

## **NOTICE OF INTENT TO ACT UPON A REGULATION**

### **Notice of Hearing for the Adoption of Regulations of the State Public Charter School Authority**

The State Public Charter School Authority will hold a public hearing at 2:10 P.M. on **November 4, 2016** to be video conferenced in the Board Room at the Nevada Department of Education Offices, 700 East Fifth Street Carson City Nevada and 9890 South Maryland Parkway, Las Vegas, Nevada.

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions/repeal of regulations of the Nevada Administrative Code (NAC) 388A. The time for the hearing is scheduled as follows:

**2:10 P.M.** The proposed regulation, R089-16, creates a new section of NAC 388A. It establishes the contents and process for the submission of an application to form a charter school to the State Public Charter School Authority; establishes the contents and process for the submission of a request to amend a written charter, or charter contract, as applicable, to the State Public Charter School Authority; establishes the contents and process for the submission of a request to renew a charter contract, as applicable, to the State Public Charter School Authority; and establishes provisions relating to the investigation and evaluation of such applications and requests by the State Public Charter School Authority.

**NOTE: Possible action to adopt may be taken at this meeting.**  
**The following information is provided pursuant to the requirements of NRS 233B.0603:**

1. The need and the purpose of the proposed regulations/amendments.  
SB509, codified in NRS 388A, requires the State Public Charter School Authority to adopt regulations prescribing the contents and process for submission to the State Public Charter School Authority of applications to form a charter school, to amend a written charter or charter contract, or to renew a charter contract; and the procedure for the investigation of and criteria to evaluate such applications. SB509 also authorizes the State Public Charter School Authority to establish different timelines and review procedures for different types of applicants and to establish an abbreviated application.
2. Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.  
The proposed regulation establishes the contents and process for the submission of an application to form a charter school to the State Public Charter School Authority; establishes the contents and process for the submission of a request to amend a written charter, or charter contract, as applicable, to the State Public Charter School Authority; establishes the contents and process for the submission of a request to renew a charter contract, as applicable, to the State Public Charter School Authority; and establishes provisions relating to the investigation and evaluation of such applications and requests by the State Public Charter School Authority.
3. There is no economic effect of the regulation on the business that it regulates and no impact on the public.
  - a. There are neither adverse nor beneficial effects.
  - b. There are no immediate or long term effects.
4. There is no cost to the agency for the enforcement of the proposed regulation.
5. There is no overlap of regulations of state or local government agencies; while the Department of Education has adopted regulations related to charter applications and amendments which will continue to apply to school districts and NSHE institutions, those requirements will no longer apply to the State Public Charter School Authority upon adoption of these regulations.
6. This regulation is not required pursuant to federal law

7. The proposed regulation does not include provisions that are more stringent than a federal regulation that regulates the same activity.
8. The proposed regulation does not establish a new fee or increases an existing fee of the State Public Charter School Authority.

Persons wishing to comment upon the proposed action of the State Public Charter School Authority may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the State Public Charter School Authority, 1749 North Stewart Street, Carson City, NV 89706. Written submissions must be received by the State Public Charter School Authority **on or before October 26, 2016.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the State Public Charter School Authority may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library and Archives, 100 Stewart Street, Suite 40, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended/adopted/repealed will be available at the State Public Charter School Authority, 1749 North Stewart Street, Suite 40, Carson, City, NV 80706 and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies, if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations: State Public Charter School Authority, both locations; Nevada Department of Education, both locations; 16 Nevada Public Libraries; and Nevada State Library and Archives.