

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

1. **S U B J E C T:** Consideration regarding Senate Bills 460 and 509 and Assembly Bill 395 (Patrick Gavin, Director, SPCSA)

*(Information/Discussion/Action)*

- [SB460](#) Revises provisions related to the statewide system of accountability for public schools. (BDR 34-1108)
- [SB509](#) Makes various changes to provisions governing charter schools. (BDR 34-1090)
- [AB395](#) Revises provisions relating to the State Public Charter School Authority. (BDR 34-902)

  /  /   Public Workshop

  /  /   Public Hearing

  /  /   Consent Agenda

  /  /   Regulation Adoption

  /  /   Approval

  /  /   Appointments

  /  x/   Information

  /x  /   Action

MEETING DATE: April 6, 2015

AGENDA ITEM: 2

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S):** Patrick Gavin, Director, SPCSA

**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 30 mins

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**SUBMITTED BY:** \_\_\_\_\_

























THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Chapter 386 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this  
3 act.

4       **Sec. 2.** *“Charter management organization” means a*  
5 *nonprofit organization that holds a written charter, charter*  
6 *contract or other equivalent agreement to operate more than one*  
7 *charter school in this State or another state.*

8       **Sec. 3.** *“Educational management organization” means a*  
9 *for-profit corporation, business, organization or other entity that*  
10 *provides services relating to the operation and management of*  
11 *charter schools and achievement charter schools.*

12       **Sec. 4. 1.** *The State Public Charter School Authority, the*  
13 *board of trustees of the school district or a college or university*  
14 *within the Nevada System of Higher Education, as applicable,*  
15 *which sponsors a charter school must hold a public hearing*  
16 *concerning any request to amend a written charter or a charter*  
17 *contract of the charter school it sponsors for the purpose of:*

18       (a) *Expanding the charter school to offer instruction in grade*  
19 *levels for which the charter school does not already offer*  
20 *instruction.*

21       (b) *Increasing the total enrollment of a charter school or the*  
22 *enrollment of pupils in a particular grade level in the charter*  
23 *school for a school year to more than 120 percent of the*  
24 *enrollment prescribed in the written charter or charter contract*  
25 *for that school year.*

26       (c) *Reducing the total enrollment of a charter school or the*  
27 *enrollment of pupils in a particular grade level in the charter*  
28 *school for a school year to less than 80 percent of the enrollment*  
29 *prescribed in the written charter or charter contract for that*  
30 *school year.*

31       (d) *Acquiring an additional facility in any county of this State*  
32 *to expand the enrollment of the charter school.*

33       (e) *Consolidating the operations of multiple charter schools*  
34 *pursuant to section 5 of this act.*

35       (f) *Any other type of amendment for which a public hearing is*  
36 *required by regulation of the State Board.*

37       **2.** *A written charter or charter contract may not be amended*  
38 *in any manner described in subsection 1 unless the amendment is*  
39 *approved by the State Public Charter School Authority, the board*  
40 *of trustees of the school district or a college or university within*  
41 *the Nevada System of Higher Education, as applicable.*



1       3. *The State Public Charter School Authority, the board of*  
2 *trustees of the school district or a college or university within the*  
3 *Nevada System of Higher Education, as applicable, must deny a*  
4 *request to amend a written charter or charter contract in the*  
5 *manner described in paragraphs (d) or (e) of subsection 1 if the*  
6 *State Public Charter School Authority, the board of trustees or a*  
7 *college or university within the Nevada System of Higher*  
8 *Education, as applicable, determines that:*

9       (a) *The charter school is not meeting the requirements of the*  
10 *performance framework concerning academics, finances or*  
11 *operation established pursuant to NRS 386.528; or*

12       (b) *The governing body does not have a comprehensive and*  
13 *feasible plan to operate additional facilities.*

14       **Sec. 5.** *The sponsor of a charter school may approve an*  
15 *amendment to a written charter or a charter contract to*  
16 *consolidate the operations of two or more charter schools if:*

17       1. *The sponsor of a charter school for which a written charter*  
18 *has been revoked or a charter contract has been terminated has*  
19 *approved a request by the governing body of the charter school*  
20 *requesting the amendment to negotiate with the owner, mortgagor*  
21 *or lienholder of the facilities in which the charter school has been*  
22 *operated for the purpose of operating an additional campus of the*  
23 *other charter school pursuant to section 6 of this act. If charter*  
24 *schools are consolidated under such conditions, the academic,*  
25 *operational and fiscal performance of the charter school whose*  
26 *written charter has been revoked or whose charter contract has*  
27 *been terminated will not be attributed to the consolidated charter*  
28 *school.*

29       2. *Two or more governing bodies submit a request for an*  
30 *amendment to consolidate their charter contracts, governing*  
31 *bodies and operations to form a single charter school operating*  
32 *one or more campuses under a new charter contract. If charter*  
33 *schools are consolidated under such conditions:*

34       (a) *The new charter contract will be in effect for the duration*  
35 *of the term of the written charter or charter contract which was*  
36 *closest to its date of expiration before consolidation; and*

37       (b) *The academic, operational and fiscal performances of all*  
38 *charter schools that have been consolidated will be attributed to*  
39 *the consolidated charter school.*

40       **Sec. 6.** 1. *If the sponsor of a charter school reconstitutes*  
41 *the governing body of a charter school pursuant to NRS 386.535*  
42 *or 386.5351, the sponsor must appoint new members to the*  
43 *governing body who meet the qualifications for membership set*  
44 *forth in NRS 386.549. The sponsor may reappoint any member of*



1 *the previous governing body. Before appointing new members to*  
2 *the governing body, the sponsor must consider:*

3 (a) *Input from members of the community in which the*  
4 *charter school is located and parents of pupils who attend the*  
5 *charter school.*

6 (b) *Any relevant credentials, experience or other qualifications*  
7 *of a potential member, including, without limitation, whether the*  
8 *potential member resides in the geographic area served by the*  
9 *charter school or has experience in education.*

10 2. *If the sponsor of a charter school revokes a written charter*  
11 *or terminates a charter contract pursuant to 386.535 or 386.5351,*  
12 *the sponsor may:*

13 (a) *Petition the district court to appoint a receiver, to be paid*  
14 *from the funds of the charter school, to oversee and manage the*  
15 *charter school until other arrangements are made for pupils who*  
16 *attend the school.*

17 (b) *Issue a request for proposals inviting the governing body of*  
18 *another charter school to negotiate with the owner, mortgagor or*  
19 *lienholder of the facilities in which the charter school operated for*  
20 *the purpose of operating an additional campus of the other charter*  
21 *school under the sponsorship of either the sponsor of the charter*  
22 *school for which the written charter has been revoked or the*  
23 *charter contract has been terminated or the sponsor of the charter*  
24 *school that intends to operate an additional campus. If the*  
25 *governing body proposes to operate an additional campus of the*  
26 *other charter school under the sponsorship of:*

27 (1) *The sponsor of the charter school for which the written*  
28 *charter has been revoked or the charter contract has been*  
29 *terminated and the sponsor is not the sponsor of the charter*  
30 *school currently operated by the governing body, the governing*  
31 *body must, before the additional campus begins operating, also*  
32 *submit to the sponsor of the charter school for which the written*  
33 *charter has been revoked or the charter contract has been*  
34 *terminated and receive approval for an application to form a*  
35 *charter school pursuant to NRS 386.520.*

36 (2) *The sponsor of the charter school currently operated by*  
37 *the governing body, the governing body must, before the*  
38 *additional campus begins operating, also submit a request for and*  
39 *receive approval of an amendment to its written charter or charter*  
40 *contract to consolidate charter schools pursuant to NRS 386.527*  
41 *and sections 4 and 5 of this act.*

42 3. *Before selecting a governing body to operate another*  
43 *campus of an existing charter school to replace a charter school*  
44 *whose written charter has been revoked or whose charter contract*



1 *has been terminated pursuant to subsection 2, the sponsor must*  
2 *consider:*

