118(6) (a)



Oct 5 <sup>th</sup>	<u>Paraprofessional Listing</u>  Kathy Robson	Epicenter	Title I Paraprofessional Listing form	Submit the annual paraprofessional listing spreadsheet. All paraprofessionals must be under the direct supervision of a highly qualified teacher and must have one of the following: (a) associates degree or higher (b) 60 college credits (c) a test score of at least 470.
Oct 5 <sup>th</sup>	<u>Parent Involvement Checklist and Policy</u>  Kathy Robson	Epicenter	Title I Parent Involvement Checklist	Submit the Parent Involvement Policy Checklist, the Parent Involvement Policy that has been established at your school, agenda(s), sign-in sheet(s), and proof that opportunities for feedback were provided to parents. The Parent Involvement Policy must be reviewed and if applicable revised annually, revision date must be included.
Oct 5 <sup>th</sup>	<u>Educational Involvement Accord/Compact</u>  Kathy Robson	Epicenter	Title I Educational Involvement Accord/Compact form	Submit the Educational Involvement Accord/Compact, agenda(s), sign-in sheet(s), and proof that opportunities for feedback were provided to parents. The Educational Involvement Accord/Compact must be reviewed and if applicable revised annually, revision date must be included.
Oct 5 <sup>th</sup>	<u>Nevada State Performance Plan Notification</u>  Kathy Robson	Epicenter	Title I Nevada State Performance Framework Notification Letter Template	Submit a copy of the notification letter. The school shall promptly provide to the parents (in a format and, to the extent practicable, in a language the parents can understand) of each student enrolled in a school the results of the Nevada State Performance Framework ratings and, if the agency is identified for improvement, the reasons for that identification and how parents can participate in upgrading the quality of the local educational agency. A Nevada State Performance Framework Notification template is provided in Epicenter. ESEA Subpart 1, Sec. 1116 (b)(6) <b>Please note that this requirement is suspended during the 2015-2016 school year due to the Nevada State Star Rating Freeze.</b>
Oct 5 <sup>th</sup>	<u>Annual Title I Meeting</u>  Kathy Robson	Epicenter	No form provided	Submit a copy of the agenda and the original sign-in sheets. The meeting must adhere to the following guidelines: (a) convene at a convenient time, (b) to which all parents of participating children shall be invited and encouraged to attend, (c) to inform parents of their school's participation and to explain the requirements, and the right of the parents to be involved. The meeting is to be held separately from the Open House event. ESEA Subpart I, Sec. III8 (c)(1)
Oct 5 <sup>th</sup>	<u>Staff Schedules</u>  Kathy Robson	Epicenter	No form provided	Submit the staff schedules for all Title I funded personnel.
Oct 5 <sup>th</sup>	<u>School Performance Plan Consultation Narrative</u>  Kathy Robson	Epicenter	No form provided	Submit a brief narrative describing the process of consulting parents, community members, school staff, and students (high school only) regarding the school performance plan.

Oct 5 <sup>th</sup>	<u>Parent Involvement Activity Calendar</u>  Kathy Robson	Epicenter	No form provided	Submit the calendar of all parent involvement activities for the current school year. Ensure that all parent involvement information (agendas, sign-in sheets, etc.) are readily available at the school.
Dec 5 <sup>th</sup>	<u>Educational Family Events</u>  Kathy Robson	Epicenter	No form provided	Submit documentation of all educational family events from August 1st to November 30 <sup>th</sup> of the current school year. Documentation can be items such as flyers, agendas, sign-in sheets, handouts, etc.
Dec 5 <sup>th</sup>	<u>Professional Development</u>  Kathy Robson	Epicenter	No form provided	Submit documentation of all professional development from August 1st to November 30 <sup>th</sup> of the current school year. Documentation can be items such as flyers, agendas, sign-in sheets, handouts, etc.
May 5 <sup>th</sup>	<u>Educational Family Events</u>  Kathy Robson	Epicenter	No form provided	Submit documentation of all educational family events from December 1st to April 30 <sup>th</sup> of the current school year. Documentation can be items such as flyers, agendas, sign-in sheets, handouts, etc.
May 5 <sup>th</sup>	<u>Professional Development</u>  Kathy Robson	Epicenter	No form provided	Submit documentation of all professional development from December 1st to April 30 <sup>th</sup> of the current school year. Documentation can be items such as flyers, agendas, sign-in sheets, handouts, etc.

## TITLE III REPORTING REQUIREMENTS 2015-2016 MASTER CALENDAR

July	August	September
		15 <sup>th</sup> <a href="#">Title III Attestation of Compliance</a>
October	November	December
		1 <sup>st</sup> <a href="#">ELL Plan/Policy</a>
January	February	March
15 <sup>th</sup> <a href="#">Program Evaluation</a>		
April	May	June
		15 <sup>th</sup> <a href="#">Title III Data Collection Form</a> 15 <sup>th</sup> <a href="#">Title III ELL Plan Application</a> 15 <sup>th</sup> <a href="#">Title III Immigrant Plan Application</a>

- Notes:**
1. It is the responsibility of the Charter School to ensure that all Title I documents, regardless of submission; are kept on file at the school for auditing purposes
  2. If a school has more than one campus the document/report in bold must be submitted for each campus.

### TITLE III REPORTING REQUIREMENTS SPECIFICATIONS

DUE DATE	TITLE I REPORTING REQUIREMENTS DOCUMENT	SUBMISSION	FORM	GUIDELINES
Sept 15 <sup>th</sup>	<u>Title III Attestation of Compliance</u> Kathy Robson	Epicenter	Title III Attestation of Compliance Form	Submit the Title III Attestation of Compliance form signed by the lead administrator.
Dec 1 <sup>st</sup>	<u>ELL Plan/Policy</u> Kathy Robson	Epicenter	No Form Provided	Submit the schools ELL Plan/Policy as one document that includes all campuses the school may have.
Jan 15 <sup>th</sup>	<u>Program Evaluation</u> Kathy Robson	Epicenter	Title III Program Evaluation Form	Submit the annual Title III Program Evaluation form. <b><i>If a school has more than one campus this reporting requirement must be submitted for each campus.</i></b>
Jun 15 <sup>th</sup>	<u>Title III Data Collection Form</u> Kathy Robson	Epicenter	Title III Data Collection Form	Submit the annual Title III Data Collection form.
Jun 15 <sup>th</sup>	<u>Title III ELL Plan Application</u> Kathy Robson	Epicenter	Title III ELL Plan Application or Non-Participation Memo	Submit the Title III ELL Plan Application or Non-Participation Memo.
Jun 15 <sup>th</sup>	<u>Title III Immigrant Plan Application</u> Kathy Robson	Epicenter	Title III Immigrant Plan Application or Non-Participation Memo	Submit the Title III Immigrant Plan Application or Non-Participation Memo.

## NEVADA ADMINISTRATIVE CODE REFERENCE

### NAC 386.090 Committee to form charter school and governing body: Interpretation of statutory qualification for membership. (NRS 386.520, 386.540, 386.549)

As used in subsection 4 of NRS 386.520 and subsection 5 of NRS 386.549, the Department will interpret the term “2 years of experience as an employed teacher” to mean 2 years of experience as an employed teacher in any state in a position for which a teaching license is required. (Added to NAC by Dep’t of Education by R193-01, eff. 4-1-2002)

### NAC 386.140 Application to form charter school: Inclusion of information regarding facility, personnel and equipment. (NRS 386.520, 386.540)

In addition to the items required pursuant to subsection 2 of NRS 386.520, an application submitted to the Department pursuant to that subsection by a committee to form a charter school must also include certain information regarding the facility, personnel and equipment of the proposed charter school, including, without limitation:

1. The name of the proposed charter school.
2. If the facility that the charter school will occupy exists at the time of application and is suitable for use by the charter school, but is not owned by the school district in which the charter school will be located:
  - (a) The address of the charter school;
  - (b) The type of facility that the charter school will occupy;
  - (c) A floor plan of the facility that the charter school will occupy, including a notation of the size of the facility which is set forth in square feet;
  - (d) The name and address of the owner of the facility that the charter school will occupy;
  - (e) If the facility that the charter school will occupy will be leased or rented, a copy of the proposed lease or rental agreement;
  - (f) If available at the time that the application is submitted, a copy of the certificate of occupancy for the facility; and
  - (g) Documentation which demonstrates that the committee has obtained the insurance required by NAC 386.215 and that the proposed sponsor of the charter school is satisfied with the type and amount of insurance or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (l) of subsection 1 of NRS 386.550.
3. If the facility that the charter school will occupy is, at the time of application, being used as a public school, the name and location of that school and documentation which:
  - (a) Sets forth the specific days and times during which the charter school is authorized to use the facility.
  - (b) Demonstrates that the committee has obtained the insurance required by NAC 386.215 and that the proposed sponsor of the charter school is satisfied with the type and amount of insurance or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (l) of subsection 1 of NRS 386.550.
4. If the proposed charter school has not obtained a suitable facility, personnel or equipment:
  - (a) A statement in writing describing why the proposed charter school has not obtained a suitable facility, personnel or equipment;
  - (b) A plan for obtaining a suitable facility, personnel or equipment, including, without limitation, as applicable:
    - (1) A statement in writing that explains whether an existing facility will be remodeled or a new facility will be built; and
    - (2) A schedule for completing or obtaining a suitable facility, personnel and equipment, including, without limitation, if applicable, a description of and time schedule for any plan to raise funds for completing or obtaining the facility, personnel and equipment;
  - (c) The date on which it is anticipated that the charter school will open;
  - d) A description of the equipment that will be used at the charter school, including, without limitation:
    - (1) Office furniture and equipment;
    - (2) Computer equipment;
    - (3) Musical instruments;
    - (4) Equipment to be used in a machinery shop; and
    - (5) Supplies and other items necessary for the use of equipment described in this paragraph;
  - (e) A written estimate, prepared by an authorized insurer, of the cost of obtaining insurance required by NAC 386.215 and documentation which demonstrates that the proposed sponsor of the charter school is satisfied with the type and amount of insurance provided for in the written estimate or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (l) of subsection 1 of NRS 386.550; and

(f) If applicable, evidence in writing that the acceptance of the application by the proposed sponsor of the charter school is necessary to obtain a facility, equipment or personnel. (Added to NAC by Dep't of Education by R196-97, eff. 3-13-98; A by R045-98, 5-29-98; R163-99, 2-2-2000; R193-01, 4-1-2002; R044-05, 10-31-2005)

NAC 386.170 Application to form charter school: Inclusion of information regarding issues of health and safety. (NRS 386.520, 386.540)

In addition to the items required pursuant to subsection 2 of NRS 386.520, an application submitted to the Department pursuant to that subsection by a committee to form a charter school must also include certain information regarding issues of health and safety that affect the proposed charter school, including, without limitation:

1. A description of the manner in which pupils will be transported to the proposed charter school, including, without limitation, the details of any contract that the charter school has entered into pursuant to subsection 1 of NRS 386.560 for the transportation of pupils and the details of any plan developed in consultation with the parents and guardians of pupils for the transportation of pupils.
2. Descriptions of the manner in which the proposed charter school will:
  - (a) Provide health services to pupils, including, without limitation, the details of any contract that the charter school has entered into pursuant to subsection 1 of NRS 386.560 for the provision of health services to pupils; and
  - (b) Maintain records related to the immunization of pupils that is required pursuant to NRS 392.435 to ensure that pupils are immunized in a timely manner.
3. Unless the facility that the proposed charter school will occupy is a public school, documents which indicate to the satisfaction of the Department that the facility which the charter school will occupy has been inspected and meets the requirements of any applicable building codes, codes for the prevention of fire, and codes pertaining to safety, health and sanitation.
4. Evidence which demonstrates to the satisfaction of the Department that the committee has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act of 1970, as amended.
5. A description of the procedures that will be used to provide drills for the pupils in the charter school to instruct those pupils in the appropriate procedures to be followed in the event of a fire or other emergency. (Added to NAC by Dep't of Education by R196-97, eff. 3-13-98; A by R163-99, 2-2-2000)

NAC 386.180 Application to form charter school: Inclusion of certain miscellaneous information. (NRS 386.520, 386.540)

In addition to the items required pursuant to subsection 2 of NRS 386.520, an application submitted to the Department pursuant to that subsection by a committee to form a charter school must also include certain miscellaneous information concerning the proposed charter school, including, without limitation:

1. A description of the lottery system that the proposed charter school will use pursuant to NRS 386.580 if more eligible pupils apply for enrollment in the charter school than the number of spaces for pupils which are available.
2. The name, address, telephone number and, if applicable, the electronic mail address of the person selected to act as liaison pursuant to NAC 386.110.
3. Information concerning records of pupils that will be maintained by the proposed charter school in accordance with NAC 386.360, including, without limitation:
  - (a) The name and title of the person who will be responsible for:
    - (1) Maintaining records of pupils; and
    - (2) Providing records of pupils to the school district in which the charter school is located for inclusion in the automated system of accountability information for Nevada that is established and maintained by the Department pursuant to NRS 386.650.
  - (b) An example of the manner in which the cumulative record of a pupil is proposed to be stored.
  - (c) The proposed location within the charter school in which records of pupils will be stored.
  - (d) The name of the person who will be responsible for the records of pupils if the charter school is dissolved or the written charter of the charter school is not renewed.
  - (e) The policy of the charter school regarding the retention of the records of pupils.
4. A proposed budget that sets forth the estimated revenues and expenditures of the charter school for the first 2 years of operation, including, without limitation, the cost of insurance required by NAC 386.215. In addition, the proposed budget must be accompanied by a statement of cash flow and a budget for the period before the charter school commences operation.
5. A list of rules setting forth the policies of the charter school regarding truancy and other situations in which a pupil is absent from school.
6. If the committee to form the charter school or the proposed charter school intends to contract or is considering contracting with an educational management organization to provide service to the charter school:

