



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Rebecca Feiden; Executive Director
SUBJECT: SPCSA-Sponsored Charter School Board Governance Training --
Assembly Bill 419 (2019)
DATE: August 29, 2022

During the 2019 Legislative Session, the Nevada Legislature enacted Assembly Bill 419, which, among other things, added and clarified the required trainings that SPCSA board members and SPCSA-sponsored charter school board members are required to undergo.

SPCSA Board

As background, NRS 388A.153 states that the nine member SPCSA board are appointed as follows: two members are appointed by the Governor; two members are appointed by the Majority Leader of the Senates; two members are appointed by the Speaker of the Assembly; two members are appointed by the State Board of Education; and one member is appointed by the Charter School Association of Nevada (CSAN). All members of the SPCSA board must be residents of Nevada. Members of the SPCSA board are appointed to three year terms, or to serve the remaining term of a vacated seat. All members of the SPCSA board must be residents of Nevada.

NRS 388A.153 also sets out the qualifications for SPCSA board members, which requires members of the SPCSA board to consist of a parent or legal guardian of a pupil enrolled in a charter school in this State, and persons with specific knowledge of elementary and secondary education, school finance or accounting, management practices, assessments required in elementary and secondary education, educational technology; and the laws and regulations applicable to charter schools. Insofar as practicable, members of the SPCSA board are also required to reflect the "ethnic and geographical diversity" of Nevada, and to consist of persons who are experts on best practices for authorizing charter schools and developing and operating high-quality charter schools. Notably, while two members of the SPCSA board may be a teachers, an administrators, or employees of a charter school operating in Nevada, a member of a governing body of a charter school (i.e., a charter school board member) may not be members of the SPCSA board.

Additionally, NRS 388A.150 sets out the legislative purpose of the SPCSA. This legislative mandate makes clear that the SPCSA is to (1) exercise its role as an “**authorizer**” in regard to charter schools in Nevada, including “the goal of expanding the opportunities for pupils in this State, including, without limitation, pupils who are at risk; provide **oversight** to SPCSA-sponsored charter schools in order to “ensure that those charter schools maintain high educational and operational standards, preserve autonomy and safeguard the interests of pupils and the community; and to **serve as a model** of the best practices in sponsoring charter schools and foster a climate in this State in which all high-quality charter schools, regardless of sponsor, can flourish. NRS 388A.226 also makes clear that the SPCSA is to provide **technical assistance and support** to new charter school applicants and SPCSA-sponsored charter schools. In regard to required training of SPCSA board members, NRS 388A.155 (as enacted by AB 419) states as follows:

NRS 388A.155 Required training. Each member of the State Public Charter School Authority must complete training:

1. *At the time the member is appointed* to the State Public Charter School Authority, on **the responsibilities of the member** and any **framework** used by the State Public Charter School Authority in performing its duties; and
2. *Each year*, on the **evaluation of applications** to form charter schools and the **governance of charter schools**.

As a result, NRS 388A.155 requires SPCSA board members to participate in the following trainings:

At the time a member is appointed to the SPCSA board: (1) the responsibilities of a SPCSA board member; and (2) the Nevada Department of Education’s Nevada School Performance Framework (the NSPF, or the Star Ratings) and the SPCSA’s three Performance Frameworks which are the Academic, Organizational, and Financial Frameworks. Additionally, each year SPCSA board members must participate in training relating to (1) the evaluation of new charter school applications, and (2) governance and the SPCSA’s oversight role in regard to SPCSA-sponsored charter schools. As you are aware, new SPCSA board members participate in training upon appointment, several training sessions for SPCSA board members have already taken place, and additional training opportunities for SPCSA board members are scheduled to take place in the future.

SPCSA-Sponsored Charter School Boards

Likewise, NRS 388A.320(1) sets out the qualifications for charter school board members, which include, at least *two members* that are a Nevada teacher or administrator, a retired Nevada teacher or administrator, or is a school administrator with a license issued by another state or who previously held such a license and is retired; at least one member that is a parent or legal guardian of a student enrolled at the charter school (note that the parent or legal guardian cannot be a teacher or administrator at the charter school); and at least two members with knowledge and experience relating to the following: accounting, financial services, law, or human resources. and once the charter school board meets the following qualifications for membership other

members of the community, stakeholders, and parents. While there is no limitation on the number of members a charter school board may have, charter school boards must consist of *least five members*.

Once the above-referenced criteria have been met, additional members may serve on a charter school board, subject to the following limitations: First, charter school board members must not be an employee of the charter school, including teachers and administrators. NAC 388A.525(2)(a). Second, charter school board members must also not be related by blood or marriage to an employee of the charter school, or another member of the charter school's board. NAC 388A.525(b)(2). Furthermore, while members of charter school boards may serve on other nonprofit organizations and boards, but in no event can more than two members of a charter school board represent the same nonprofit organization or business. NRS 388A.320(2) and NAC 388A.525(4). Finally, a charter school board may not have as one its members a person that owns, operates, or is employed by a corporation, business, or other entirety that has entered into a contract to provide services, for profit, to the charter school, or anyone related by blood or marriage to a person that owns, operates, or is employed by a corporation, business, or other entirety that has entered into a contract to provide services, for profit, to the charter school. NAC 388A.525(2)(c)(1) and (2).

Regarding residency, a majority of the members of a charter school board must reside in Nevada and in the county where the charter school is located. NRS 388A.320(2) and NAC 388A.325(1). Finally, charter school boards must meet at least quarterly throughout the year – although the SPCSA *strongly encourages* charter school boards to meet at least monthly. NRS 388A.320(6).

Charter school board members are required to complete training regarding the governance of charter schools before the charter school opens (for new charter schools), and at least every three years thereafter. NRS 388A.224. New charter school board members certify that they have received training or read and understand materials that were provided to the new board member regarding the roles and responsibilities of charter school boards and board members. NRS 388A.320(3)(b). (All board members for SPCSA-sponsored charter schools annually submit this certification as well.)

Since the enactment of AB 419, the SPCSA has adopted governance standards for SPCSA-sponsored charter school boards. Additionally, the SPCSA has held four training sessions for SPCSA-sponsored charter school board members on the following dates:

- June 24, 2022 (virtual)
- July 5, 2022 (virtual)
- July 28, 2022 (in person / Las Vegas)
- August 5, 2022 (virtual)

Finally, pursuant to AB 419, the SPCSA has approved several other entities to provide governance training to SPCSA-sponsored charter school board members.

To date, approximately 200 SPCSA-sponsored charter school board members have participated in the required governance training. With approximately 275 board members at SPCSA-

sponsored charter schools, the SPCSA is in the process of determining which board members are still in need of participating in the required training, and the SPCSA will offer additional training opportunities for those board members this fall. The SPCSA plans to then offer the required training annually and at least twice a year going forward.

The SPCSA's governance standards, the SPCSA's governance training, and other information related to governance can be found here:

https://charterschools.nv.gov/ForSchools/Governance_Standards/.