3 *(a) The performance record of the charter school in this State*  
4 *and other states;*

5 *(b) The plan of the governing body for improving pupil*  
6 *achievement and school performance;*

7 *(c) The suitability of the proposed academic program for*  
8 *pupils who were enrolled in the charter school before the*  
9 *revocation of the written charter or the termination of the charter*  
10 *contract; and*

11 *(d) Input from members of the community in which the*  
12 *charter school is located and parents who were enrolled in the*  
13 *charter school before the revocation of the written charter or*  
14 *the termination of the charter contract, including, without*  
15 *limitation, the input described in subsection 4.*

16 *4. A sponsor that solicits proposals to operate an additional*  
17 *campus of an existing charter school shall allow parents of pupils*  
18 *who were enrolled in the charter school before the revocation of*  
19 *the written charter or the termination of the charter contract to*  
20 *interview governing bodies who submit proposals and, if three or*  
21 *more proposals are submitted pursuant to paragraph (b) of*  
22 *subsection 2, cast an advisory vote for the governing body they*  
23 *would prefer be given the opportunity to operate the campus.*

24 *5. If a governing body is selected pursuant to this section to*  
25 *operate another campus of an existing charter school to replace a*  
26 *charter school whose written charter has been revoked or whose*  
27 *charter contract has been terminated and any necessary*  
28 *amendments or applications are approved, the charter school must*  
29 *enroll pupils who were enrolled in the charter school whose*  
30 *written charter was revoked or whose charter contract was*  
31 *terminated before enrolling other pupils.*

32 *6. If the sponsor of a charter school reconstitutes the*  
33 *governing body of a charter school, the new governing body may*  
34 *terminate the employment of any teachers or other employees of*  
35 *the charter school.*

36 *7. If the sponsor of a charter school selects a governing body*  
37 *to operate another campus of an existing charter school to replace*  
38 *a charter school whose written charter has been revoked or whose*  
39 *charter contract has been terminated, the new governing body is*  
40 *not required to offer employment to any teacher or other employee*  
41 *of the charter school whose written charter has been revoked or*  
42 *whose charter contract has been terminated.*

43 **Sec. 7. 1.** *Within 10 days after being appointed to the*  
44 *governing body of a charter school, each member of a governing*  
45 *body, except a licensed teacher or other person licensed by the*



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1 *Superintendent of Public Instruction, must, as a condition to*  
2 *membership, submit to the governing body a complete set of the*  
3 *member's fingerprints and written permission authorizing the*  
4 *governing body to forward the fingerprints to the Central*  
5 *Repository for Nevada Records of Criminal History for its report*  
6 *on the criminal history of the applicant and for submission to the*  
7 *Federal Bureau of Investigation for its report on the criminal*  
8 *history of the member.*

9 2. *If the reports on the criminal history of the member*  
10 *indicate that the member has not been convicted of a felony or an*  
11 *offense involving moral turpitude, the member may continue to*  
12 *serve on the governing body.*

13 3. *If a report on the criminal history of a member indicates*  
14 *that the member has been convicted of a felony or an offense*  
15 *involving moral turpitude and the governing body of the charter*  
16 *school does not disqualify the member from membership on the*  
17 *basis of that report, the governing body shall, upon the written*  
18 *authorization of the member, forward a copy of the report to the*  
19 *sponsor of the charter school. If the member refuses to provide his*  
20 *or her written authorization to forward a copy of the report*  
21 *pursuant to this subsection, the governing body must remove the*  
22 *member. The member shall not vote on any matter before the*  
23 *governing body until the sponsor has made a determination*  
24 *whether the member may continue to serve on the governing body*  
25 *pursuant to subsection 5.*

26 4. *The sponsor of the charter school shall promptly review*  
27 *the report to determine whether the conviction of the member is*  
28 *related or unrelated to membership on the governing body of a*  
29 *charter school. To remain a member of the governing body of the*  
30 *charter school, the member shall, upon the request of the sponsor,*  
31 *provide any further information that the sponsor determines is*  
32 *necessary to make the determination. If the governing body of the*  
33 *charter school desires the service of the member on the governing*  
34 *body, the governing body shall, upon the request of the sponsor,*  
35 *provide any further information that the sponsor determines is*  
36 *necessary to make the determination. The sponsor shall provide*  
37 *written notice of the determination to the member and to the*  
38 *governing body of the charter school.*

39 5. *If the sponsor determines that the conviction of the*  
40 *member is related to membership on the governing body of the*  
41 *charter school, the governing body of the charter school must*  
42 *remove the member. If the sponsor determines that the conviction*  
43 *of the member is not related to the membership on the governing*  
44 *body of the charter school, the member may continue to serve on*  
45 *the governing body.*



1     **Sec. 8. 1.** *In a county in which more than five charter*  
2 *schools are located and the total number of pupils enrolled in the*  
3 *charter schools exceeds 25 percent of the combined enrollment of*  
4 *all public schools, including, without limitation, charter schools,*  
5 *the Department shall, in consultation with all sponsors of charter*  
6 *schools in the county, determine whether holding a weighted*  
7 *lottery for admission to charter schools would improve diversity in*  
8 *charter schools that do not have a preference for at-risk pupils. If*  
9 *the Department determines that a weighted lottery for admission to*  
10 *charter schools would improve diversity in such charter schools,*  
11 *the Department shall, to the extent authorized by federal law,*  
12 *adopt regulations authorizing charter schools to establish a*  
13 *weighted lottery.*

14     **2.** *In a county in which more than ten charter schools are*  
15 *located and the total number of pupils enrolled in charter schools*  
16 *exceeds 50 percent of the combined enrollment of all public*  
17 *schools, including, without limitation, charter schools, the*  
18 *Department shall, in consultation with all sponsors of charter*  
19 *schools in the county:*

20     **(a)** *Adopt regulations establishing a uniform enrollment*  
21 *calendar and process for enrolling pupils applicable to all charter*  
22 *schools in the county. The regulations must establish a lottery for*  
23 *admission to each charter school in the county. If a charter school*  
24 *does not have a preference for at-risk pupils, the lottery must, to*  
25 *the extent authorized by federal law, be a weighted lottery.*

26     **(b)** *Allow the board of trustees of the school district to provide*  
27 *input regarding the enrollment calendar, processes for enrolling*  
28 *pupils and lotteries established pursuant to paragraph (a).*

29     **Sec. 9.** NRS 386.490 is hereby amended to read as follows:

30     386.490 As used in NRS 386.490 to 386.649, inclusive, *and*  
31 *sections 2 to 8, inclusive of this act*, the words and terms defined in  
32 NRS 386.492 to 386.503, inclusive, *and sections 2 and 3 of this act*  
33 have the meanings ascribed to them in those sections.

34     **Sec. 10.** NRS 386.495 is hereby amended to read as follows:

35     386.495 ~~["Director"]~~ *"Executive Director"* means the  
36 *Executive* Director of the State Public Charter School Authority  
37 appointed pursuant to NRS 386.511.

38     **Sec. 11.** NRS 386.5095 is hereby amended to read as follows:

39     386.5095 1. The State Public Charter School Authority  
40 consists of seven members. The membership of the State Public  
41 Charter School Authority consists of:

42     **(a)** Two members appointed by the Governor in accordance with  
43 subsection 2;

44     **(b)** Two members, who must not be Legislators, appointed by  
45 the Majority Leader of the Senate in accordance with subsection 2;



1 (c) Two members, who must not be Legislators, appointed by  
2 the Speaker of the Assembly in accordance with subsection 2; and

3 (d) One member appointed by the Charter School Association of  
4 Nevada or its successor organization.