- (a) The name of the educational management organization;
  - (b) A copy of the contract that will be used for the educational management organization, if a particular format is anticipated at the time the application is submitted;
  - (c) The name of a contact person for the educational management organization;
  - (d) The telephone number and mailing address of the educational management organization; and
  - (e) A description of the service to be provided by the educational management organization.
7. If the proposed charter school intends to limit the enrollment of pupils pursuant to NAC 386.353, the maximum number of pupils that the charter school will enroll.
8. If the application was prepared by a person who is not a member of the committee to form the charter school or by another entity, including, without limitation, an educational management organization, or if such a person or entity assisted the committee in preparing the application:
- (a) The name of the person or entity;
  - (b) The name and location of any public school, private school or charter school with which the person or entity has been or is presently affiliated, including, without limitation, the street address and mailing address of that school;
  - (c) The dates on which the person or entity was affiliated with a school described in paragraph (b), if any such affiliation occurred;
  - (d) A statement indicating whether the person or entity is presently affiliated with a school described in paragraph (b) or has ceased the affiliation;
  - (e) If the affiliation has ceased, a statement indicating the reason for the cessation; and
  - (f) A detailed resume listing the qualifications of the person or entity. (Added to NAC by Dep't of Education by R196-97, eff. 3-13-98; A by R045-98, 5-29-98; R163-99, 2-2-2000; R193-01, 4-1-2002; R011-03, 10-30-2003; R078-03, 1-23-2004; R044-05, 10-31-2005; R169-07, 9-18-2008; R071-10, 10-15-2010)

**NAC 386.205 Submission of certificate of occupancy for certain facilities. (NRS 386.540)**

1. If a charter school occupies a facility that is not being used as a public school by the school district in which the charter school is located, the charter school shall submit to the Department and to the sponsor of the charter school a copy of the certificate of occupancy for the facility occupied by the charter school if a copy of the certificate of occupancy was not included in the application to form the charter school. A copy of the certificate of occupancy must be submitted to the sponsor of a charter school before a written charter is issued to the charter school pursuant to subsection 5 of NRS 386.527.
2. The provisions of this section apply regardless of whether the sponsor of the charter school determines that the facility the charter school occupies is acceptable for use as a charter school. (Added to NAC by Dep't of Education by R193-01, eff. 4-1-2002; A by R044-05, 10-31-2005)

**NAC 386.215 Provision and maintenance of insurance coverage. (NRS 385.080, 386.540)**

1. Except as otherwise provided in subsection 4 of NAC 386.140, a committee to form a charter school shall obtain insurance from an authorized insurer as follows:
  - (a) Industrial insurance coverage in accordance with the applicable provisions of the Nevada Industrial Insurance Act, chapters 616A to 616D, inclusive, of NRS.
  - (b) Except as otherwise provided in subsection 2, general liability insurance with a minimum coverage of \$1,000,000. The general liability insurance policy must include coverage for molestation and sexual abuse, and have a broad form policy, with the named insured's as follows:
    - (1) The sponsor of the charter school;
    - (2) All employees of the charter school, including, without limitation, former, present and future employees;
    - (3) Volunteers at the charter school; and
    - (4) Directors of the charter school, including, without limitation, executive directors.
  - (c) Umbrella liability insurance with a minimum coverage of \$3,000,000.
  - (d) Educators' legal liability insurance with a minimum coverage of \$1,000,000.
  - (e) Employment practices liability insurance with a minimum coverage of \$1,000,000.
  - (f) Employment benefits liability insurance with a minimum coverage of \$1,000,000.
  - (g) Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.
  - (h) If applicable, motor vehicle liability insurance with a minimum coverage of \$1,000,000.
  - (i) If applicable, liability insurance for sports and athletic participation with a minimum coverage of \$1,000,000.

The cost of insurance required by this subsection must be provided to the proposed sponsor by the authorized insurer and included in each budget submitted pursuant to subsection 4 of NAC 386.180 and NAC 387.725.

2. The sponsor of a charter school may waive all or part of the general liability insurance required pursuant to paragraph (b) of subsection 1 if the sponsor determines that such a waiver is reasonable based upon the risk profile of the charter school or the conditions of the insurance market, or both, including, without limitation, a determination that the cost of obtaining the insurance is excessive or that the insurance is not available because of special circumstances of the charter school.
3. If an application to form a charter school is approved, the governing body of the charter school shall maintain the insurance required by this section.
4. As used in this section, "motor vehicle" has the meaning ascribed to it in NRS 485.050. (Added to NAC by Dep't of Education by R044-05, eff. 10-31-2005; A by R074-07, 10-31-2007; A by Bd. of Education by R026-09, 10-27-2009)

NAC 386.341 Compliance with Occupational Safety and Health Act. (NRS 386.540)

Before the last day of the first operational school year, a charter school shall submit to the Department evidence which demonstrates to the satisfaction of the Department that the facility the charter school occupies has been inspected and approved by the Division of Industrial Relations of the Department of Business and Industry for compliance with the federal Occupational Safety and Health Act of 1970, as amended. (Added to NAC by Dep't of Education by R171-05, eff. 2-23-2006)

NAC 386.342 Equipment and supplies: Removal from premises; disposition upon closure; written inventory. (NRS 386.540)

1. If a charter school uses money received from the sponsor of the charter school, this State or the Federal Government to purchase equipment or supplies, the equipment and supplies:
  - (a) Must remain on the premises of the charter school, unless the charter school is directed otherwise by the sponsor of the charter school, the State or the Federal Government, as applicable; and
  - (b) May be removed from the premises of the charter school only by the sponsor of the charter school, the State or the Federal Government, as applicable.
2. Equipment and supplies obtained by a charter school from sources other than the sponsor of the charter school, the State or the Federal Government may be removed from the premises of the charter school, subject to any applicable conditions, terms and limitations imposed upon a grant or donation used to purchase the equipment and supplies, if applicable.
3. If a charter school uses money received from this State to purchase property or equipment and the charter school subsequently closes or its operation is otherwise terminated, the governing body of the charter school shall ensure that the property and equipment are transferred to the Department for appropriate accounting and disposition.
4. The governing body of a charter school shall ensure that a:
  - (a) Current written inventory of the equipment, supplies and textbooks of the charter school is maintained; and
  - (b) Copy of the current written inventory is provided to the sponsor of the charter school.

The inventory must identify the source of money used to purchase each item, the name of the entity that donated the item or the owner of the item, as applicable. (Added to NAC by Dep't of Education by R057-04, eff. 8-25-2004)

NAC 386.345 Governing body: Restrictions on membership; responsibilities; submission of certain information to Department and sponsor; approval of minutes of public meetings. (NRS 386.540, 386.549)

1. A majority of the members of the governing body of a charter school must reside in the county in which the charter school is located.
  2. The membership of the governing body of a charter school shall not include:
    - (a) An employee of the governing body or charter school, including, without limitation, an administrator or teacher.
    - (b) Except as otherwise provided in this paragraph, any person who:
      - (1) Owns, operates, is employed by or receives compensation from a corporation, business, organization or other entity that enters into a contract with the governing body or charter school; or
      - (2) Is related by blood or marriage to a person described in subparagraph (1).
- Pursuant to the requirements of NRS 332.800, a person described in this paragraph may serve on the governing body if the person has entered into a contract with the governing body to provide goods or services to the charter school without profit or at no cost to the charter school. The governing body shall maintain documentation of the terms of such a contract.
3. If a person serves on the governing body of a charter school as a representative of a nonprofit organization or business, not more than one other member of the governing body may also serve as a representative of that organization or business or otherwise represent the interests of that organization or business. In no event may representatives of the same organization or business serving on the governing body constitute a majority of the members of the governing body.
  4. Not later than 5 business days after the governing body of a charter school is selected, the governing body shall submit to the Department:
    - (a) The name and address of each member;
    - (b) The resume of each member;
    - (c) The state of residence of each member;



- (d) If a member serves on the governing body as a teacher, as that term is defined in subsection 5 of NRS 386.549, a photocopy of his or her license to teach; and
- (e) An affidavit of each member indicating that the member:
  - (1) Has not been convicted of a felony or any offense involving moral turpitude; and
  - (2) Has read and understands material concerning the roles and responsibilities of members of governing bodies of charter schools and other material designed to assist the governing bodies of charter schools, if such material is provided to the member by the Department, as required pursuant to NRS 386.549.
- 5. For the purposes of chapter 281A of NRS, the members of the governing body of a charter school are public officers.
- 6. The governing body of a charter school governs the charter school, maintains overall control of the charter school and is responsible for the operation of the charter school, including, without limitation, critically evaluating the performance of a contractor for the charter school and selecting another contractor if the contractor is not performing his or her duties or services in a satisfactory manner.
- 7. Not later than 30 business days after each public meeting held by the governing body of a charter school pursuant to subsection 4 of NRS 386.549, the governing body shall submit to the Department and to the sponsor of the charter school a copy of the minutes of the meeting. The minutes of each public meeting must be approved at the next meeting of the governing body and revised as necessary.
- 8. If the minutes of a meeting have not been approved by the governing body when it submits the minutes pursuant to subsection 7, the governing body shall:
  - (a) Submit a written statement, accompanying the minutes that are submitted pursuant to subsection 7, indicating that the minutes have not been approved and are subject to revision; and
  - (b) Submit to the Department and the sponsor of the charter school a copy of the approved minutes not later than 10 days after such approval.
- 9. As used in this section, "public officer" has the meaning ascribed to it in NRS 281A.160. (Added to NAC by Dep't of Education by R193-01, eff. 4-1-2002; A by R060-02, 12-17-2002; R045-05, 10-31-2005; R171-05, 2-23-2006; R169-07, 9-18-2008; R170-07, 9-18-2008; R071-10, 10-15-2010)

NAC 386.350 Governing body: Miscellaneous duties. (NRS 386.540)

The governing body of a charter school shall ensure that:

- 1. Pupils who earn academic credit at the school can readily transfer that credit to a comparable school without penalty.
- 2. The educational services provided by the school to pupils with a disability comply with the requirements set forth in chapters 388 and 395 of NRS and NAC 388.150 to 388.450, inclusive.
- 3. The Department and the sponsor of the charter school receive, within 30 days after the first day of school, a list of the names and qualifications of all persons who are or will be employed by the charter school.
- 4. Copies of the policies of the charter school concerning the attendance of pupils are:
  - (a) Distributed to each new pupil at the beginning of the school year and to each new pupil who enters school during the school year; and
  - (b) Available for public inspection at the school during the school's business hours.
- 5. If the charter school intends to offer automobile driver education classes, the governing body procures insurance as required pursuant to subsection 4 of NRS 389.090.
- 6. The written report required pursuant to subsection 2 of NRS 386.610 is received by the sponsor of the charter school not later than 60 days after the last day of instruction in the third year of operation of the charter school under its initial written charter.
- 7. Pupils enrolled in the charter school receive the following minimum numbers of minutes of instruction per day, including recess but excluding lunch:
  - (a) For pupils enrolled in kindergarten, 120 minutes.
  - (b) For pupils enrolled in grades 1 and 2, 240 minutes.
  - (c) For pupils enrolled in grades 3 to 6, inclusive, 300 minutes.
  - (d) For pupils enrolled in grades 7 to 12, inclusive, 330 minutes.
- 8. If the governing body requests that a pupil be transferred pursuant to subsection 4 of NRS 386.580, the governing body submits the request to the school district in which the charter school is located:
  - (a) Within 10 days after the governing body determines that the charter school is unable to provide an appropriate special education program and related services for the pupil; and
  - (b) Accompanied by an explanation of the facts and circumstances which led the governing body to determine that the charter school is unable to provide the appropriate special education program and related services for the pupil.

9. A person employed by the governing body is designated to verify to the school district in which the charter school is located that the information submitted to the school district pursuant to NRS 386.605 has been gathered in a format required by the school district.

10. The notification required pursuant to paragraph (m) of subsection 1 of NRS 386.550 indicating whether the charter school is accredited by the Commission on Schools of the Northwest Accreditation Commission is provided to parents and legal guardians of pupils enrolled in grades 9 to 12, inclusive, not later than 10 days after the first day of school of each school year. (Added to NAC by Dep't of Education by R196-97, eff. 3-13-98; A by R163-99, 2-2-2000; R024-01, 11-1-2001; R193-01, 4-1-2002; R011-03, 10-30-2003)

NAC 386.400 Contracts for services: Required provision; submission of certain information by governing body to sponsor and Department. (NRS 386.540, 386.560)

1. A contract between the governing body of a charter school and an educational management organization, the board of trustees of a school district, the Nevada System of Higher Education or any business, corporation, organization or other entity, whether or not conducted for profit, to provide any service to the charter school must include a provision that requires the contractor to inform each person whom the contractor employs or hires and who provides a direct service to the charter school that:

- (a) The person is not employed by the governing body of the charter school; and
- (b) The provisions of NRS 386.595 do not apply to an employee of the contractor or any person hired by the contractor to perform a service to the charter school, including, without limitation, the provisions governing the status of employees of a charter school and their collective bargaining rights and benefits.

2. If the governing body of a charter school enters into a contract with an educational management organization, the board of trustees of a school district, the Nevada System of Higher Education or any business, corporation, organization or other entity, whether or not conducted for profit, to provide any service to the charter school, the governing body shall, not later than 30 days after the contract is signed by both parties, submit to the sponsor of the charter school and the Department:

- (a) The name of the contractor;
- (b) A copy of the contract;
- (c) The name of a contact person for the contractor;
- (d) The telephone number and mailing address of the contractor;
- (e) A description of the service to be provided by the contractor;
- (f) A description of the manner in which each person who is employed or hired by the contractor to provide a direct service to the charter school has been notified of the information required by subsection 1; and
- (g) A list of the name and qualifications of each person who is employed or hired by the contractor to provide a direct service to the charter school.