5 2. The Governor, the Majority Leader of the Senate and the  
6 Speaker of the Assembly shall ensure that the membership of the  
7 State Public Charter School Authority:

8 (a) Includes persons with a demonstrated understanding of  
9 charter schools and a commitment to using charter schools as a way  
10 to strengthen public education in this State;

11 (b) Includes a parent or legal guardian of a pupil enrolled in a  
12 charter school in this State;

13 (c) Includes persons with specific knowledge of:

14 (1) Issues relating to elementary and secondary education;

15 (2) School finance or accounting, or both;

16 (3) Management practices;

17 (4) Assessments required in elementary and secondary  
18 education;

19 (5) Educational technology; and

20 (6) The laws and regulations applicable to charter schools;

21 ~~and~~

22 (d) Insofar as practicable, reflects the ethnic and geographical  
23 diversity of this State ~~;~~; and

24 *(e) Insofar as practicable, consists of persons who are experts  
25 on best practices for authorizing charter schools and developing  
26 and operating high-quality charter schools and charter  
27 management organizations.*

28 3. Each member of the State Public Charter School Authority  
29 must be a resident of this State.

30 4. After the initial terms, the term of each member of the State  
31 Public Charter School Authority is 3 years, commencing on July 1  
32 of the year in which he or she is appointed. A vacancy in the  
33 membership of the State Public Charter School Authority must be  
34 filled for the remainder of the unexpired term in the same manner as  
35 the original appointment. A member shall continue to serve on the  
36 State Public Charter School Authority until his or her successor is  
37 appointed.

38 5. The members of the State Public Charter School Authority  
39 shall select a Chair and Vice Chair from among its members. After  
40 the initial selection of those officers, each of those officers holds the  
41 position for a term of 2 years commencing on July 1 of each odd-  
42 numbered year. If a vacancy occurs in the Chair or Vice Chair, the  
43 vacancy must be filled in the same manner as the original selection  
44 for the remainder of the unexpired term.



1 6. Each member of the State Public Charter School Authority  
2 is entitled to receive:

3 (a) For each day or portion of a day during which he or she  
4 attends a meeting of the State Public Charter School Authority a  
5 salary of not more than \$80, as fixed by the State Public Charter  
6 School Authority; and

7 (b) For each day or portion of a day during which he or she  
8 attends a meeting of the State Public Charter School Authority or is  
9 otherwise engaged in the business of the State Public Charter School  
10 Authority the per diem allowance and travel expenses provided for  
11 state officers and employees generally.

12 **Sec. 12.** NRS 386.511 is hereby amended to read as follows:

13 386.511 1. The State Public Charter School Authority shall  
14 appoint ~~fa~~ *an Executive* Director of the State Public Charter School  
15 Authority for a term of 3 years. The State Public Charter School  
16 Authority shall ensure that the *Executive* Director has a  
17 demonstrated understanding of charter schools and a commitment to  
18 using charter schools as a way to strengthen public education in this  
19 State.

20 2. A vacancy in the position of *Executive* Director must be  
21 filled by the State Public Charter School Authority for the remainder  
22 of the unexpired term.

23 3. The *Executive* Director is *not* in the *classified or*  
24 *unclassified* service of the State.

25 **Sec. 13.** NRS 386.5115 is hereby amended to read as follows:

26 386.5115 ~~The~~ *With the approval of the State Public Charter*  
27 *School Authority, the Executive* Director ~~shall not~~ *may* pursue  
28 any other business or occupation or hold any other office ,  
29 *including, without limitation, serving as a member on a*  
30 *committee, board or task force of an organization relating to*  
31 *charter schools, serving as a reviewer of applications to form a*  
32 *charter school for organizations other than the State Public*  
33 *Charter School Authority and holding an office* of profit , *and may*  
34 *accept reimbursement for travel costs relating to such activities.*  
35 *The Executive Director shall not pursue any other business or*  
36 *occupation or hold any other office* without the approval of the  
37 State Public Charter School Authority.

38 **Sec. 14.** NRS 386.512 is hereby amended to read as follows:

39 386.512 The *Executive* Director shall:

40 1. Execute, direct and supervise all administrative, technical  
41 and procedural activities of the State Public Charter School  
42 Authority in accordance with the policies prescribed by the State  
43 Public Charter School Authority;



1 2. Organize the State Public Charter School Authority in a  
2 manner which will ensure the efficient operation and service of the  
3 State Public Charter School Authority;

4 3. Serve as the Executive Secretary of the State Public Charter  
5 School Authority;

6 4. Ensure that the autonomy provided to charter schools in this  
7 State pursuant to state law and regulations is preserved; and

8 5. Perform such other duties as are prescribed by law or the  
9 State Public Charter School Authority.

10 **Sec. 15.** NRS 386.5125 is hereby amended to read as follows:

11 386.5125 *1.* The State Public Charter School Authority may  
12 employ such persons as it deems necessary to carry out the  
13 provisions of NRS 386.490 to 386.649, inclusive **H**, *and sections 2*  
14 *to 8, inclusive, of this act.* The staff employed by the State Public  
15 Charter School Authority must be qualified to carry out the daily  
16 responsibilities of sponsoring charter schools, *including, without*  
17 *limitation, oversight of written charters and charter contracts,* in  
18 accordance with the provisions of NRS 386.490 to 386.649,  
19 inclusive **H**, *and sections 2 to 8, inclusive, of this act.*

20 *2. The staff must include:*

21 *(a) Attorneys with significant experience with laws concerning*  
22 *education, special education and nonprofit organizations;*

23 *(b) Persons with experience overseeing the annual audits and*  
24 *financial operations of large school districts, nonprofit*  
25 *organizations or large corporations;*

26 *(c) Persons with experience conducting assessments and*  
27 *evaluations while employed by a large school district;*

28 *(d) Administrators with significant experience overseeing*  
29 *special education programs and programs while employed by a*  
30 *large school district, charter management organization,*  
31 *educational management organization or other operator of*  
32 *charter schools;*

33 *(e) Policy analysts with significant experience in the areas of*  
34 *charter schools and education policy; and*

35 *(f) Any other persons that the State Public Charter School*  
36 *Authority determines are necessary.*

37 *3. Employees of the State Public Charter School Authority*  
38 *are not in the classified or unclassified service of the State and*  
39 *serve at the pleasure of the State Public Charter School Authority.*

40 *4. The State Public Charter School Authority shall*  
41 *periodically evaluate and make decisions concerning the number*  
42 *of persons employed by the State Public Charter School Authority*  
43 *and the qualifications and compensation of such persons based on*  
44 *guidance from the National Association of Charter School*  
45 *Authorizers, or its successor organization, an assessment of the*



1 *strategic plan for recruiting operators of charter schools prepared*  
2 *pursuant to NRS 386.515 and the needs of the charter schools*  
3 *sponsored by the State Public Charter School Authority.*

4 **Sec. 16.** NRS 386.5125 is hereby amended to read as follows:

5 386.5125 1. The State Public Charter School Authority may  
6 employ such persons as it deems necessary to carry out the  
7 provisions of NRS 386.490 to 386.649, inclusive, and sections 2 to  
8 8, inclusive, of this act. The staff employed by the State Public  
9 Charter School Authority must be qualified to carry out the daily  
10 responsibilities of sponsoring charter schools, including, without  
11 limitation, oversight of ~~[written charters and]~~ charter contracts, in  
12 accordance with the provisions of NRS 386.490 to 386.649,  
13 inclusive, and sections 2 to 8, inclusive, of this act.

14 2. The staff must include:

15 (a) Attorneys with significant experience with laws concerning  
16 education law, special education and nonprofit organizations;

17 (b) Persons with experience overseeing the annual audits and  
18 financial operations of large school districts, nonprofit organizations  
19 or large corporations;

20 (c) Persons with experience conducting assessments and  
21 evaluations while employed by a large school district;

22 (d) Administrators with significant experience overseeing  
23 special education programs and programs while employed by a large  
24 school district, charter management organization, educational  
25 management organization or other operator of charter schools;

26 (e) Policy analysts with significant experience in the areas of  
27 charter schools and education policy; and

28 (f) Any other persons that the State Public Charter School  
29 Authority determines are necessary.

30 3. Employees of the State Public Charter School Authority are  
31 not in the classified or unclassified service of the State and serve at  
32 the pleasure of the State Public Charter School Authority.