If any of the information set forth in paragraphs (a) to (g), inclusive, was included with the application to form the charter school pursuant to subsection 6 of NAC 386.180, the governing body is not required to resubmit the information if it is still accurate after the contract has been entered into. (Added to NAC by Dep't of Education by R193-01, eff. 4-1-2002; A by R071-10, 10-15-2010)

NAC 386.405 Contracts with educational management organizations: Initial term; renewal; prohibited provisions; approval of key personnel by governing body; annual performance review by governing body; submission of written report by educational management organization; effect of reference to a particular educational management organization in written charter. (NRS 386.540, 386.590)

1. The governing body of a charter school shall not enter into a contract with an educational management organization for an initial term of more than 2 years. Such a contract:
  - (a) Must allow the governing body to terminate the contract and must not prohibit the governing body from entering into a contract with another educational management organization.
  - (b) Must not be contingent upon any other contract.
  - (c) Must not require the governing body to enter into any other contract with the educational management organization or to renew a contract with the educational management organization.
2. The provisions of subsection 1 do not preclude a charter school from renewing a contract with the educational management organization after the expiration of a contract if the educational management organization has performed in a satisfactory manner.
3. At the expiration of the initial term of the contract entered into pursuant to subsection 1, the governing body of a charter school may enter into a contract with the same educational management organization for a term not to exceed the remaining term of the written charter of the charter school.
4. The governing body of a charter school shall approve the appointment, or any change to the appointment, of all key personnel for the charter school who are directly employed and provided by an educational management organization. Such

approval must occur at a regularly scheduled public meeting of the governing body. If the administrative head of a charter school is provided by an educational management organization, information regarding that person must be provided to the Department in accordance with NAC 386.100. For purposes of this subsection, "key personnel" includes administrators who are employed pursuant to subsection 6 of NRS 386.590 and the person designated to draw all orders for the payment of money belonging to the charter school required by NRS 386.573.

5. If the governing body of a charter school enters into a contract with an educational management organization, the governing body shall, not later than 60 days after the end of the school year, review the performance of the educational management organization to determine whether the educational management organization is performing in a manner that satisfies the terms and conditions of the written charter, including, without limitation, the satisfaction of the goals of the charter school. If the educational management organization is not performing in a satisfactory manner, the governing body shall require the educational management organization to prepare, in consultation with the governing body, a plan of corrective action for the educational management organization. The plan must include the steps which will be taken by the educational management organization to ensure that it performs in a manner which satisfies the terms and conditions of the written charter, including, without limitation, the satisfaction of the goals of the charter school. Not later than 120 days after the end of the school year, the governing body shall submit to the sponsor of the charter school and the Department a copy of the review conducted pursuant to this subsection and the plan of corrective action for the educational management organization, if applicable.

6. If the governing body of a charter school enters into a contract with an educational management organization, the governing body shall require the educational management organization to provide a written report to the sponsor of the charter school, to the governing body of the charter school and to the Department not later than 15 business days after the end of each fiscal year during which the contract was in effect. The written report must be in a format approved by the Superintendent of Public Instruction and include:

- (a) The amount of money received by the educational management organization from public and private sources to carry out the terms of the contract;
- (b) The expenditures of the educational management organization relating to carrying out the contract, including, without limitation, the payment of salaries, benefits and bonuses ; and
- (c) An identification of each contract, transaction and agreement entered into by the educational management organization related to carrying out the contract with the charter school, including, without limitation, contracts, transactions and agreements with parent organizations, subsidiaries and partnerships of the educational management organization.

7. If an educational management organization is identified in the written charter of a charter school, the inclusion of a reference to that particular educational management organization in the written charter does not preclude the governing body of the charter school from terminating or not renewing a contract entered into with that educational management organization. If the governing body terminates or does not renew such a contract, the governing body shall amend the written charter accordingly to remove any errant references to that educational management organization. (Added to NAC by Dep't of Education by R193-01, eff. 4-1-2002; A by R170-07, 9-18-2008; R071-10, 10-15-2010)

**NAC 387.120 School calendar: Submission; contents. (NRS 385.080, 386.540, 386.550, 387.123, 388.090)**

1. Before May 1 of each year, each school district shall submit a copy of its school calendar for the approaching school year to the Department. If one calendar does not apply to all its schools, the district shall submit as many calendars as are necessary for application to all its schools. If a charter school submits a school calendar pursuant to this subsection, the charter school shall, upon the request of the sponsor of the charter school or a school district in which a pupil enrolled in the charter school resides, provide a copy of the school calendar to the requester.

2. Except as otherwise provided in subsection 5 and except for a school calendar that accompanies an alternative schedule approved pursuant to NAC 387.125, a school calendar must contain at least 180 school days in session. This period must be divided into 10 school months which contain no more than 20 potential school days per month. The first day of the first school month is the first day of attendance by pupils.

3. In addition to the required number of school days in session, at least 3 days must be specifically designated by the school district as contingent days to be used as school days in session if:

- (a) At least 75 percent of the schools in the district are rendered inaccessible or unusable by inclement weather, uncontrollable circumstances or an accident; or
- (b) The Governor declares a legal holiday not anticipated in the original school calendar.
- (c) If a substantial majority of the schools within a school district are closed because of any of these conditions, all of the contingent days must be used before the school district applies for an emergency closing.

4. Any day for an organized teachers' conference for professional development convened by the board of trustees of a school district may be included in the number of school days in session required in subsection 2 with the prior approval of the

Superintendent of Public Instruction. A day for an organized teachers' conference may also be declared by the Superintendent of Public Instruction. Not more than 5 days for teachers' conferences may be convened by a school district in any school year.

5. A school calendar for an adult high school program, an alternative program, a program of distance education or a program of instruction in a detention home must contain at least 180 school days in session unless the school district or governing body of the charter school, as applicable, obtains the written approval of the Superintendent of Public Instruction for a program that demonstrates progress or completion by pupils in a curriculum which is equivalent to the regular school curriculum. The approval of an adult high school program pursuant to NAC 387.190, an alternative program pursuant to NRS 388.537 or a program of distance education pursuant to NAC 388.830 shall be deemed written approval by the Superintendent pursuant to this subsection if the approved program demonstrates progress or completion by pupils in a curriculum that is equivalent to the regular school curriculum. For purposes of this subsection, demonstrated competency in curriculum that meets the state standards may be considered equivalent to the regular school curriculum. [Dep't of Education, Pupil Accounting Reg., eff. 12-15-77]—(NAC A by Bd. of Education, 9-6-83; 6-23-86; R033-99, 11-3-99; A by Dep't of Education by R024-01, 11-1-2001; A by Bd. of Education by R006-02, 4-5-2002; R043-04, 7-16-2004; R137-05, 10-31-2005; R134-07, 6-17-2008)

NAC 387.700 Preparation and submission of annual capital improvement plan; limitation on amount of expenditures; required contents; reconciliation of capital outlay. (NRS 386.540, 392A.060)

1. Each charter school and each university school for profoundly gifted pupils shall annually prepare, on a form prescribed by the Department of Taxation for use by local governments, a capital improvement plan for the fiscal year ending on June 30 of that year and the ensuing 5 fiscal years.
2. On or before February 1 of each year, each charter school and each university school for profoundly gifted pupils shall submit a copy of the capital improvement plan to:
  - (a) The Department;
  - (b) The Director of the Legislative Counsel Bureau; and
  - (c) For a charter school that is not sponsored by the State Board, the sponsor of the charter school.
3. The total amount of the expenditures contained in the capital improvement plan of the charter school or university school for profoundly gifted pupils for the next ensuing fiscal year must equal the total amount of expenditures for capital outlay set forth in the final budget of the charter school or university school for profoundly gifted pupils for each fund listed in that budget.
4. The capital improvement plan must include the estimated or actual revenues and expenditures for each capital project and the estimated or actual date for completion of each capital project.
5. The capital improvement plan must reconcile the capital outlay in each fund in the final budget for the first year of the capital improvement plan to the final budget in the next ensuing fiscal year. The reconciliation must identify the minimum level of expenditure for items classified as capital assets in the final budget and the minimum level of expenditure for items classified as capital projects in the capital improvement plan. The reconciliation of capital outlay items in the capital improvement plan must be presented on forms created and distributed by the Department of Taxation for use by local governments. (Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

NAC 387.720 Tentative budget: Preparation and submission; notice and public hearing. (NRS 386.540, 392A.060)

1. The person designated by the governing body of a charter school pursuant to NRS 386.573 or by the governing body of a university school for profoundly gifted pupils pursuant to NRS 392A.085, as applicable, 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 the secretary of the governing body of the charter school or university school for profoundly gifted pupils, as applicable, 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 of the charter school or university school for profoundly gifted pupils, as applicable, shall give notice of the time and place of a public hearing on the tentative budget. The notice of the public hearing must state:
  - (a) The time and place of the public hearing;
  - (b) That a tentative budget has been prepared in such detail as prescribed by the Department of Education on forms prescribed by the Department of Taxation; and
  - (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 of the charter school or university school for profoundly gifted pupils, as applicable, 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 of the charter school or university school for profoundly gifted pupils, as applicable, shall indicate changes, if any, to be made in the tentative budget. (Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

NAC 387.725 Final budget: Adoption and submission. (NRS 386.540, 392A.060)

1. Not later than June 8 of each year, the governing body of each charter school and the governing body of each university school for profoundly gifted pupils shall, at a public meeting, adopt its final budget for the ensuing fiscal year by the favorable votes of a majority of the members of the governing body.
2. The governing body shall submit copies of the final budget to:
  - (a) The Department;
  - (b) The Legislative Counsel Bureau; and
  - (c) For a charter school that is not sponsored by the State Board, the sponsor of the charter school. (Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

NAC 387.765 Compliance with accounting principles; use of chart of accounts; maintenance of money in banks, credit unions or savings and loan associations. (NRS 386.540, 392A.060)

A charter school or university school for profoundly gifted pupils shall:

1. Comply with generally accepted accounting principles.
2. Use the chart of accounts prescribed by the Department.
3. Maintain all money received by the charter school or university school for profoundly gifted pupils from this State and from the board of trustees of a school district in:
  - (a) A bank in this State whose deposits are insured by the Federal Deposit Insurance Corporation;
  - (b) A credit union in this State whose deposits are insured by the National Credit Union Share Insurance Fund or by a private insurer approved pursuant to NRS 678.755; or
  - (c) A savings and loan association in this State whose deposits, if made by the State, a charter school or a university school for profoundly gifted pupils or an agency of either, are insured by the Federal Deposit Insurance Corporation, or the legal successor of the Federal Deposit Insurance Corporation.
4. No expenditures from an account may be made in excess of the balance of the account. (Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

NAC 387.775 Annual audits. (NRS 386.540, 392A.060)

1. The governing body of a charter school or university school for profoundly gifted pupils shall cause the charter school or university school for profoundly gifted pupils to be audited on an annual basis.
2. All audits must be performed by:
  - (a) A public accountant certified or registered; or
  - (b) A partnership or professional corporation registered,
 pursuant to the provisions of chapter 628 of NRS.
3. Each annual audit must:
  - (a) Cover the business of the charter school or university school for profoundly gifted pupils during the full fiscal year;
  - (b) Be a financial audit conducted in accordance with generally accepted auditing standards in the United States; and
  - (c) Include:
    - (1) An analysis of and findings on compliance with applicable statutes and regulations;
    - (2) A management letter outlining any recommendations for improvement;
    - (3) An expression of opinion on the financial statements; and
    - (4) Any other comments deemed pertinent by the auditor.

The form of the financial statements must be prescribed by the Department, and the chart of accounts must be, as nearly as possible, the same as that used in the preparation and publication of the annual budget.

4. The annual audit of the charter school or university school for profoundly gifted pupils must be concluded and the report submitted to the governing body not later than 4 months after the close of the fiscal year for which the audit is conducted.
5. The opinion and findings of the auditor contained in the report of the audit must be presented at a meeting of the governing body held not more than 30 days after the report is submitted to it.
6. Immediately thereafter, the entire report, together with the management letter required by generally accepted auditing standards in the United States, must be filed as a public record with:
  - (a) The Department;

- (b) The Legislative Counsel Bureau; and
  - (c) For a charter school that is not sponsored by the State Board, the sponsor of the charter school.
7. After the report of the audit is filed by the charter school or university school for profoundly gifted pupils, the report of the audit, including, without limitation, the opinion and findings of the auditor contained in the report of the audit, may be disseminated by or on behalf of the charter school or university school for profoundly gifted pupils for which the report was prepared by inclusion, without limitation, in or on:
- (a) A filing made pursuant to the laws or regulations of this State;
  - (b) A filing made pursuant to a rule or regulation of the Securities and Exchange Commission of the United States; or
  - (c) A website maintained by a charter school or university school for profoundly gifted pupils on the Internet or its successor, without the consent of the auditor who prepared the report of the audit. A provision of a contract entered into between an auditor and a charter school or university school for profoundly gifted pupils that is contrary to the provisions of this subsection is against the public policy of this State and is void and unenforceable.
8. If an auditor finds evidence of fraud or dishonesty in the financial statements of a charter school or university school for profoundly gifted pupils, the auditor shall report such evidence to the appropriate level of management in the charter school or university school for profoundly gifted pupils, or to the governing body or sponsor of the charter school or university school for profoundly gifted pupils if the evidence of fraud or dishonesty involved the highest levels of management or the governing body.
9. The governing body shall act upon the recommendations of the report of the audit within 3 months after receipt of the report, unless prompter action is required concerning violations of law or regulation, by setting forth in its minutes its intention to adopt the recommendations, to adopt them with modifications or to reject them for reasons shown in the minutes. (Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

NAC 388.294 Monitoring of units and programs. (NRS 385.080, 388.520)

1. The Department will monitor each unit to determine whether the unit is in compliance with this chapter.
2. Each public agency which provides an educational program for pupils with disabilities shall establish a procedure for monitoring the program to ensure that it complies with the provisions of this chapter. (Added to NAC by Bd. of Education, eff. 2-7-83; A 7-14-88; 11-23-93)

NAC 388.296 Reports to Department concerning programs and units. (NRS 385.080, 388.520)

1. Any information or report required to be furnished to the Department by a public agency providing an educational program for pupils with disabilities must be furnished in the form and manner prescribed by the Department.
2. A public agency shall submit the requested information regarding each unit receiving apportionment to the Special Education Branch of the Department at the beginning of each school year and as changes occur. (Added to NAC by Bd. of Education, eff. 2-7-83; A 7-14-88; 11-23-93)

NAC 388.297 Report to Department regarding caseloads of physical therapists and occupational therapists employed by or contracted with a public agency to provide services to pupils with disabilities; posting on Internet website. (NRS 385.080, 388.520)

1. On or before October 1 of each odd-numbered year, each public agency shall submit a report to the Department, in a manner prescribed by the Department, regarding the caseloads of physical therapists and occupational therapists employed by or contracted with the public agency to provide services to pupils with disabilities during the immediately preceding 2 school years. Such a report must include, without limitation:
  - (a) A description of the factors used by the public agency in determining the caseloads of the physical therapists and occupational therapists, including, without limitation:
    - (1) The range of the number of pupils with disabilities at different school sites who require services from the public agency;
    - (2) The range of the levels of intensity of the services required;
    - (3) The availability of assistants who are appropriately certified to assist with the provision of the services;
    - (4) The geographic factors that affect the ability of the therapists to travel to provide the services; and
    - (5) The degree to which the public agency expects the therapists to participate in meetings pertaining to the pupils;
  - (b) The number of vacancies in the positions of physical therapist and occupational therapist experienced by the public agency in the immediately preceding 2 school years;
  - (c) A description of the efforts made by the public agency for the recruitment and retention of physical therapists and occupational therapists; and
  - (d) A list of each position of physical therapist and occupational therapist employed by or contracted with the public agency during the immediately preceding 2 school years, designated by full-time equivalency, including, without limitation, the maximum caseload assigned to each position.

2. Each public agency shall post a copy of the report described in subsection 1 on the Internet website maintained by the public agency, if applicable, on or before October 1 of each odd-numbered year. (Added to NAC by Bd. of Education by R064-08, eff. 9-18-2008)

NAC 389.054 Confidentiality and security of testing materials. (NRS 385.080, 389.015, 389.550, 389.616

1. The board of trustees of each school district and the governing body of each charter school shall ensure that the employees of the school district or charter school, respectively, who have access to the materials necessary to administer the examinations required by NRS 389.015 and 389.550 are familiar with:
    - (a) The provisions of this section, subsection 6 of NRS 389.015 and NRS 389.600 to 389.648, inclusive; and
    - (b) Any instructions that are issued by the Department of Education relating to the confidentiality of those materials.
  2. A person shall not make or distribute copies of the questions contained in the examinations required by NRS 389.015 and 389.550 or the approved answers used for grading them unless that person has received written authorization to do so from the publisher of the examination and the Department of Education.
  3. Before the examinations required by NRS 389.015 and 389.550 are distributed to the schools in which the examinations will be administered, the board of trustees or the governing body shall ensure that the materials used to administer the examinations and the approved answers used for grading them are stored in such a manner that only those persons to whom the materials and answers may be disclosed pursuant to subsection 6 of NRS 389.015 have access to them.
  4. The secure examination materials that are used to administer the examinations required by NRS 389.015 and 389.550 must not be distributed to the schools in which the examinations will be administered until such time as is necessary to allow the schools adequate time to prepare to administer the examinations.
  5. The principal of each school to which an examination is delivered shall ensure that:
    - (a) The questions contained in the examination are stored in a secure location and are not distributed until the examination is administered; and
    - (b) The materials used to administer the examination are stored in a secure manner before the end of the day on which the examination is administered.
  6. On or before September 15 of each year, the principal of each public school and charter school, respectively, shall submit to the Department of Education a statement that the principal will ensure that the school complies with the provisions of this section, the provisions of NRS 389.600 to 389.648, inclusive, and any instructions issued by the Department relating to the confidentiality of testing materials. The statement required pursuant to this subsection must be on a form prescribed by the Department.
  7. The examinations required by NRS 389.015 and 389.550 must be administered:
    - (a) In a facility that is approved by the board of trustees of the school district or the governing body of the charter school; and
    - (b) By employees of the school district or charter school who are designated to administer the examinations by the board of trustees of the school district or the governing body of the charter school, respectively.
- (Added to NAC by Bd. of Education by R115-97, eff. 12-10-97; A by R065-99, 11-3-99; R072-01, 11-7-2001)

## NEVADA REVISED STATUTE REFERENCE

### NRS 385.080 Regulations.

The State Board may adopt regulations for its own government and as necessary for the execution of the powers and duties conferred upon it by law. [8:32:1956]—(NRS A 1977, 222; 1979, 1566; 1987, 993, 1489; 1995, 1382)

### NRS 385.347 Program of accountability for school districts and charter schools; preparation of annual report of accountability by school districts and sponsors of charter schools; public dissemination of report; notice of availability on Internet. [Parts of this section were replaced in revision in 2013 by NRS 385.3472, 385.3474, 385.3476, 385.3478, 385.3481, 385.3483, 385.3485, 385.3487, 385.3489, 385.3491, 385.3493 and 385.3495.]

1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools sponsored by the school district. The board of trustees of each school district shall report the information required by NRS 385.347 to 385.3495, inclusive, for each charter school sponsored by the school district. The information for charter schools must be reported separately.
2. The board of trustees of each school district shall, on or before September 30 of each year, prepare a single annual report of accountability concerning the educational goals and objectives of the school district, the information prescribed by NRS 385.347 to 385.3495, inclusive, and such other information as is directed by the Superintendent of Public Instruction. A separate reporting

for a group of pupils must not be made pursuant to NRS 385.347 to 385.3495, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall, on or before September 30 of each year, prepare an annual report of accountability of the charter schools sponsored by the State Public Charter School Authority or institution, as applicable, concerning the accountability information prescribed by the Department pursuant to this section. The Department, in consultation with the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school, shall prescribe by regulation the information that must be prepared by the State Public Charter School Authority and institution, as applicable, which must include, without limitation, the information contained in subsection 2 and NRS 385.347 to 385.3495, inclusive, as applicable to charter schools. The Department shall provide for public dissemination of the annual report of accountability prepared pursuant to this section by posting a copy of the report on the Internet website maintained by the Department.

4. The annual report of accountability prepared pursuant to this section must be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

5. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to this section and provide the forms to the respective school districts, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school.

(b) Provide statistical information and technical assistance to the school districts, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school to ensure that the reports provide comparable information with respect to each school in each district, each charter school and among the districts and charter schools throughout this State.

(c) Consult with a representative of the:

- (1) Nevada State Education Association;
- (2) Nevada Association of School Boards;
- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Department of Administration;
- (6) Legislative Counsel Bureau; and
- (7) Charter School Association of Nevada,

concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

6. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

7. On or before September 30 of each year:

(a) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide written notice that the report required pursuant to this section is available on the Internet website maintained by the school district, State Public Charter School Authority or institution, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

- (1) Governor;
- (2) State Board;
- (3) Department;
- (4) Committee;
- (5) Bureau; and

(6) The Attorney General, with a specific reference to the information that is reported pursuant to paragraph (e) of subsection 1 of NRS 385.3483.

(b) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of accountability prepared pursuant to this section by posting a copy of the report on the Internet website maintained by the school district, the State Public Charter School Authority or the institution, if any. If a school district does not maintain a website, the district shall otherwise provide for public



dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school sponsored by the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school sponsored by the district. If the State Public Charter School Authority or the institution does not maintain a website, the State Public Charter School Authority or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.

8. Upon the request of the Governor, the Attorney General, an entity described in paragraph (a) of subsection 7 or a member of the general public, the board of trustees of a school district, the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school, as applicable, shall provide a portion or portions of the report required pursuant to this section. (Added to NRS by 1989, 2117; A 1993, 2745; 1995, 1741, 1744; 1997, 1767, 1841, 2832; 1999, 613, 617, 2650, 3449; 2001, 248, 1470, 3119; 2003, 19th Special Session, 34; 2005, 353, 1164, 2390, 2530; 2007, 366, 1070, 1809, 1936, 2549; 2009, 344; 2011, 552, 640, 1964, 2234, 2269, 2318; 2013, 1903, 2030, 2128, 3243, 3400)

NRS 385.357 Plan to improve achievement of pupils for individual schools; annual review; process for submission and approval of plan; timeline for carrying out plan.

1. The principal of each school, including, without limitation, each charter school, shall, in consultation with the employees of the school, prepare a plan to improve the achievement of the pupils enrolled in the school.
2. The plan developed pursuant to subsection 1 must include:
  - (a) A review and analysis of the data pertaining to the school upon which the report required pursuant to subsection 2 or 3 of NRS 385.347, as applicable, is based and a review and analysis of any data that is more recent than the data upon which the report is based.
  - (b) The identification of any problems or factors at the school that are revealed by the review and analysis.
  - (c) Strategies based upon scientifically based research, as defined in 20 U.S.C. § 7801(37), that will strengthen the core academic subjects, as defined in NRS 389.018.
  - (d) Policies and practices concerning the core academic subjects which have the greatest likelihood of ensuring that each group of pupils enrolled in the school and identified in the statewide system of accountability for public schools will meet the performance targets established for that group.
  - (e) Annual measurable objectives and performance targets, consistent with the annual measurable objectives and performance targets established pursuant to the statewide system of accountability for public schools, for the continuous and substantial progress by each group of pupils identified in the statewide system of accountability for public schools who are enrolled in the school to ensure that each group will meet the performance targets established for that group.
  - (f) Strategies and practices which:
    - (1) Are consistent with the policy adopted pursuant to NRS 392.457 by the board of trustees of the school district in which the school is located, to promote effective involvement by parents and families of pupils enrolled in the school in the education of their children; and
    - (2) Are designed to improve and promote effective involvement and engagement by parents and families of pupils enrolled in the school which are consistent with the policies and recommendations of the Office of Parental Involvement and Family Engagement made pursuant to NRS 385.635.
  - (g) As appropriate, programs of remedial education or tutoring to be offered before and after school, during the summer, or between sessions if the school operates on a year-round calendar for pupils enrolled in the school who need additional instructional time to pass or to reach a level considered proficient.
  - (h) Strategies to improve the academic achievement of pupils enrolled in the school, including, without limitation, strategies to:
    - (1) Instruct pupils who are not achieving to their fullest potential, including, without limitation:
      - (I) The curriculum appropriate to improve achievement;
      - (II) The manner by which the instruction will improve the achievement and proficiency of pupils on the examinations administered pursuant to NRS 389.550 and 389.805 and the college and career readiness assessment administered pursuant to NRS 389.807; and
      - (III) An identification of the instruction and curriculum that is specifically designed to improve the achievement and proficiency of pupils in each group identified in the statewide system of accountability for public schools;
    - (2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;
    - (3) Integrate technology into the instructional and administrative programs of the school;
    - (4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed at the school to include the activities set forth in 20 U.S.C. § 7801(34) and to address the specific needs of pupils enrolled in the school, as deemed appropriate by the principal.

(i) An identification, by category, of the employees of the school who are responsible for ensuring that the plan is carried out effectively.

(j) In consultation with the school district or governing body, as applicable, an identification, by category, of the employees of the school district or governing body, if any, who are responsible for ensuring that the plan is carried out effectively or for overseeing and monitoring whether the plan is carried out effectively.

(k) In consultation with the Department, an identification, by category, of the employees of the Department, if any, who are responsible for overseeing and monitoring whether the plan is carried out effectively.

(l) For each provision of the plan, a timeline for carrying out that provision, including, without limitation, a timeline for monitoring whether the provision is carried out effectively.

(m) For each provision of the plan, measurable criteria for determining whether the provision has contributed toward improving the academic achievement of pupils, increasing the rate of attendance of pupils and reducing the number of pupils who drop out of school.

(n) The resources available to the school to carry out the plan. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school shall use the financial analysis program used by the school district in which the school is located in complying with this paragraph.

(o) A summary of the effectiveness of appropriations made by the Legislature that are available to the school to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

(p) A budget of the overall cost for carrying out the plan.

3. The principal of each school shall, in consultation with the employees of the school:

(a) Review the plan prepared pursuant to this section annually to evaluate the effectiveness of the plan; and

(b) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that the plan is designed to improve the academic achievement of pupils enrolled in the school.

4. On or before December 15 of each year, the principal of each school shall submit the plan or the revised plan, as applicable, to:

(a) If the school is a public school of the school district, the superintendent of schools of the school district.

(b) If the school is a charter school, the governing body of the charter school.

5. If a Title I school is rated as underperforming pursuant to the statewide system of accountability for public schools, the superintendent of schools of the school district or the governing body, as applicable, shall carry out a process for peer review of the plan or the revised plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days after receipt of the plan, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan, as applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto and the requirements of this section. The superintendent of schools of the school district or the governing body, as applicable, may condition approval of the plan or the revised plan, as applicable, in the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the regulations adopted pursuant thereto. The State Board shall prescribe the requirements for the process of peer review, including, without limitation, the qualifications of persons who may serve as peer reviewers.