33 4. The State Public Charter School Authority shall periodically  
34 evaluate and make decisions concerning the number of persons  
35 employed by the State Public Charter School Authority and the  
36 qualifications and compensation of such persons based on guidance  
37 from the National Association of Charter School Authorizers, or its  
38 successor organization, an assessment of the strategic plan for  
39 recruiting operators of charter schools prepared pursuant to NRS  
40 386.515 and the needs of the charter schools sponsored by the State  
41 Public Charter School Authority.

42 **Sec. 17.** NRS 386.513 is hereby amended to read as follows:

43 386.513 1. The State Public Charter School Authority is  
44 hereby deemed a local educational agency for the purpose of  
45 directing the proportionate share of any money available from



1 federal and state categorical grant programs to charter schools which  
2 are sponsored by the State Public Charter School Authority or a  
3 college or university within the Nevada System of Higher Education  
4 that are eligible to receive such money. *A college or university*  
5 *within the Nevada System of Higher Education that sponsors a*  
6 *charter school shall enter into an agreement with the State Public*  
7 *Charter School Authority for the provision of any necessary*  
8 *functions of a local educational authority.* A charter school that  
9 receives money pursuant to such a grant program shall comply with  
10 any applicable reporting requirements to receive the grant.

11 2. If the charter school is eligible to receive special education  
12 program units, the Department shall pay the special education  
13 program units directly to the charter school.

14 3. As used in this section, "local educational agency" has the  
15 meaning ascribed to it in 20 U.S.C. § 7801(26)(A).

16 **Sec. 18.** NRS 386.5135 is hereby amended to read as follows:

17 386.5135 1. The Account for the State Public Charter School  
18 Authority is hereby created in the State General Fund, to be  
19 administered by the *Executive* Director.

20 2. The interest and income earned on the money in the Account  
21 must be credited to the Account.

22 3. The money in the Account may be used only for the  
23 establishment and maintenance of the State Public Charter School  
24 Authority.

25 4. Any money remaining in the Account at the end of a fiscal  
26 year does not revert to the State General Fund, and the balance in  
27 the Account must be carried forward to the next fiscal year.

28 5. The *Executive* Director and the State Public Charter School  
29 Authority may accept gifts, grants and bequests to carry out the  
30 provisions of NRS 386.490 to 386.649, inclusive ~~§~~, *and sections 2*  
31 *to 8, inclusive, of this act.* Any money from gifts, grants and  
32 bequests must be deposited in the Account and may be expended in  
33 accordance with the terms and conditions of the gift, grant or  
34 bequest, or in accordance with this section.

35 **Sec. 19.** NRS 386.515 is hereby amended to read as follows:

36 386.515 1. The board of trustees of a school district may  
37 apply to the Department for authorization to sponsor charter schools  
38 within the school district in accordance with the regulations adopted  
39 by the Department pursuant to NRS 386.540. An application must  
40 be approved by the Department before the board of trustees may  
41 sponsor a charter school. Not more than 180 days after receiving  
42 approval to sponsor charter schools, the board of trustees shall  
43 provide public notice of its ability to sponsor charter schools and  
44 solicit applications for charter schools.



1 2. The State Public Charter School Authority shall sponsor  
2 charter schools whose applications have been approved by the State  
3 Public Charter School Authority pursuant to NRS 386.525. Except  
4 as otherwise provided by specific statute, if the State Public Charter  
5 School Authority sponsors a charter school, the State Public Charter  
6 School Authority is responsible for the evaluation, monitoring and  
7 oversight of the charter school.

8 3. A college or university within the Nevada System of Higher  
9 Education may submit an application to the Department to sponsor  
10 charter schools in accordance with the regulations adopted by the  
11 Department pursuant to NRS 386.540. An application must be  
12 approved by the Department before a college or university within  
13 the Nevada System of Higher Education may sponsor charter  
14 schools.

15 4. *The board of trustees of a school district or a college or*  
16 *university within the Nevada System of Higher Education may*  
17 *enter into an agreement with the State Public Charter School*  
18 *Authority to provide technical assistance and support in preparing*  
19 *an application to sponsor a charter school and planning and*  
20 *executing the duties of a sponsor of a charter school as prescribed*  
21 *in this section.*

22 5. Each sponsor of a charter school shall carry out the  
23 following duties and powers:

24 (a) Evaluating applications to form charter schools as prescribed  
25 by NRS 386.525;

26 (b) Approving applications to form charter schools that the  
27 sponsor determines are high quality, meet the identified educational  
28 needs of pupils and will serve to promote the diversity of public  
29 educational choices in this State;

30 (c) Declining to approve applications to form charter schools  
31 that do not satisfy the requirements of NRS 386.525;

32 (d) Negotiating and executing charter contracts pursuant to  
33 NRS 386.527;

34 (e) Monitoring, in accordance with NRS 386.490 to 386.649,  
35 inclusive, *and sections 2 to 8, inclusive, of this act*, and in  
36 accordance with the terms and conditions of the applicable charter  
37 contract, the performance and compliance of each charter school  
38 sponsored by the entity; ~~and~~

39 (f) Determining whether the charter contract of a charter school  
40 that the entity sponsors merits renewal or whether the renewal of the  
41 charter contract should be denied or whether the written charter  
42 should be revoked or the charter contract terminated, as applicable,  
43 in accordance with NRS 386.530, 386.535 or 386.5351, as  
44 applicable ~~;~~

45 ~~—5.} ; and~~



\* S B 5 0 9 \*



1 *(g) Determining whether the governing body of a charter*  
2 *school should be reconstituted in accordance with NRS 386.535 or*  
3 *386.5351, as applicable.*

4 **6.** Each sponsor of a charter school shall develop policies and  
5 practices that are consistent with state laws and regulations  
6 governing charter schools. In developing the policies and practices,  
7 the sponsor shall review and evaluate nationally recognized policies  
8 and practices for sponsoring organizations of charter schools. The  
9 policies and practices must include, without limitation:

10 (a) The organizational capacity and infrastructure of the sponsor  
11 for sponsorship of charter schools, which must not be described as a  
12 limit on the number of charter schools the sponsor will approve;

13 (b) The procedure and criteria for *soliciting and* evaluating  
14 charter school applications in accordance with NRS 386.525 ~~and~~  
15 ~~for the~~;

16 (c) *The procedure and criteria for evaluating applications for*  
17 *renewal of charter contracts pursuant to NRS 386.530* ~~;~~

18 ~~—(e)]~~, *which must include, without limitation:*

19 (1) *Specific application procedures and timelines for*  
20 *committees to form a charter school that plan to enter into a*  
21 *contract with an educational management organization to operate*  
22 *the charter school, committees to form a charter school that do not*  
23 *plan to enter into such a contract and charter management*  
24 *organizations; and*

25 (2) *A description of the manner in which the sponsor will*  
26 *evaluate the previous performance of an educational management*  
27 *organization or other person with whom a committee to form a*  
28 *charter school plans to enter into a contract to operate a charter*  
29 *school or a charter management organization that submits an*  
30 *application to form a charter school;*

31 (d) *The procedure for amending a written charter or charter*  
32 *contract and the criteria for determining whether a request for*  
33 *such an amendment will be approved which must include, without*  
34 *limitation, any manner in which such procedures and criteria will*  
35 *differ if the sponsor determines that the amendment is material or*  
36 *strategically important;*

37 (e) *A strategic plan for recruiting charter management*  
38 *organizations, educational management organizations and other*  
39 *persons to operate charter schools based on the priorities of the*  
40 *sponsor and the needs of the pupils that will be served by the*  
41 *charter schools that will be sponsored by the sponsor;*

42 (f) A description of how the sponsor will maintain oversight of  
43 the charter schools it sponsors ~~;~~, *which must include, without*  
44 *limitation:*



1           (1) *An assessment of the needs of the charter schools that*  
2 *are sponsored by the sponsor that is prepared with the input of the*  
3 *governing bodies of such charter schools; and*

4           (2) *A strategic plan for the oversight and provision of*  
5 *technical support to charter schools that are sponsored by the*  
6 *sponsor in the areas of academic, fiscal and organizational*  
7 *performance, which must include, without limitation, strategies*  
8 *for assisting such charter schools to improve their performance in*  
9 *these areas while preserving the autonomy of the charter schools;*  
10 and

11 ~~[(d)]~~ (g) A description of the process of evaluation for the  
12 charter schools it sponsors in accordance with NRS 386.610.