6. If a school is rated as meeting the annual measurable objectives and performance targets established pursuant to the statewide system of accountability for public schools, or if a school that is not a Title I school is rated as underperforming pursuant to the statewide accountability system for public schools, not later than 45 days after receipt of the plan or the revised plan, as applicable, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan if it meets the requirements of this section.

7. On or before January 31 of each year, the principal of each school shall submit the final plan or the final revised plan, as applicable, to the:

(a) Superintendent of Public Instruction;

(b) Governor;

(c) State Board;

(d) Department;

(e) Committee;

(f) Bureau; and

(g) Board of trustees of the school district in which the school is located or, if the school is a charter school, the sponsor of the charter school and the governing body of the charter school.

8. A plan for the improvement of a school must be carried out expeditiously, but not later than February 15 after approval of the plan pursuant to subsection 5 or 6, as applicable. (Added to NRS by 2003, 19th Special Session, 11; A 2005, 710, 1651, 1978; 2007, 1946; 2009, 2304; 2011, 562, 1974, 2328; 2013, 1912, 3251)

NRS 386.549 Membership and qualifications of governing body; powers; duty to hold public meeting on quarterly basis; authorization of governing body to set salary for attendance at meetings.

1. The governing body of a charter school must consist of:
  - (a) One member who is a teacher or other person licensed pursuant to chapter 391 of NRS or who previously held such a license and is retired, as long as his or her license was held in good standing.
  - b) One member who:
    - (1) Satisfies the qualifications of paragraph (a); or
    - (2) Is a school administrator with a license issued by another state or who previously held such a license and is retired, as long as his or her license was held in good standing.
  - (c) One parent or legal guardian of a pupil enrolled in the charter school who is not a teacher or an administrator at the charter school.
  - (d) Two members who possess knowledge and experience in one or more of the following areas:
    - (1) Accounting;
    - (2) Financial services;
    - (3) Law; or
    - (4) Human resources.
2. In addition to the members who serve pursuant to subsection 1, the governing body of a charter school may include, without limitation, parents and representatives of nonprofit organizations and businesses. Not more than two persons who serve on the governing body may represent the same organization or business or otherwise represent the interests of the same organization or business. A majority of the members of the governing body must reside in this State. If the membership of the governing body changes, the governing body shall provide written notice to the sponsor of the charter school within 10 working days after such change.
3. A person may serve on the governing body only if the person submits an affidavit to the sponsor of the charter school indicating that the person:
  - (a) Has not been convicted of a felony relating to serving on the governing body of a charter school or any offense involving moral turpitude.
  - (b) Has read and understands material concerning the roles and responsibilities of members of governing bodies of charter schools and other material designed to assist the governing bodies of charter schools, if such material is provided to the person by the sponsor.
4. The governing body of a charter school is a public body. It is hereby given such reasonable and necessary powers, not conflicting with the Constitution and the laws of the State of Nevada, as may be requisite to attain the ends for which the charter school is established and to promote the welfare of pupils who are enrolled in the charter school.
5. The governing body of a charter school shall, during each calendar quarter, hold at least one regularly scheduled public meeting in the county in which the charter school is located. Upon an affirmative vote of a majority of the membership of the governing body, each member is entitled to receive a salary of not more than \$80 for attendance at each meeting, as fixed by the governing body, not to exceed payment for more than one meeting per month.
6. As used in subsection 1, "teacher" means a person who:
  - (a) Holds a current license to teach issued pursuant to chapter 391 of NRS or who previously held such a license and is retired, as long as his or her license was held in good standing; and
  - (b) Has at least 2 years of experience as an employed teacher.

The term does not include a person who is employed as a substitute teacher. (Added to NRS by 1999, 3290; A 2001, 3131; 2003, 2697; 2005, 2539; 2007, 2574; 2011, 3053; 2013, 1669, 3827)

NRS 386.562 Prohibited provisions of contracts with contractors or educational management organizations.

1. A contract or a proposed contract between a charter school or a proposed charter school and a contractor or an educational management organization must not:
  - (a) Give to the contractor or educational management organization direct control of educational services, financial decisions, the appointment of members of the governing body, or the hiring and dismissal of an administrator or financial officer of the charter school or proposed charter school;

- (b) Authorize the payment of loans, advances or other monetary charges from the contractor or educational management organization which are greater than 15 percent of the total expected funding received by the charter school or proposed charter school from the State Distributive School Account;
  - (c) Require the charter school or proposed charter school to prepay any fees to the contractor or educational management organization;
  - (d) Require the charter school or proposed charter school to pay the contractor or educational management organization before the payment of other obligations of the charter school or proposed charter school during a period of financial distress;
  - (e) Allow a contractor or educational management organization to cause a delay in the repayment of a loan or other money advanced by the contractor or educational management organization to the charter school or proposed charter school, which delay would increase the cost to the charter school or proposed charter school of repaying the loan or advance;
  - (f) Require the charter school or proposed charter school to enroll a minimum number of pupils for the continuation of the contract between the charter school or proposed charter school and the contractor or educational management organization;
  - (g) Require the charter school or proposed charter school to request or borrow money from this State to pay the contractor or educational management organization if the contractor or educational management organization will provide financial management to the charter school or proposed charter school;
  - (h) Contain a provision which restricts the ability of the charter school or proposed charter school to borrow money from a person or entity other than the contractor or educational management organization;
  - (i) Provide for the allocation to the charter school or proposed charter school of any indirect cost incurred by the contractor or educational management organization;
  - (j) Authorize the payment of fees to the contractor or educational management organization which are not attributable to the actual services provided by the contractor or educational management organization;
  - (k) Allow any money received by the charter school or proposed charter school from this State or from the board of trustees of a school district to be transferred to or deposited in a bank, credit union or other financial institution outside this State, including money controlled by the contractor or educational management organization; or
  - (l) Except as otherwise provided in this paragraph, provide incentive fees to the contractor or educational management organization. A contract or a proposed contract may provide to the contractor or educational management organization incentive fees that are based on the academic improvement of pupils enrolled in the charter school.
2. As used in this section, "contractor" or "educational management organization" means a corporation, business, organization or other entity, whether or not conducted for profit, with whom a committee to form a charter school or the governing body of a charter school, as applicable, contracts to assist with the operation, management or provision and implementation of educational services and programs of the charter school or proposed charter school. The term includes a corporation, business, organization or other entity that directly employs and provides personnel to a charter school or proposed charter school. (Added to NRS by 2011, 2356; A 2013, 1599)

NRS 386.573 Orders for payment of money; limitations.

1. The governing body of a charter school shall designate a person to draw all orders for the payment of money belonging to the charter school. The orders must be listed on cumulative voucher sheets.
2. The governing body of a charter school shall prescribe the procedures by which the orders must be approved and the cumulative voucher sheets signed.
3. An order for the payment of money to a member of the governing body of the charter school may only be drawn for salary, travel expenses, subsistence allowances or for services rendered by the member.
4. An action may not be maintained against any governing body of a charter school or the sponsor of a charter school to collect upon any bill not presented for payment to the governing body within 6 months after the bill was incurred. (Added to NRS by 1999, 3290)

NRS 386.583 Adoption of rules for academic retention.

The governing body of a charter school shall adopt rules for the academic retention of pupils who are enrolled in the charter school. The rules must prescribe the conditions under which a pupil may be retained in the same grade rather than promoted to the next higher grade for the immediately succeeding school year. (Added to NRS by 1999, 3291)

NRS 386.585 Adoption and distribution of rules of behavior and punishments; procedure for suspension or expulsion of pupils; adoption of rules for truancy.

1. A governing body of a charter school shall adopt:

- (a) Written rules of behavior required of and prohibited for pupils attending the charter school; and
  - (b) Appropriate punishments for violations of the rules.
2. Except as otherwise provided in subsection 3, if suspension or expulsion of a pupil is used as a punishment for a violation of the rules, the charter school shall ensure that, before the suspension or expulsion, the pupil has been given notice of the charges against him or her, an explanation of the evidence and an opportunity for a hearing. The provisions of chapter 241 of NRS do not apply to any hearing conducted pursuant to this section. Such a hearing must be closed to the public.
  3. A pupil who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process or who is selling or distributing any controlled substance or who is found to be in possession of a dangerous weapon as provided in NRS 392.466 may be removed from the charter school immediately upon being given an explanation of the reasons for his or her removal and pending proceedings, which must be conducted as soon as practicable after removal, for suspension or expulsion of the pupil.
  4. A pupil who is enrolled in a charter school and participating in a program of special education pursuant to NRS 388.520, other than a pupil who is gifted and talented or who receives early intervening services, may, in accordance with the procedural policy adopted by the governing body of the charter school for such matters, be:
    - (a) Suspended from the charter school pursuant to this section for not more than 10 days.
    - (b) Suspended from the charter school for more than 10 days or permanently expelled from school pursuant to this section only after the governing body has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
  5. A copy of the rules of behavior, prescribed punishments and procedures to be followed in imposing punishments must be:
    - (a) Distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year.
    - (b) Available for public inspection at the charter school.
  6. The governing body of a charter school may adopt rules relating to the truancy of pupils who are enrolled in the charter school if the rules are at least as restrictive as the provisions governing truancy set forth in NRS 392.130 to 392.220, inclusive. If a governing body adopts rules governing truancy, it shall include the rules in the written rules adopted by the governing body pursuant to subsection 1. (Added to NRS by 1997, 1851; A 2009, 752)

NRS 386.588 Fingerprinting of non-licensed applicants; review of criminal history report by Superintendent of Public Instruction under certain circumstances; prohibition on employment of certain applicants.

1. Each applicant for employment with a charter school, except a licensed teacher or other person licensed by the Superintendent of Public Instruction, must, as a condition to employment, submit to the governing body of the charter school a complete set of the applicant's fingerprints and written permission authorizing the governing body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant.
2. If the reports on the criminal history of an applicant indicate that the applicant has not been convicted of a felony or an offense involving moral turpitude, the governing body of the charter school may employ the applicant.
3. If a report on the criminal history of an applicant indicates that the applicant has been convicted of a felony or an offense involving moral turpitude and the governing body of the charter school does not disqualify the applicant from further consideration of employment on the basis of that report, the governing body shall, upon the written authorization of the applicant, forward a copy of the report to the Superintendent of Public Instruction. If the applicant refuses to provide his or her written authorization to forward a copy of the report pursuant to this subsection, the charter school shall not employ the applicant.
4. The Superintendent of Public Instruction or the Superintendent's designee shall promptly review the report to determine whether the conviction of the applicant is related or unrelated to the position with the charter school for which the applicant has applied. If the applicant desires employment with the charter school, the applicant shall, upon the request of the Superintendent of Public Instruction or the Superintendent's designee, provide any further information that the Superintendent or the designee determines is necessary to make the determination. If the governing body of the charter school desires to employ the applicant, the governing body shall, upon the request of the Superintendent of Public Instruction or the Superintendent's designee, provide any further information that the Superintendent or the designee determines is necessary to make the determination. The Superintendent of Public Instruction or the Superintendent's designee shall provide written notice of the determination to the applicant and to the governing body of the charter school.
5. If the Superintendent of Public Instruction or the Superintendent's designee determines that the conviction of the applicant is related to the position with the charter school for which the applicant has applied, the governing body of the charter school shall not employ the applicant. If the Superintendent of Public Instruction or the Superintendent's designee determines that the conviction of the applicant is unrelated to the position with the charter school for which the applicant

has applied, the governing body of the charter school may employ the applicant for that position. (Added to NRS by 2005, 2397)

NRS 386.590 Employment of licensed teachers required for certain instruction; certain teachers required to possess qualifications prescribed by federal law; qualifications of non-licensed teachers; qualifications and employment of administrators; limitation on salaries of administrators; submission of information to Department.

1. Except as otherwise provided in this subsection, at least 70 percent of the teachers who provide instruction at a charter school must be licensed teachers. If a charter school is a vocational school, the charter school shall, to the extent practicable, ensure that at least 70 percent of the teachers who provide instruction at the school are licensed teachers, but in no event may more than 50 percent of the teachers who provide instruction at the school be unlicensed teachers.
2. A governing body of a charter school shall employ:
  - (a) If the charter school offers instruction in kindergarten or grade 1, 2, 3, 4, 5, 6, 7 or 8, a licensed teacher to teach pupils who are enrolled in those grades. If required by subsection 3 or 4, such a teacher must possess the qualifications required by 20 U.S.C. § 6319(a).
  - (b) If the charter school offers instruction in grade 9, 10, 11 or 12, a licensed teacher to teach pupils who are enrolled in those grades for the subjects set forth in subsection 4. If required by subsection 3 or 4, such a teacher must possess the qualifications required by 20 U.S.C. § 6319(a).
  - (c) In addition to the requirements of paragraphs (a) and (b):
    - (1) If a charter school specializes in arts and humanities, physical education or health education, a licensed teacher to teach those courses of study.
    - (2) If a charter school specializes in the construction industry or other building industry, licensed teachers to teach courses of study relating to the industry if those teachers are employed full-time.
    - (3) If a charter school specializes in the construction industry or other building industry and the school offers courses of study in computer education, technology or business, licensed teachers to teach those courses of study if those teachers are employed full-time.
3. A person who is initially hired by the governing body of a charter school on or after January 8, 2002, to teach in a program supported with money from Title I must possess the qualifications required by 20 U.S.C. § 6319(a). For the purposes of this subsection, a person is not "initially hired" if the person has been employed as a teacher by another school district or charter school in this State without an interruption in employment before the date of hire by his or her current employer.
4. A teacher who is employed by a charter school, regardless of the date of hire, must, on or before July 1, 2006, possess the qualifications required by 20 U.S.C. § 6319(a) if the teacher teaches one or more of the following subjects:
  - (a) English, reading or language arts;
  - (b) Mathematics;
  - (c) Science;
  - (d) Foreign language;
  - (e) Civics or government;
  - (f) Economics;
  - (g) Geography;
  - (h) History; or
  - (i) The arts.
5. Except as otherwise provided in NRS 386.588, a charter school may employ a person who is not licensed pursuant to the provisions of chapter 391 of NRS to teach a course of study for which a licensed teacher is not required pursuant to subsections 2, 3 and 4 if the person has:
  - (a) A degree, a license or a certificate in the field for which the person is employed to teach at the charter school; and
  - (b) At least 2 years of experience in that field.
6. Except as otherwise provided in NRS 386.588, a charter school shall employ such administrators for the school as it deems necessary. A person employed as an administrator must possess:
  - (a) A valid teacher's license issued pursuant to chapter 391 of NRS with an administrative endorsement;
  - (b) A master's degree in school administration, public administration or business administration; or
  - (c) At least 5 years of experience in school administration, public administration or business administration and a baccalaureate degree.
7. Except as otherwise provided in subsection 8, the portion of the salary or other compensation of an administrator employed by a charter school that is derived from public funds must not exceed the salary or other compensation, as applicable, of the highest paid administrator in a comparable position in the school district in which the charter school is located. For purposes of determining the salary or other compensation of the highest paid administrator in a comparable

position in the school district, the salary or other compensation of the superintendent of schools of that school district must not be included in the determination.