13 ~~[(6)]~~ 7. *Each sponsor of a charter school shall prepare, in*  
14 *collaboration with the Department, an evaluation of the academic*  
15 *needs of pupils in geographic areas served by the sponsor.*

16           8. Evidence of material or persistent failure to carry out the  
17 powers and duties of a sponsor prescribed by this section constitutes  
18 grounds for revocation of the entity's authority to sponsor charter  
19 schools.

20           **Sec. 20.** NRS 386.515 is hereby amended to read as follows:

21           386.515 1. The board of trustees of a school district may  
22 apply to the Department for authorization to sponsor charter schools  
23 within the school district in accordance with the regulations adopted  
24 by the Department pursuant to NRS 386.540. An application must  
25 be approved by the Department before the board of trustees may  
26 sponsor a charter school. Not more than 180 days after receiving  
27 approval to sponsor charter schools, the board of trustees shall  
28 provide public notice of its ability to sponsor charter schools and  
29 solicit applications for charter schools.

30           2. The State Public Charter School Authority shall sponsor  
31 charter schools whose applications have been approved by the State  
32 Public Charter School Authority pursuant to NRS 386.525. Except  
33 as otherwise provided by specific statute, if the State Public Charter  
34 School Authority sponsors a charter school, the State Public Charter  
35 School Authority is responsible for the evaluation, monitoring and  
36 oversight of the charter school.

37           3. A college or university within the Nevada System of Higher  
38 Education may submit an application to the Department to sponsor  
39 charter schools in accordance with the regulations adopted by the  
40 Department pursuant to NRS 386.540. An application must be  
41 approved by the Department before a college or university within  
42 the Nevada System of Higher Education may sponsor charter  
43 schools.

44           4. *The board of trustees of a school district or a college or*  
45 *university within the Nevada System of Higher Education may*



1 *enter into an agreement with the State Public Charter School*  
2 *Authority to provide technical assistance and support in preparing*  
3 *an application to sponsor a charter school and planning and*  
4 *executing the duties of a sponsor of a charter school prescribed in*  
5 *this section.*

6 5. Each sponsor of a charter school shall carry out the  
7 following duties and powers:

8 (a) Evaluating applications to form charter schools as prescribed  
9 by NRS 386.525;

10 (b) Approving applications to form charter schools that the  
11 sponsor determines are high quality, meet the identified educational  
12 needs of pupils and will serve to promote the diversity of public  
13 educational choices in this State;

14 (c) Declining to approve applications to form charter schools  
15 that do not satisfy the requirements of NRS 386.525;

16 (d) Negotiating and executing charter contracts pursuant to  
17 NRS 386.527;

18 (e) Monitoring, in accordance with NRS 386.490 to 386.649,  
19 inclusive, *and sections 2 to 8, inclusive, of this act*, and in  
20 accordance with the terms and conditions of the applicable charter  
21 contract, the performance and compliance of each charter school  
22 sponsored by the entity; ~~and~~

23 (f) Determining whether the charter contract of a charter school  
24 that the entity sponsors merits renewal or whether the renewal of the  
25 charter contract should be denied or whether the charter contract  
26 should be terminated in accordance with NRS 386.530, 386.535 or  
27 386.5351, as applicable ~~;~~  
28 ~~—5.1 ; and~~

29 (g) *Determining whether the governing body of a charter*  
30 *school should be reconstituted in accordance with NRS 386.535 or*  
31 *386.5351, as applicable.*

32 6. Each sponsor of a charter school shall develop policies and  
33 practices that are consistent with state laws and regulations  
34 governing charter schools. In developing the policies and practices,  
35 the sponsor shall review and evaluate nationally recognized policies  
36 and practices for sponsoring organizations of charter schools. The  
37 policies and practices must include, without limitation:

38 (a) The organizational capacity and infrastructure of the sponsor  
39 for sponsorship of charter schools, which must not be described as a  
40 limit on the number of charter schools the sponsor will approve;

41 (b) The procedure and criteria for *soliciting and* evaluating  
42 charter school applications in accordance with NRS 386.525 ~~and~~  
43 ~~for the~~;

44 (c) *The procedure and criteria for evaluating applications for*  
45 *renewal of charter contracts pursuant to NRS 386.530* ~~;~~



1 ~~(e)~~ , which must include, without limitation:

2 (1) Specific application procedures and timelines for  
3 committees to form a charter school that plan to enter into a  
4 contract with an educational management organization to operate  
5 the charter school, committees to form a charter school that do not  
6 plan to enter into such a contract and charter management  
7 organizations; and

8 (2) A description of the manner in which the sponsor will  
9 evaluate the previous performance of an educational management  
10 organization or other person with whom a committee to form a  
11 charter school plans to enter into a contract to operate a charter  
12 school or a charter management organization that submits an  
13 application to form a charter school;

14 (d) The procedure for amending a charter contract and the  
15 criteria for determining whether a request for such an amendment  
16 will be approved which must include, without limitation, any  
17 manner in which such procedures and criteria will differ if the  
18 sponsor determines that the amendment is material or strategically  
19 important;

20 (e) A strategic plan for recruiting charter management  
21 organizations, educational management organizations and other  
22 persons to operate charter schools based on the priorities of the  
23 sponsor and the needs of the pupils that will be served by the  
24 charter schools that will be sponsored by the sponsor;

25 (f) A description of how the sponsor will maintain oversight of  
26 the charter schools it sponsors ~~(f)~~ , which must include, without  
27 limitation:

28 (1) An assessment of the needs of the charter schools that  
29 are sponsored by the sponsor that is prepared with the input of the  
30 governing bodies of such charter schools; and

31 (2) A strategic plan for the oversight and provision of  
32 technical support to charter schools that are sponsored by the  
33 sponsor in the areas of academic, fiscal and organizational  
34 performance, which must include, without limitation, strategies  
35 for assisting such charter schools to improve their performance in  
36 these areas while preserving the autonomy of the charter schools;  
37 and

38 ~~(f)~~ (g) A description of the process of evaluation for the  
39 charter schools it sponsors in accordance with NRS 386.610.

40 ~~6~~ 7. Each sponsor of a charter school shall prepare, in  
41 collaboration with the Department, an evaluation of the academic  
42 needs of pupils in geographic areas served by the sponsor.

43 8. Evidence of material or persistent failure to carry out the  
44 powers and duties of a sponsor prescribed by this section constitutes



1 grounds for revocation of the entity's authority to sponsor charter  
2 schools.

3 **Sec. 21.** NRS 386.520 is hereby amended to read as follows:

4 386.520 1. A committee to form a charter school must  
5 consist of:

6 (a) One member who is a teacher or other person licensed  
7 pursuant to chapter 391 of NRS or who previously held such a  
8 license and is retired, as long as his or her license was held in good  
9 standing;

10 (b) One member who:

11 (1) Satisfies the qualifications of paragraph (a); or

12 (2) Is a school administrator with a license issued by another  
13 state or who previously held such a license and is retired, as long as  
14 his or her license was held in good standing;

15 (c) One parent or legal guardian who is not a teacher or  
16 employee of the proposed charter school; and

17 (d) Two members who possess knowledge and expertise in one  
18 or more of the following areas:

19 (1) Accounting;

20 (2) Financial services;

21 (3) Law; or

22 (4) Human resources.

23 2. In addition to the members who serve pursuant to subsection  
24 1, the committee to form a charter school may include, without  
25 limitation, not more than four additional members as follows:

26 (a) Members of the general public;

27 (b) Representatives of nonprofit organizations and businesses;  
28 or

29 (c) Representatives of a college or university within the Nevada  
30 System of Higher Education.

31 3. A majority of the persons who serve on the committee to  
32 form a charter school must be residents of this State at the time that  
33 the application to form the charter school is submitted to the  
34 Department.

35 4. The ~~[committee to form a charter school]~~ *applicant* shall  
36 ensure that the completed application:

37 (a) Presents ~~[the]~~ *a clear, measurable and high-quality*  
38 academic, financial and organizational vision and plans for the  
39 proposed charter school; and

40 (b) Provides the proposed sponsor of the charter school with a  
41 clear basis for assessing the capacity of the applicant to carry out the  
42 vision and plans.

43 5. An application to form a charter school must include all  
44 information prescribed by the Department by regulation and:



1 (a) A ~~[written description of how the charter school will carry~~  
2 ~~out the provisions of NRS 386.490 to 386.649, inclusive.]~~ *summary*  
3 *of the plan for the proposed charter school.*

4 (b) A *clear* written description of the mission *of the charter*  
5 *school* and *the* goals for the charter school. A charter school must  
6 have as its stated purpose at least one of the following goals:

7 (1) Improving the academic achievement of pupils;

8 (2) Encouraging the use of effective and innovative methods  
9 of teaching;

10 (3) Providing an accurate measurement of the educational  
11 achievement of pupils;

12 (4) Establishing accountability and transparency of public  
13 schools;

14 (5) Providing a method for public schools to measure  
15 achievement based upon the performance of the schools; or

16 (6) Creating new professional opportunities for teachers.

17 (c) *A clear description of the indicators, measures and metrics*  
18 *for the categories of academics, finances and organization that the*  
19 *charter school proposes to use, the internal and external*  
20 *assessments that will be used to assess performance in those*  
21 *categories and the objectives that the committee to form a charter*  
22 *school plans to achieve in those categories, which must be*  
23 *expressed in terms of the objectives, measures and metrics. The*  
24 *objectives and the indicators, measures and metrics used by the*  
25 *charter school must be consistent with the performance*  
26 *framework adopted by the sponsor pursuant to NRS 386.527.*

27 (d) *A resume and background information for each person*  
28 *who serves on the board of the charter management organization*  
29 *or the committee to form a charter school, as applicable, which*  
30 *must include the name, telephone number, electronic mail*  
31 *address, background, qualifications, any past or current affiliation*  
32 *with any charter school in this State or any other state, any*  
33 *potential conflicts of interest and any other information required*  
34 *by the sponsor.*

35 (e) *The proposed location of, or the geographic area to be*  
36 *served by, the charter school and evidence of a need and*  
37 *community support for the charter school in that area.*

38 (f) *The minimum, planned and maximum* projected enrollment  
39 *of pupils in each grade in the charter school* ~~f~~  
40 ~~—(d)]~~ *for each year that the charter school would operate under*  
41 *the proposed charter contract.*

42 (g) *The procedure for applying for admission to the proposed*  
43 *charter school, which must include, without limitation, the*  
44 *proposed dates for accepting applications for enrollment in* ~~the~~  
45 ~~initial]~~ *each* year of operation ~~[of the charter school-~~



1 ~~—(e) The proposed system of governance for the charter school,~~  
2 ~~including, without limitation, the number of persons who will~~  
3 ~~govern, the method for nominating and electing the persons who~~  
4 ~~will govern and the term of office for each person.~~

5 ~~—(f) The method by which disputes will be resolved between the~~  
6 ~~governing body of the charter school and the sponsor of the charter~~  
7 ~~school.~~

8 ~~—(g) The proposed curriculum for the charter school and, if~~  
9 ~~applicable to the grade level of pupils who are enrolled in the~~  
10 ~~charter school, the requirements for the pupils to receive a high~~  
11 ~~school diploma, including, without limitation, whether those pupils~~  
12 ~~will satisfy the requirements of the school district in which the~~  
13 ~~charter school is located for receipt of a high school diploma.]~~  
14 *under the proposed charter contract and a statement of whether*  
15 *the charter school will enroll pupils who are in a particular*  
16 *category of at-risk pupils before enrolling other children who are*  
17 *eligible to attend the charter school pursuant to NRS 386.580 and*  
18 *the method for determining eligibility for enrollment in each such*  
19 *category of at-risk pupils served by the charter school.*

20 (h) ~~[The textbooks that will be used at the charter school.]~~ *The*  
21 *academic program that the charter school proposes to use, a*  
22 *description of how the academic program complies with the*  
23 *requirements of NRS 386.550, the proposed academic calendar for*  
24 *the first year of operation and a sample daily schedule for a pupil*  
25 *in each grade served by the charter school.*

26 (i) ~~[The qualifications of the persons who will provide~~  
27 ~~instruction at the charter school.]~~ *A description of the proposed*  
28 *instructional design of the charter school and the type of learning*  
29 *environment the school will provide, including, without limitation,*  
30 *whether the charter school will provide a program of distance*  
31 *education, the planned class size and structure, the proposed*  
32 *curriculum for the charter school and the teaching methods that*  
33 *will be used at the charter school.*

34 (j) ~~[Except as otherwise required by NRS 386.595, the process~~  
35 ~~by which the governing body of the charter school will negotiate~~  
36 ~~employment contracts with the employees of the charter school.]~~ *The*  
37 *manner in which the school plans to identify and serve the*  
38 *needs of pupils with disabilities, pupils who are English language*  
39 *learners, pupils who are academically behind their peers and*  
40 *gifted pupils.*

41 (k) ~~[A financial plan for the operation of the charter school. The~~  
42 ~~plan must include, without limitation, procedures for the audit of the~~  
43 ~~programs and finances of the charter school and guidelines for~~  
44 ~~determining the financial liability if the charter school is~~  
45 ~~unsuccessful.]~~ *A description of any co-curricular or*



1 *extracurricular activities that the school plans to offer and the*  
2 *manner in which these programs will be funded.*

3 (l) *Any uniform or dress code policy that the school plans to*  
4 *use.*

5 (m) *Plans and timelines for recruiting and enrolling students,*  
6 *including procedures for any lottery for admission that the school*  
7 *plans to conduct.*

8 (n) *The rules of behavior and punishments that the school*  
9 *plans to adopt pursuant to NRS 386.585, including, without*  
10 *limitation, any unique discipline policies for pupils enrolled in a*  
11 *program of special education.*

12 (o) *A chart that clearly presents the proposed organizational*  
13 *structure of the school and a clear description of the roles and*  
14 *responsibilities of the governing body, administrators and any*  
15 *other persons included on the chart.*

16 (p) *The names of any external organizations that will play a*  
17 *role in operating the school and the role each such organization*  
18 *will play.*

19 (q) *The manner in which the governing body of the charter*  
20 *school will be chosen.*

21 (r) *A staffing chart for the first year in which the charter*  
22 *school plans to operate and a projected staffing plan for the term*  
23 *of the charter contract.*

24 (s) *Plans for recruiting administrators, teachers and other*  
25 *staff, providing professional development to such staff.*

26 (t) *Proposed bylaws for the governing body, a description of*  
27 *the manner in which the school will be governed, including,*  
28 *without limitation, any governance training that will be provided*  
29 *to the governing body, and a code of ethics for members and*  
30 *employees of the governing body. The code of ethics must be*  
31 *prepared with guidance from the Nevada Commission on Ethics*  
32 *and must not conflict with any policy adopted by the sponsor.*

33 (u) *Explanations of any partnerships or contracts central to*  
34 *the operations or mission of the charter school.*

35 (v) A statement of whether the charter school will provide for  
36 the transportation of pupils to and from the charter school. If the  
37 charter school will provide transportation, the application must  
38 include the proposed plan for the transportation of pupils. If the  
39 charter school will not provide transportation, the application must  
40 include a statement that the charter school will work with the  
41 parents and guardians of pupils enrolled in the charter school to  
42 develop a plan for transportation to ensure that pupils have access to  
43 transportation to and from the charter school.