8. If the salary or other compensation paid to an administrator employed by a charter school from public funds exceeds the maximum amount prescribed in subsection 7, the sponsor of the charter school shall conduct an audit of the salary or compensation. The audit must include, without limitation, a review of the reasons set forth by the governing body of the charter school for the salary or other compensation and the interests of the public in using public funds to pay that salary or compensation. If the sponsor determines that the payment of the salary or other compensation from public funds is justified, the sponsor shall provide written documentation of its determination to the governing body of the charter school and to the Department. If the sponsor determines that the payment of the salary or other compensation from public funds is not justified, the governing body of the charter school shall reduce the salary or compensation paid to the administrator from public funds to an amount not to exceed the maximum amount prescribed in subsection 7.

9. A charter school shall not employ a person pursuant to this section if the person's license to teach or provide other educational services has been revoked or suspended in this State or another state.

10. On or before November 15 of each year, a charter school shall submit to the Department, in a format prescribed by the Superintendent of Public Instruction, the following information for each person who is licensed pursuant to chapter 391 of NRS and who is employed by the governing body on October 1 of that year:

(a) The amount of salary or compensation of the licensed person, including, without limitation, verification of compliance with subsection 7, if applicable to that person; and

(b) The designated assignment, as that term is defined by the Department, of the licensed person. (Added to NRS by 1997, 1852; A 1999, 3302; 2001, 3137; 2003, 19th Special Session, 44; 2005, 2406, 2542; 2007, 1258; 2011, 3058)

NRS 386.600 Annual reports of budget required; compilation of reports by Superintendent of Public Instruction.

1. On or before November 1 of each year, the governing body of each charter school shall submit to the sponsor of the charter school, the Superintendent of Public Instruction and the Director of the Legislative Counsel Bureau for transmission to the Majority Leader of the Senate and the Speaker of the Assembly a report that includes:

(a) A written description of the progress of the charter school in achieving the mission and goals of the charter school set forth in its application.

(b) For each fund maintained by the charter school, including, without limitation, the general fund of the charter school and any special revenue fund which receives state money, the total number and salaries of licensed and non-licensed persons whose salaries are paid from the fund and who are employed by the governing body in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the final budget of the charter school, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.

(c) The actual expenditures of the charter school in the fiscal year immediately preceding the report.

(d) The proposed expenditures of the charter school for the current fiscal year.

(e) The salary schedule for licensed employees and non-licensed teachers in the current school year and a statement of whether salary negotiations for the current school year have been completed. If salary negotiations have not been completed at the time the salary schedule is submitted, the governing body shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations.

(f) The number of employees eligible for health insurance within the charter school for the current and preceding fiscal years and the amount paid for health insurance for each such employee during those years.

(g) The rates for fringe benefits, excluding health insurance, paid by the charter school for its licensed employees in the preceding and current fiscal years.

(h) The amount paid for extra duties, supervision of extracurricular activities and supplemental pay and the number of employees receiving that pay in the preceding and current fiscal years.

2. On or before November 25 of each year, the Superintendent of Public Instruction shall submit to the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format approved by the Director of the Department of Administration, a compilation of the reports made by each governing body pursuant to subsection 1.

3. The Superintendent of Public Instruction shall, in the compilation required by subsection 2, reconcile the revenues and expenditures of the charter schools with the apportionment received by those schools from the State Distributive School Account for the preceding year. (Added to NRS by 1997, 1855; A 2009, 937; 2013, 2637)

NRS 386.610 Annual report by sponsor of charter school. [Effective through December 31, 2019.]

On or before October 1 of each year, the sponsor of a charter school shall submit a written report to the Department. The written report must include:

1. For each charter school that it sponsors with a written charter, an evaluation of the progress of each such charter school in achieving the educational goals and objectives of the written charter.
2. For each charter school that it sponsors with a charter contract, a summary evaluating the academic, financial and organizational performance of the charter school, as measured by the performance indicators, measures and metrics set forth in the performance framework for the charter school.
3. An identification of each charter school approved by the sponsor:
  - (a) Which has not opened and the scheduled time for opening, if any;
  - (b) Which is open and in operation;
  - (c) Which has transferred sponsorship;
  - (d) Whose written charter has been revoked or whose charter contract has been terminated by the sponsor;
  - (e) Whose charter contract has not been renewed by the sponsor; and
  - (f) Which has voluntarily ceased operation.
4. A description of the strategic vision of the sponsor for the charter schools that it sponsors and the progress of the sponsor in achieving that vision.
5. A description of the services provided by the sponsor pursuant to a service agreement entered into with the governing body of the charter school pursuant to NRS 386.561, including an itemized accounting of the actual costs of those services.
6. The amount of any money from the Federal Government that was distributed to the charter school, any concerns regarding the equity of such distributions and any recommendations on how to improve access to and distribution of money from the Federal Government. (Added to NRS by 1997, 1847; A 2001, 3141; 2005, 2410, 2546; 2007, 2577; 2009, 916, 938; 2011, 2371; 2013, 1670, 2936)

NRS 386.610 Annual report by sponsor of charter school. [Effective January 1, 2020.]

On or before October 1 of each year, the sponsor of a charter school shall submit a written report to the Department. The written report must include:

1. A summary evaluating the academic, financial and organizational performance of the charter school, as measured by the performance indicators, measures and metrics set forth in the performance framework for the charter school.
2. An identification of each charter school approved by the sponsor:
  - (a) Which has not opened and the scheduled time for opening, if any;
  - (b) Which is open and in operation;
  - (c) Which has transferred sponsorship;
  - (d) Whose charter contract has been terminated by the sponsor;
  - (e) Whose charter contract has not been renewed by the sponsor; and
  - (f) Which has voluntarily ceased operation.
3. A description of the strategic vision of the sponsor for the charter schools that it sponsors and the progress of the sponsor in achieving that vision.
4. A description of the services provided by the sponsor pursuant to a service agreement entered into with the governing body of the charter school pursuant to NRS 386.561, including an itemized accounting of the actual costs of those services.
5. The amount of any money from the Federal Government that was distributed to the charter school, any concerns regarding the equity of such distributions and any recommendations on how to improve access to and distribution of money from the Federal Government. (Added to NRS by 1997, 1847; A 2001, 3141; 2005, 2410, 2546; 2007, 2577; 2009, 916, 938; 2011, 2371; 2013, 1670, 2936, 2937, effective January 1, 2020)

NRS 387.303 Budgets: Annual reports by school districts; compilation of reports; biennial budget request for State Distributive School Account.

1. Not later than November 1 of each year, the board of trustees of each school district shall submit to the Superintendent of Public Instruction and the Department of Taxation a report which includes the following information:
  - (a) For each fund within the school district, including, without limitation, the school district's general fund and any special revenue fund which receives state money, the total number and salaries of licensed and nonlicensed persons whose salaries are paid from the fund and who are employed by the school district in full-time positions or in part-time positions added together to represent full-time positions. Information must be provided for the current school year based upon the school district's final budget, including any amendments and augmentations thereto, and for the preceding school year. An employee must be categorized as filling an instructional, administrative, instructional support or other position.
  - (b) The school district's actual expenditures in the fiscal year immediately preceding the report.
  - (c) The school district's proposed expenditures for the current fiscal year.
  - (d) The schedule of salaries for licensed employees in the current school year and a statement of whether the negotiations regarding salaries for the current school year have been completed. If the negotiations have not been



completed at the time the schedule of salaries is submitted, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction upon completion of negotiations or the determination of an arbitrator concerning the negotiations that includes the schedule of salaries agreed to or required by the arbitrator.

(e) The number of employees who received an increase in salary pursuant to subsection 2, 3 or 4 of NRS 391.160 for the current and preceding fiscal years. If the board of trustees is required to pay an increase in salary retroactively pursuant to subsection 2 of NRS 391.160, the board of trustees shall submit a supplemental report to the Superintendent of Public Instruction not later than February 15 of the year in which the retroactive payment was made that includes the number of teachers to whom an increase in salary was paid retroactively.

(f) The number of employees eligible for health insurance within the school district for the current and preceding fiscal years and the amount paid for health insurance for each such employee during those years.

(g) The rates for fringe benefits, excluding health insurance, paid by the school district for its licensed employees in the preceding and current fiscal years.

(h) The amount paid for extra duties, supervision of extracurricular activities and supplemental pay and the number of employees receiving that pay in the preceding and current fiscal years.

(i) The expenditures from the account created pursuant to subsection 4 of NRS 179.1187. The report must indicate the total amount received by the district in the preceding fiscal year and the specific amount spent on books and computer hardware and software for each grade level in the district.

2. On or before November 25 of each year, the Superintendent of Public Instruction shall submit to the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau, in a format approved by the Director of the Department of Administration, a compilation of the reports made by each school district pursuant to subsection 1.
3. In preparing the agency biennial budget request for the State Distributive School Account for submission to the Department of Administration, the Superintendent of Public Instruction:
  - (a) Shall compile the information from the most recent compilation of reports submitted pursuant to subsection 2;
  - (b) May increase the line items of expenditures or revenues based on merit salary increases and cost of living adjustments or inflation, as deemed credible and reliable based upon published indexes and research relevant to the specific line item of expenditure or revenue;
  - (c) May adjust expenditures and revenues pursuant to paragraph (b) for any year remaining before the biennium for which the budget is being prepared and for the 2 years of the biennium covered by the biennial budget request to project the cost of expenditures or the receipt of revenues for the specific line items;
  - (d) May consider the cost of enhancements to existing programs or the projected cost of proposed new educational programs, regardless of whether those enhancements or new programs are included in the per pupil basic support guarantee for inclusion in the biennial budget request to the Department of Administration; and
  - (e) Shall obtain approval from the State Board for any inflationary increase, enhancement to an existing program or addition of a new program included in the agency biennial budget request.
4. The Superintendent of Public Instruction shall, in the compilation required by subsection 2, reconcile the revenues of the school districts with the apportionment received by those districts from the State Distributive School Account for the preceding year.
5. The request prepared pursuant to subsection 3 must:
  - (a) Be presented by the Superintendent of Public Instruction to such standing committees of the Legislature as requested by the standing committees for the purposes of developing educational programs and providing appropriations for those programs; and
  - (b) Provide for a direct comparison of appropriations to the proposed budget of the Governor submitted pursuant to subsection 4 of NRS 353.230. (Added to NRS by 1979, 1582; A 1991, 1549; 1993, 1431, 2158; 1995, 574, 1898, 2819; 1997, 2704, 2705; 1999, 1036; 2001, 876, 1485, 1493; 2001 Special Session, 172, 186; 2007, 2384; 2007, 23rd Special Session, 15; 2009, 940; 2013, 2638)

NRS 388.421 Maintenance and storage in secure location by public school; policy regarding proper handling and transportation; annual report to Division of Public and Behavioral Health concerning doses administered.

1. Each public school shall ensure that auto-injectable epinephrine maintained at the school is stored in a designated, secure location that is unlocked and easily accessible.
2. Each school district shall establish a policy for the schools within the district, other than charter schools, regarding the proper handling and transportation of auto-injectable epinephrine.
3. Not later than 30 days after the last day of each school year, each school district and charter school shall submit a report to the Division of Public and Behavioral Health of the Department of Health and Human Services identifying the number of doses of auto-injectable epinephrine that were administered at each public school within the school district or charter school, as applicable, during the school year.

(Added to NRS by 2013, 1225)

NRS 388.492 Pupil with a disability attains 18 years of age: Rights transfer to pupil; notice to parent and pupil; exception for pupil adjudicated incompetent.

1. Except as otherwise provided in this section and NRS 388.493, any right accorded to a parent of a pupil with a disability pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., or the regulations adopted pursuant thereto, transfers to the pupil when the pupil attains the age of 18 years.
2. Not less than 90 days before the date on which a pupil with a disability attains the age of 18 years, the school district or charter school in which the pupil is enrolled shall provide notice to the:
  - (a) Parent of the transfer of the parent's rights pursuant to subsection 1 and of the process for submission of an application to the school district or charter school pursuant to NRS 388.493.
  - (b) Pupil concerning the transfer of rights to the pupil.
3. If a pupil with a disability attains the age of 18 years and the pupil is enrolled in a program of special education pursuant to NRS 388.440 to 388.5317, inclusive, the school district or charter school in which the pupil is enrolled shall provide any notice required pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the regulations adopted pursuant thereto, or NRS 388.440 to 388.5317, inclusive, and the regulations adopted pursuant thereto, to the:
  - (a) Parent; and
  - (b) Pupil with a disability,

regardless of whether the parent is appointed to represent the educational interests of the pupil pursuant to NRS 388.493 or the rights transfer to the pupil pursuant to subsection 1.