44 ~~(m)~~ (w) The procedure for the evaluation of teachers of the  
45 charter school, if different from the procedure prescribed in





1 NRS 391.3125 and 391.3128. If the procedure is different from the  
2 procedure prescribed in NRS 391.3125 and 391.3128, the procedure  
3 for the evaluation of teachers of the charter school must provide the  
4 same level of protection and otherwise comply with the standards  
5 for evaluation set forth in NRS 391.3125 and 391.3128.

6 ~~[(n) The time by which certain academic or educational results  
7 will be achieved.~~

8 ~~—(o) The kind of school, as defined in subsections 1 to 4,  
9 inclusive, of NRS 388.020, for which the charter school intends to  
10 operate.~~

11 ~~—(p) A statement of whether the charter school will enroll pupils  
12 who are in a particular category of at risk pupils before enrolling  
13 other children who are eligible to attend the charter school pursuant  
14 to NRS 386.580 and the method for determining eligibility for  
15 enrollment in each such category of at risk pupils served by the  
16 charter school.]~~

17 *(x) A statement of the school's plans for food service and other  
18 significant operational services, including a statement of whether  
19 the charter school will provide food service or participate in the  
20 National School Lunch Program, 42 U.S.C. §§ 1751 et seq. If  
21 the charter school will not provide food service or participate in  
22 the National School Lunch Program, the application must include  
23 an explanation of the manner in which the charter school will  
24 ensure that the lack of such food service or participation does not  
25 prevent pupils from attending the charter school.*

26 *(y) Opportunities and expectations for involving the parents of  
27 pupils enrolled in the charter school in instruction at the school  
28 and the operation of the school, including, without limitation, the  
29 manner in which the charter school will solicit input concerning  
30 the governance of the charter school from such parents.*

31 *(z) A detailed plan for starting operation of the charter school  
32 that identifies necessary tasks, the persons responsible for  
33 performing them and the dates by which such tasks will be  
34 accomplished.*

35 *(aa) A description of the financial plan and policies to be used  
36 by the charter school.*

37 *(bb) A description of the insurance coverage the school will  
38 obtain.*

39 *(cc) Budgets for starting operation at the charter school, the  
40 first year of operation of the charter school and the first 5 years of  
41 operation of the charter school, with any assumptions inherent in  
42 the budgets clearly stated.*

43 *(dd) Evidence of any money pledged or contributed to the  
44 budget of the charter school.*



1        *(ee) A statement of the facilities that will be used to operate the*  
2 *charter school and a plan for operating such facilities, including,*  
3 *without limitation, any backup plan to be used if the charter*  
4 *school cannot be operated out of the planned facilities.*

5        *(ff) If the charter school is a vocational school, a description*  
6 *of the career and technical education program that will be used by*  
7 *the school.*

8        *(gg) If the charter school will provide a program of distance*  
9 *education, a description of the system of course credits that the*  
10 *school will use and the manner in which the school will:*

11        *(1) Monitor and verify the participation in and completion*  
12 *of courses by pupils;*

13        *(2) Require pupils to participate in assessments and submit*  
14 *coursework;*

15        *(3) Conduct parent-teacher conferences; and*

16        *(4) Administer any test, examination or assessment*  
17 *required by state or federal law in a proctored setting.*

18        *(hh) If the charter school will provide a program where a*  
19 *student may earn college credit for courses taken in high school, a*  
20 *draft memorandum of understanding between the charter school*  
21 *and the college or university through which the credits will be*  
22 *earned and a term sheet, which must set forth:*

23        *(1) The proposed duration of the relationship between the*  
24 *charter school and the college or university and the conditions for*  
25 *renewal and termination of the relationship;*

26        *(2) The roles and responsibilities of the governing body of*  
27 *the charter school, the employees of the charter school and the*  
28 *college or university;*

29        *(3) The scope of the services and resources that will be*  
30 *provided by the college or university;*

31        *(4) The manner and amount that the college or university*  
32 *will be compensated for providing such services and resources,*  
33 *including, without limitation, any tuition and fees that pupils at*  
34 *the charter school will pay to the college or university;*

35        *(5) The manner in which the college or university will*  
36 *ensure that the charter school effectively monitors pupil*  
37 *enrollment and attendance and the acquisition of college credits;*  
38 *and*

39        *(6) Any employees of the college or university who will*  
40 *serve on the governing body of the charter school.*

41        *(ii) If the applicant currently operates a charter school in*  
42 *another state, evidence of the performance of such charter schools*  
43 *and the capacity of the applicant to operate the proposed charter*  
44 *school.*



1       (jj) *If the applicant proposes to contract with an educational*  
2 *management organization or any other person to provide*  
3 *educational or management services:*

4           (1) *Evidence of the performance of the educational*  
5 *management organization or other person when providing such*  
6 *services to a population of pupils similar to the population that*  
7 *will be served by the proposed charter school;*

8           (2) *A term sheet that sets forth:*

9               (I) *The proposed duration of the proposed contract*  
10 *between the governing body of the charter school and the*  
11 *educational management organization;*

12               (II) *A description of the responsibilities of the governing*  
13 *body of the charter school, employees of the charter school and*  
14 *the educational management organization or other person;*

15               (III) *All fees that will be paid to the educational*  
16 *management organization or other person;*

17               (IV) *The manner in which the governing body of the*  
18 *charter school will oversee the services provided by the*  
19 *educational management organization or other person and*  
20 *enforce the terms of the contract;*

21               (V) *A disclosure of the investments of the educational*  
22 *management organization or other person; and*

23               (VI) *The conditions for renewal and termination of the*  
24 *contract; and*

25           (3) *A disclosure of any conflicts of interest concerning the*  
26 *applicant and the educational management organization or other*  
27 *person, including, without limitation, any past or current*  
28 *employment, business or familial relationship between any*  
29 *prospective employee of the charter school and a member of the*  
30 *committee to form a charter school or the board of directors of the*  
31 *charter management organization, as applicable.*

32       (kk) *Any additional information required by the sponsor.*

33       6. As used in subsection 1, "teacher" means a person who:

34       (a) Holds a current license to teach issued pursuant to chapter  
35 391 of NRS or who previously held such a license and is retired, as  
36 long as his or her license was held in good standing; and

37       (b) Has at least 2 years of experience as an employed teacher.

38       ↪ The term does not include a person who is employed as a  
39 substitute teacher.

40       **Sec. 22.** NRS 386.525 is hereby amended to read as follows:

41       386.525 1. A *committee to form a charter school or charter*  
42 *management organization* may submit the application to the  
43 proposed sponsor of the charter school. If an application proposes to  
44 convert an existing public school, homeschool or other program of



1 home study into a charter school, the proposed sponsor shall deny  
2 the application.

3 2. The proposed sponsor of a charter school shall, in reviewing  
4 an application to form a charter school:

5 (a) Assemble a team of reviewers *from different geographic*  
6 *areas of the United States* who possess the appropriate knowledge  
7 and expertise with regard to the academic, financial and  
8 organizational experience of charter schools to review and evaluate  
9 the application;

10 (b) Conduct a thorough evaluation of the application, which  
11 includes an in-person interview with the ~~[committee to form the~~  
12 ~~charter school;]~~ *applicant designed to elicit any necessary*  
13 *clarifications or additional information about the proposed*  
14 *charter school and determine the ability of the applicants to*  
15 *establish a high-quality charter school;*

16 (c) Base its determination on documented evidence collected  
17 through the process of reviewing the application; and

18 (d) Adhere to the policies and practices developed by the  
19 proposed sponsor pursuant to subsection ~~[S]~~ 6 of NRS 386.515.

20 3. The proposed sponsor of a charter school may approve an  
21 application to form a charter school only if the proposed sponsor  
22 determines that:

23 (a) The application:

24 (1) Complies with NRS 386.490 to 386.649, inclusive, *and*  
25 *sections 2 to 8, inclusive, of this act* and the regulations applicable  
26 to charter schools; and

27 (2) Is complete in accordance with the regulations of the  
28 Department ~~[S]~~ *and the policies and practices of the sponsor;* and

29 (b) The applicant has demonstrated competence in accordance  
30 with the criteria for approval prescribed by the sponsor pursuant to  
31 subsection ~~[S]~~ 6 of NRS 386.515 that will likely result in a  
32 successful opening and operation of the charter school.

33 4. If the board of trustees of a school district or a college or a  
34 university within the Nevada System of Higher Education, as  
35 applicable, receives an application to form a charter school, the  
36 board of trustees or the institution, as applicable, shall consider the  
37 application at a meeting that must be held not later than 60 days  
38 after the receipt of the application, or a later period mutually agreed  
39 upon by the committee to form the charter school and the board of  
40 trustees of the school district or the institution, as applicable, and  
41 ensure that notice of the meeting has been provided pursuant to  
42 chapter 241 of NRS. The board of trustees, the college or the  
43 university, as applicable, shall review an application in accordance  
44 with the requirements for review set forth in subsections 2 and 3.



\* S B 5 0 9 \*

1 5. The board of trustees, the college or the university, as  
2 applicable, may approve an application if it satisfies the  
3 requirements of subsection 3.

4 6. The board of trustees, the college or the university, as  
5 applicable, shall provide written notice to the applicant of its  
6 approval or denial of the application. If the board of trustees, the  
7 college or the university, as applicable, denies an application, it shall  
8 include in the written notice the reasons for the denial and the  
9 deficiencies in the application. The applicant must be granted 30  
10 days after receipt of the written notice to correct any deficiencies  
11 identified in the written notice and resubmit the application.

12 7. If the board of trustees, the college or the university, as  
13 applicable, denies an application after it has been resubmitted  
14 pursuant to subsection 6, the applicant may submit a written request  
15 for sponsorship by the State Public Charter School Authority not  
16 more than 30 days after receipt of the written notice of denial. Any  
17 request that is submitted pursuant to this subsection must be  
18 accompanied by the application to form the charter school.

19 8. If the State Public Charter School Authority receives an  
20 application pursuant to subsection 1 or 7, it shall consider the  
21 application at a meeting which must be held not later than 60 days  
22 after receipt of the application or a later period mutually agreed  
23 upon by the committee to form the charter school and the State  
24 Public Charter School Authority. Notice of the meeting must be  
25 posted in accordance with chapter 241 of NRS. The State Public  
26 Charter School Authority shall review the application in accordance  
27 with the requirements for review set forth in subsections 2 and 3.  
28 The State Public Charter School Authority may approve an  
29 application only if it satisfies the requirements of subsection 3. Not  
30 more than 30 days after the meeting, the State Public Charter School  
31 Authority shall provide written notice of its determination to the  
32 applicant.

33 9. If the State Public Charter School Authority denies or fails  
34 to act upon an application, the denial or failure to act must be based  
35 upon a finding that the applicant failed to satisfy the requirements of  
36 subsection 3. The State Public Charter School Authority shall  
37 include in the written notice the reasons for the denial or the failure  
38 to act and the deficiencies in the application. The staff designated by  
39 the State Public Charter School Authority shall meet with the  
40 applicant to confer on the method to correct the identified  
41 deficiencies. The applicant must be granted 30 days after receipt of  
42 the written notice to correct any deficiencies identified in the written  
43 notice and resubmit the application.

44 10. If the State Public Charter School Authority denies an  
45 application after it has been resubmitted pursuant to subsection 9,



1 the applicant may, not more than 30 days after the receipt of the  
2 written notice from the State Public Charter School Authority,  
3 appeal the final determination to the district court of the county in  
4 which the proposed charter school will be located.

5 11. *Notwithstanding the provisions of this section, a sponsor*  
6 *may adopt regulations establishing timelines and procedures by*  
7 *which the sponsor will review applications. These regulations*  
8 *may:*

9 (a) *Establish different timelines and review procedures for*  
10 *different types of applicants; and*

11 (b) *Authorize or require an applicant to submit an abbreviated*  
12 *application, the contents of such an application and criteria that*  
13 *the State Public Charter School Authority will use to determine*  
14 *whether to invite the applicant to submit a full application that*  
15 *meets the requirements of NRS 386.520 or deny the abbreviated*  
16 *application and recommend that the applicant make substantial*  
17 *revisions and submit the application during another application*  
18 *cycle.*

19 12. *The State Public Charter School Authority may enter into*  
20 *a contract with any qualified person to:*

21 (a) *Foster the development of high-quality charter*  
22 *management organizations, educational management*  
23 *organizations and other persons to operate charter schools in this*  
24 *State;*

25 (b) *Solicit applications to form charter schools from high-*  
26 *quality applicants;*

27 (c) *Provide training concerning the governance and*  
28 *management of charter schools to governing bodies of charter*  
29 *schools and applicants to form charter schools; or*

30 (d) *Provide professional development and support services to*  
31 *the administration and other employees of charter schools.*

32 13. *The State Public Charter School Authority may provide*  
33 *compensation pursuant to a contract entered into pursuant to*  
34 *subsection 12 using any money raised by the State Public Charter*  
35 *School Authority from private donors for that purpose or any*  
36 *money received from fees paid to the State Public Charter School*  
37 *Authority.*

38 14. On or before January 1 of each odd-numbered year, the  
39 Superintendent of Public Instruction shall submit a written report to  
40 the Director of the Legislative Counsel Bureau for transmission to  
41 the next regular session of the Legislature. The report must include:

42 (a) A list of each application to form a charter school that was  
43 submitted to the board of trustees of a school district, the State  
44 Public Charter School Authority, a college or a university during the  
45 immediately preceding biennium;



1 (b) The educational focus of each charter school for which an  
2 application was submitted;

3 (c) The current status of the application; and

4 (d) If the application was denied, the reasons for the denial.

5 **Sec. 23.** NRS 386.527 is hereby amended to read as follows:

6 386.527 1. If the proposed sponsor of a charter school  
7 approves an application to form a charter school, it shall, before  
8 June 11, 2013, grant a written charter to the governing body of  
9 the charter school or, on or after June 11, 2013, negotiate and  
10 execute a charter contract with the governing body of the charter  
11 school. A charter contract must be executed not later than 60 days  
12 before the charter school commences operation. The charter contract  
13 must be in writing and incorporate, without limitation:

14 (a) The performance framework for the charter school;

15 (b) A description of the administrative relationship between the  
16 sponsor of the charter school and the governing body of the charter  
17 school, including, without limitation, the rights and duties of the  
18 sponsor and the governing body; and

19 (c) Any pre-opening conditions which the sponsor has  
20 determined are necessary for the charter school to satisfy before the  
21 commencement of operation to ensure that the charter school meets  
22 all building, health, safety, insurance and other legal requirements.

23 2. The charter contract must be signed by a member of the  
24 governing body of the charter school and:

25 (a) If the board of trustees of a school district is the sponsor of  
26 the charter school, the superintendent of schools of the school  
27 district;

28 (b) If the State Public Charter School Authority is the sponsor of  
29 the charter school, the Chair of the State Public Charter School  
30 Authority; or

31 (c) If a college or university within the Nevada System of  
32 Higher Education is the sponsor of the charter school, the president  
33 of the college or university.

34 3. Before the charter contract is executed, the sponsor of the  
35 charter school must approve the charter contract at a meeting of the  
36 sponsor held in accordance with chapter 241 of NRS.

37 4. The sponsor of the charter school shall, not later than 10  
38 days after the execution of the charter contract, provide to the  
39 Department:

40 (a) Written notice of the charter contract and the date of  
41 execution; and

42 (b) A copy of the charter contract and any other documentation  
43 relevant to the charter contract.

44 5. If the board of trustees approves the application, the board of  
45 trustees shall be deemed the sponsor of the charter school.











































































































































