4. If a court of competent jurisdiction adjudicates a pupil with a disability incompetent and appoints a guardian for the pupil, all rights pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the regulations adopted pursuant thereto, remain with or otherwise transfer to the guardian. (Added to NRS by 2007, 2918)

NRS 388.493 Pupil with a disability attains 18 years of age: Application by parent to represent educational interests of pupil; duration of representation; appeal; regulations.

1. A parent of a pupil with a disability may, at least 90 days before the pupil attains 18 years of age, submit an application to the school district or the charter school in which the pupil is enrolled to appoint the parent to represent the educational interests of the pupil if:
  - (a) The parent believes that the pupil does not have the ability to provide informed consent with respect to the pupil's own educational program; and
  - (b) The status of the pupil is such, as determined in accordance with the regulations adopted pursuant to subsection 5, that the parent is authorized to submit such an application.
2. The application must be submitted on a concise form prescribed by the Department. The application:
  - (a) Must not be unduly burdensome on the parent to fill out; and
  - (b) Must not require the pupil to sign the application or otherwise require the pupil to grant permission for the parent to represent the pupil's educational interests.
3. If the school district or charter school grants an application, the parent shall continue to represent the educational interests of the pupil until:
  - (a) The pupil receives a standard high school diploma or an adjusted diploma;
  - (b) The pupil is no longer enrolled in a program of special education pursuant to NRS 388.440 to 388.5317, inclusive; or
  - (c) The parent elects to transfer the right to represent educational interests to the pupil.
4. A parent or a pupil may appeal a determination made pursuant to this section in accordance with the procedure used by the Department for administrative complaints.
5. The State Board shall adopt regulations to carry out this section and NRS 388.492, including, without limitation, the establishment of criteria for determining whether the status of a pupil with a disability is such that his or her parent is authorized to submit an application to represent the educational interests of the pupil pursuant to this section. (Added to NRS by 2007, 2918)

NRS 388.520 Use of form for development, review and revision of individualized education program; minimum standards for special education and early intervening services; limitation on apportionment of state money for instruction.

1. The Department shall:
  - (a) Prescribe a form that contains the basic information necessary for the uniform development, review and revision of an individualized education program for a pupil with a disability in accordance with 20 U.S.C. § 1414(d); and
  - (b) Make the form available on a computer disc for use by school districts and, upon request, in any other manner deemed reasonable by the Department.

2. Except as otherwise provided in this subsection, each school district shall ensure that the form prescribed by the Department is used for the development, review and revision of an individualized education program for each pupil with a disability who receives special education in the school district. A school district may use an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.
3. The State Board:
  - (a) Shall prescribe minimum standards for the special education of pupils with disabilities and gifted and talented pupils.
  - (b) May prescribe minimum standards for the provision of early intervening services.
4. The minimum standards prescribed by the State Board must include standards for programs of instruction or special services maintained for the purpose of serving pupils with:
  - (a) Hearing impairments, including, but not limited to, deafness.
  - (b) Visual impairments, including, but not limited to, blindness.
  - (c) Orthopedic impairments.
  - (d) Speech and language impairments.
  - (e) Intellectual disabilities.
  - (f) Multiple impairments.
  - (g) Serious emotional disturbances.
  - (h) Other health impairments.
  - (i) Specific learning disabilities.
  - (j) Autism spectrum disorders.
  - (k) Traumatic brain injuries.
  - (l) Developmental delays.
  - (m) Gifted and talented abilities.
5. The minimum standards prescribed by the State Board for pupils with hearing impairments, including, without limitation, deafness, pursuant to paragraph (a) of subsection 4 must provide:
  - (a) That a pupil cannot be denied the opportunity for instruction in a particular communication mode solely because the communication mode originally chosen for the pupil is different from a communication mode recommended by the pupil's individualized education program team; and
  - (b) That, to the extent feasible, as determined by the board of trustees of the school district, a school is required to provide instruction to those pupils in more than one communication mode.
6. No apportionment of state money may be made to any school district or charter school for the instruction of pupils with disabilities and gifted and talented pupils until the program of instruction maintained therein for such pupils is approved by the Superintendent of Public Instruction as meeting the minimum standards prescribed by the State Board.
7. The Department shall, upon the request of the board of trustees of a school district, provide information to the board of trustees concerning the identification and evaluation of pupils with disabilities in accordance with the standards prescribed by the State Board.
8. The Department shall post on the Internet website maintained by the Department the data that is submitted to the United States Secretary of Education pursuant to 20 U.S.C. § 1418 within 30 days after submission of the data to the Secretary in a manner that does not result in the disclosure of data that is identifiable to an individual pupil. [288:32:1956]—(NRS A 1969, 445; 1973, 1429; 1977, 885; 1979, 1597; 1981, 245; 1989, 692; 1993, 2160; 1997, 1867; 1999, 1750; 2009, 755; 2011, 2706, 2716; 2013, 694, 744)

#### NRS 388.521 Definitions.

As used in NRS 388.521 to 388.5317, inclusive, unless the context otherwise requires, the words and terms defined in NRS 388.5215 to 388.526, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1999, 3236; A 2009, 918)

#### NRS 388.5215 "Aversive intervention" defined.

"Aversive intervention" means any of the following actions if the action is used to punish a pupil with a disability or to eliminate, reduce or discourage maladaptive behavior of a pupil with a disability:

1. The use of noxious odors and tastes;
2. The use of water and other mists or sprays;
3. The use of blasts of air;
4. The use of corporal punishment;
5. The use of verbal and mental abuse;
6. The use of electric shock;

7. The administration of chemical restraint to a person;
  8. The placement of a person alone in a room where release from the room is prohibited by a mechanism, including, without limitation, a lock, device or object positioned to hold the door closed or otherwise prevent the person from leaving the room;
  9. Requiring a person to perform exercise under forced conditions if the:
    - (a) Person is required to perform the exercise because he or she exhibited a behavior that is related to his or her disability;
    - (b) Exercise is harmful to the health of the person because of his or her disability; or
    - (c) Nature of the person's disability prevents him or her from engaging in the exercise; or
  10. The deprivation of necessities needed to sustain the health of a person, regardless of the length of the deprivation, including, without limitation, the denial or unreasonable delay in the provision of:
    - (a) Food or liquid at a time when it is customarily served; or
    - (b) Medication.
- (Added to NRS by 1999, 3237)

NRS 388.522 "Chemical restraint" defined.

"Chemical restraint" means the administration of drugs for the specific and exclusive purpose of controlling an acute or episodic aggressive behavior when alternative intervention techniques have failed to limit or control the behavior. The term does not include the administration of drugs on a regular basis, as prescribed by a physician, to treat the symptoms of mental, physical, emotional or behavioral disorders and for assisting a person in gaining self-control over his or her impulses. (Added to NRS by 1999, 3237)

NRS 388.5225 "Corporal punishment" defined. "Corporal punishment" means the intentional infliction of physical pain, including, without limitation, hitting, pinching or striking. (Added to NRS by 1999, 3237)

NRS 388.523 "Electric shock" defined.

"Electric shock" means the application of electric current to a person's skin or body. The term does not include electroconvulsive therapy. (Added to NRS by 1999, 3237)

NRS 388.5235 "Emergency" defined.

"Emergency" means a situation in which immediate intervention is necessary to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage. (Added to NRS by 1999, 3237)

NRS 388.525 "Mechanical restraint" defined.

"Mechanical restraint" means the use of devices, including, without limitation, mittens, straps and restraint chairs to limit a person's movement or hold a person immobile. (Added to NRS by 1999, 3238)

NRS 388.5255 "Physical restraint" defined.

"Physical restraint" means the use of physical contact to limit a person's movement or hold a person immobile. (Added to NRS by 1999, 3238)

NRS 388.526 "Verbal and mental abuse" defined.

"Verbal and mental abuse" means actions or utterances that are intended to cause and actually cause severe emotional distress to a person. (Added to NRS by 1999, 3238)

NRS 388.5265 Aversive intervention prohibited.

A person employed by the board of trustees of a school district or any other person shall not use any aversive intervention on a pupil with a disability. (Added to NRS by 1999, 3238)

NRS 388.527 Physical restraint and mechanical restraint prohibited; exceptions.

A person employed by the board of trustees of a school district or any other person shall not:

1. Except as otherwise provided in NRS 388.5275, use physical restraint on a pupil with a disability.
2. Except as otherwise provided in NRS 388.528, use mechanical restraint on a pupil with a disability. (Added to NRS by 1999, 3238)

NRS 388.5275 Conditions under which physical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year.

1. Except as otherwise provided in subsection 2, physical restraint may be used on a pupil with a disability only if:

- (a) An emergency exists that necessitates the use of physical restraint;
  - (b) The physical restraint is used only for the period that is necessary to contain the behavior of the pupil so that the pupil is no longer an immediate threat of causing physical injury to the pupil or to others or causing severe property damage; and
  - (c) The use of force in the application of physical restraint does not exceed the force that is reasonable and necessary under the circumstances precipitating the use of physical restraint.
2. Physical restraint may be used on a pupil with a disability and the provisions of subsection 1 do not apply if the physical restraint is used to:
- (a) Assist the pupil in completing a task or response if the pupil does not resist the application of physical restraint or if the pupil's resistance is minimal in intensity and duration;
  - (b) Escort or carry the pupil to safety if the pupil is in danger in his or her present location; or
  - (c) Conduct medical examinations or treatments on the pupil that are necessary.
3. If physical restraint is used on a pupil with a disability in an emergency, the use of the procedure must be reported in the pupil's cumulative record and a confidential file maintained for the pupil not later than 1 working day after the procedure is used. A copy of the report must be provided to the board of trustees of the school district or its designee, the pupil's individualized education program team and the parent or guardian of the pupil. If the board of trustees or its designee determines that a denial of the pupil's rights has occurred, the board of trustees or its designee shall submit a report to the Department in accordance with NRS 388.5315.
4. If a pupil with a disability has three reports of the use of physical restraint in his or her record pursuant subsection 3 in 1 school year, the school district shall notify the school in which the pupil is enrolled to review the circumstances of the use of the restraint on the pupil and provide a report to the school district on its findings.
5. If a pupil with a disability has five reports of the use of physical restraint in his or her record pursuant to subsection 3 in 1 school year, the pupil's individualized education program must be reviewed in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1414 et seq., and the regulations adopted pursuant thereto. If physical restraint continues after the pupil's individualized education program has been reviewed, the school district and the parent or legal guardian of the pupil shall include in the pupil's individualized education program additional methods that are appropriate for the pupil to ensure that the restraint does not continue, including, without limitation, mentoring, training, a functional behavioral assessment, a positive behavior plan and positive behavioral supports. (Added to NRS by 1999, 3238; A 2009, 918)

NRS 388.528 Conditions under which mechanical restraint may be used; report required; requirements if pupil has three or five reports of use of restraint in 1 school year.

1. Except as otherwise provided in subsection 2, mechanical restraint may be used on a pupil with a disability only if:
- (a) An emergency exists that necessitates the use of mechanical restraint;
  - (b) A medical order authorizing the use of mechanical restraint from the pupil's treating physician is included in the pupil's individualized education program before the application of the mechanical restraint;
  - (c) The physician who signed the order required pursuant to paragraph (b) or the attending physician examines the pupil as soon as practicable after the application of the mechanical restraint;
  - (d) The mechanical restraint is applied by a member of the staff of the school who is trained and qualified to apply mechanical restraint;
  - (e) The pupil is given the opportunity to move and exercise the parts of his or her body that are restrained at least 10 minutes per every 60 minutes of restraint, unless otherwise prescribed by the physician who signed the order;
  - (f) A member of the staff of the school lessens or discontinues the restraint every 15 minutes to determine whether the pupil will stop injury to himself or herself without the use of the restraint;
  - (g) The record of the pupil contains a notation that includes the time of day that the restraint was lessened or discontinued pursuant to paragraph (f), the response of the pupil and the response of the member of the staff of the school who applied the mechanical restraint;
  - (h) A member of the staff of the school continuously monitors the pupil during the time that mechanical restraint is used on the pupil; and
  - (i) The mechanical restraint is used only for the period that is necessary to contain the behavior of the pupil so that the pupil is no longer an immediate threat of causing physical injury to himself or herself.
2. Mechanical restraint may be used on a pupil with a disability and the provisions of subsection 1 do not apply if the mechanical restraint is used to:
- (a) Treat the medical needs of the pupil;
  - (b) Protect a pupil who is known to be at risk of injury to himself or herself because he or she lacks coordination or suffers from frequent loss of consciousness;
  - (c) Provide proper body alignment to a pupil; or
  - (d) Position a pupil who has physical disabilities in a manner prescribed in the pupil's individualized education program.

3. If mechanical restraint is used on a pupil with a disability in an emergency, the use of the procedure must be reported in the pupil's cumulative record and a confidential file maintained for the pupil not later than 1 working day after the procedure is used. A copy of the report must be provided to the board of trustees of the school district or its designee, the pupil's individualized education program team and the parent or guardian of the pupil. If the board of trustees or its designee determines that a denial of the pupil's rights has occurred, the board of trustees or its designee shall submit a report to the Department in accordance with NRS 388.5315.
4. If a pupil with a disability has three reports of the use of mechanical restraint in his or her record pursuant to subsection 3 in 1 school year, the school district shall notify the school in which the pupil is enrolled to review the circumstances of the use of the restraint on the pupil and provide a report of its findings to the school district.
5. If a pupil with a disability has five reports of the use of mechanical restraint in his or her record pursuant to subsection 3 in 1 school year, the pupil's individualized education program must be reviewed in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1414 et seq., and the regulations adopted pursuant thereto. If mechanical restraint continues after the pupil's individualized education program has been reviewed, the school district and the parent or legal guardian of the pupil shall include in the pupil's individualized education program additional methods that are appropriate for the pupil to ensure that restraint does not continue, including, without limitation, mentoring, training, a functional behavioral assessment, a positive behavior plan and positive behavioral supports. (Added to NRS by 1999, 3238; A 2009, 919)

NRS 388.5285 Mandatory education and training for staff.

1. The Department shall develop a model program of education for use by the school districts to train the members of the staff of the schools within the school districts who are identified in the individualized education programs of pupils with disabilities to provide services to those pupils. The model program of education must provide instruction in positive behavioral interventions and positive behavioral supports that:
  - (a) Includes positive methods to modify the environment of pupils with disabilities to promote adaptive behavior and reduce the occurrence of inappropriate behavior;
  - (b) Includes methods to teach skills to pupils with disabilities so that the pupils can replace inappropriate behavior with adaptive behavior;
  - (c) Includes methods to enhance the independence and quality of life for pupils with disabilities;
  - (d) Includes the use of the least intrusive methods to respond to and reinforce the behavior of pupils with disabilities; and
  - (e) Offers a process for designing interventions based upon the pupil that are focused on promoting appropriate changes in behavior as well as enhancing the overall quality of life for the pupil.
2. The board of trustees of each school district shall provide for appropriate training for the members of the staff of the schools within the school district who are authorized to carry out and monitor physical restraint and mechanical restraint to ensure that those members of the staff are qualified to carry out the procedures in accordance with NRS 388.521 to 388.5317, inclusive. (Added to NRS by 1999, 3239)

NRS 388.529 Disciplinary action against person for intentional violation.

In addition to any penalty prescribed by specific statute, a person who intentionally uses aversive intervention on a pupil with a disability or intentionally violates NRS 388.527 is subject to disciplinary action pursuant to NRS 391.31297 or 391.330, or both. (Added to NRS by 1999, 3240)

NRS 388.5295 Report of violation; corrective plan required; appointment of administrator to oversee school under certain circumstances.

1. A school where a violation of NRS 388.521 to 388.5317, inclusive, occurs shall report the violation to the board of trustees of the school district not later than 24 hours after the violation occurred, or as soon thereafter as the violation is discovered.
2. The board of trustees of the school district where the violation occurred shall develop, in cooperation with the superintendent of schools of the school district, a corrective plan to ensure that within 30 calendar days after the violation occurred, appropriate action is taken by the school and the board of trustees to prevent future violations.
3. The superintendent of schools of the school district shall submit the plan to the Department. The Department shall review the plan to ensure that it complies with applicable federal law and the statutes and regulations of this state. The Department may require appropriate revision of the plan to ensure compliance.
4. If the school where the violation occurred does not meet the requirements of the plan to the satisfaction of the Department, the Department may appoint a licensed administrator to oversee the school to ensure that the school meets the requirements of the plan. An administrator serves at the pleasure of the Superintendent of Public Instruction and is entitled to receive such compensation as may be set by the superintendent. A school district that contains a school for which an administrator is

appointed pursuant to this subsection shall reimburse the Department for any expenses incurred by the Department pursuant to this subsection. (Added to NRS by 1999, 3240)

NRS 388.531 Retaliation for reporting violation prohibited.

An officer, administrator or employee of a public school shall not retaliate against any person for having:

1. Reported a violation of NRS 388.521 to 388.5317, inclusive; or
2. Provided information regarding a violation of NRS 388.521 to 388.5317, inclusive, by a public school or a member of the staff of the public school. (Added to NRS by 1999, 3241)

NRS 388.5315 Reporting of denial of rights; investigation and resolution of disputes by Department.

1. A denial of rights of a pupil with a disability pursuant to NRS 388.521 to 388.5317, inclusive, must be entered in the pupil's cumulative record and a confidential file maintained for that pupil. Notice of the denial must be provided to the board of trustees of the school district or its designee.
2. If the board of trustees of a school district or its designee receives notice of a denial of rights pursuant to subsection 1, the board of trustees or its designee shall cause a full report to be prepared which must set forth in detail the factual circumstances surrounding the denial. A copy of the report must be provided to the Department.
3. The Department:
  - (a) Shall receive reports made pursuant to subsection 2;
  - (b) May investigate apparent violations of the rights of pupils with disabilities; and
  - (c) May act to resolve disputes relating to apparent violations.
 (Added to NRS by 1999, 3241; A 2009, 921)

NRS 388.5317 Annual report by school districts on use of restraint and violations; compilation of reports by Department; submission of compilation to Legislature.

1. The board of trustees of each school district shall, on or before August 1 of each year, prepare a report in the form prescribed by the Department that includes, without limitation, for each school within the school district:
  - (a) The number of instances in which physical restraint was used at the school during the immediately preceding school year, which must indicate the number of instances per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil;
  - (b) The number of instances in which mechanical restraint was used at the school during the immediately preceding school year, which must indicate the number of instances per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil; and
  - (c) The number of violations of NRS 388.521 to 388.5317, inclusive, by type of violation, which must indicate the number of violations per teacher employed at the school and per pupil enrolled at the school without disclosing personally identifiable information about the teacher or the pupil.
2. The board of trustees of each school district shall prescribe a form for each school within the school district to report the information set forth in subsection 1 to the school district and the time by which those reports must be submitted to the school district.
3. On or before August 15 of each year, the board of trustees of each school district shall submit to the Department the written report prepared by the board of trustees pursuant to subsection 1.
4. The Department shall compile the data received by each school district pursuant to subsection 3 and prepare a written report of the compilation, disaggregated by school district. On or before October 1 of each year, the Department shall submit the written compilation:
  - (a) In even-numbered years, to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.
  - (b) In odd-numbered years, to the Legislative Committee on Education.
5. If a particular item in a report required pursuant to this section would reveal personally identifiable information about an individual pupil or teacher that item must not be included in the report. (Added to NRS by 2009, 918)

NRS 388.846 Compliance with statutes and regulations; notice by charter school to board of trustees concerning type of educational services provided.

1. If the board of trustees of a school district provides a program of distance education, the board of trustees shall ensure that the persons who operate the program on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the school district, including, without limitation:
  - (a) Graduation requirements;
  - (b) Accountability of public schools, as set forth in NRS 385.3455 to 385.3891, inclusive;

- (c) Provisions governing the attendance and truancy of pupils, as set forth in NRS 392.040 to 392.220, inclusive; and
  - (d) Discipline of pupils.
2. If the governing body of a charter school provides a program of distance education, the governing body shall:
- (a) For each pupil who is enrolled in the program, provide written notice to the board of trustees of the school district in which the pupil resides of the type of educational services that will be provided to the pupil through the program. The written notice must be provided to the board of trustees before the pupil receives educational services through the program of distance education.
  - (b) Ensure that the persons who operate the program on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the charter school, including, without limitation:
    - (1) Graduation requirements;
    - (2) Accountability of public schools, as set forth in NRS 385.3455 to 385.3891, inclusive;
    - (3) Provisions governing the attendance and truancy of pupils, as set forth in NRS 392.040 to 392.220, inclusive; and
    - (4) Discipline of pupils. (Added to NRS by 2001, 3154; A 2003, 19th Special Session, 52; 2013, 1929)

NRS 389.620 Adoption and enforcement of plan for test security by board of trustees; contents of plan; annual submission of plan to State Board and Legislative Committee on Education; written notice concerning plan to educational personnel, pupils and parents; definitions.

1. The board of trustees of each school district shall, for each public school in the district, including, without limitation, charter schools, adopt and enforce a plan setting forth procedures to ensure the security of examinations and assessments.
2. A plan adopted pursuant to subsection 1 must include, without limitation:
  - (a) Procedures pursuant to which pupils, school officials and other persons may, and are encouraged to, report irregularities in testing administration and testing security.
  - (b) Procedures necessary to ensure the security of test materials and the consistency of testing administration.
  - (c) With respect to secondary schools, procedures pursuant to which the school district or charter school, as appropriate, will verify the identity of pupils taking an examination or assessment.
  - (d) Procedures that specifically set forth the action that must be taken in response to a report of an irregularity in testing administration or testing security and the action that must be taken during an investigation of such an irregularity. For each action that is required, the procedures must identify, by category, the employees of the school district or charter school who are responsible for taking the action and for ensuring that the action is carried out successfully.
  - (e) The procedures adopted pursuant to this subsection must be consistent, to the extent applicable, with the procedures adopted by the Department pursuant to NRS 389.616.
3. A copy of each plan adopted pursuant to this section and the procedures set forth therein must be submitted on or before September 1 of each year to:
  - (a) The State Board; and
  - (b) The Legislative Committee on Education, created pursuant to NRS 218E.605.
4. On or before September 30 of each school year, the board of trustees of each school district and the governing body of each charter school shall provide a written notice regarding the examinations and assessments to all teachers and educational personnel employed by the school district or governing body, all personnel employed by the school district or governing body who are involved in the administration of the examinations and assessments, all pupils who are required to take the examinations or assessments and all parents and legal guardians of such pupils. The written notice must be prepared in a format that is easily understood and must include, without limitation, a description of the:
  - (a) Plan adopted pursuant to this section; and
  - (b) Action that may be taken against personnel and pupils for violations of the plan or for other irregularities in testing administration or testing security.
5. As used in this section:
  - (a) "Assessment" means the college and career readiness assessment administered to pupils enrolled in grade 11 pursuant to NRS 389.807.
  - (b) "Examination" means:
    - (1) The examinations that are administered to pupils pursuant to NRS 389.550 or 389.805; and
    - (2) Any other examinations which measure the achievement and proficiency of pupils and which are administered to pupils on a district-wide basis.
  - (c) "Irregularity in testing administration" means the failure to administer an examination or assessment in the manner intended by the person or entity that created the examination or assessment.
  - (d) "Irregularity in testing security" means an act or omission that tends to corrupt or impair the security of an examination or assessment, including, without limitation:
    - (1) The failure to comply with security procedures adopted pursuant to this section or NRS 389.616;



- (2) The disclosure of questions or answers to questions on an examination or assessment in a manner not otherwise approved by law; and
- (3) Other breaches in the security or confidentiality of the questions or answers to questions on an examination or assessment. (Added to NRS by 2001, 1199; A 2013, 3274)

**NRS 392.450 Drills to instruct pupils in appropriate procedures to be followed in event of emergency; posting of escape routes; enforcement; penalty.**

1. The board of trustees of each school district and the governing body of each charter school shall provide drills for the pupils in the schools in the school district or the charter schools at least once each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a fire or other emergency, except a crisis governed by NRS 392.600 to 392.656, inclusive. Not more than three of those drills may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters.
2. In all cities or towns which have regularly organized, paid fire departments or voluntary fire departments, the drills required by subsection 1 must be conducted under the supervision of the:
  - (a) Person designated for this purpose by the board of trustees of the school district or the governing body of a charter school; and
  - (b) Chief of the fire department of the city or town.
3. A diagram of the approved escape route and any other information related to the drills required by subsection 1 which is approved by the chief of the fire department or, if there is no fire department, the State Fire Marshal must be kept posted in every classroom of every public school by the principal or teacher in charge thereof.
4. The principal, teacher or other person in charge of each school building shall cause the provisions of this section to be enforced.
5. Any violation of the provisions of this section is a misdemeanor. [405:32:1956]—(NRS A 1971, 152; 1993, 112; 1997, 1877; 2001, 1329)

**NRS 392.464 Adoption and enforcement by trustees of disciplinary measures for pupil in possession of alcoholic beverage or controlled substance on premises of school.**

1. The board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an alcoholic beverage or a controlled substance, while on the premises of any public school in its district.
2. As used in this section, "alcoholic beverage" has the meaning ascribed to it in NRS 202.015. (Added to NRS by 1985, 1649; A 1987, 482, 1550, 1576)

**NRS 392.616 Development committee: Establishment by school districts and charter schools; membership; terms of members.**

1. The board of trustees of each school district shall establish a development committee to develop one plan to be used by all the public schools other than the charter schools in the school district in responding to a crisis or an emergency. The governing body of each charter school shall establish a development committee to develop a plan to be used by the charter school in responding to a crisis or an emergency.
2. The membership of a development committee must consist of:
  - (a) At least one member of the board of trustees or of the governing body that established the committee;
  - (b) At least one administrator of a school in the school district or of the charter school;
  - (c) At least one licensed teacher of a school in the school district or of the charter school;
  - (d) At least one employee of a school in the school district or of the charter school who is not a licensed teacher and who is not responsible for the administration of the school;
  - (e) At least one parent or legal guardian of a pupil who is enrolled in a school in the school district or in the charter school;
  - (f) At least one representative of a local law enforcement agency in the county in which the school district or charter school is located;
  - (g) At least one school police officer, including, without limitation, a chief of school police of the school district if the school district has school police officers; and
  - (h) At least one representative of a state or local organization for emergency management.
3. The membership of a development committee may also include any other person, whom the board of trustees or the governing body deems appropriate, including, without limitation:
  - (a) A counselor of a school in the school district or of the charter school;
  - (b) A psychologist of a school in the school district or of the charter school;
  - (c) A licensed social worker of a school in the school district or of the charter school;
  - (d) A pupil in grade 10 or higher of a school in the school district or a pupil in grade 10 or higher of the charter school if a school in the school district or the charter school includes grade 10 or higher; and

(e) An attorney or judge who resides or works in the county in which the school district or charter school is located.

4. The board of trustees of each school district and the governing body of each charter school shall determine the term of each member of the development committee that it establishes. Each development committee may adopt rules for its own management and government. (Added to NRS by 2001, 1323; A 2011, 1074)