

Charter School Board Member Information and Disclosure

This Information and Disclosure Form must be completed within 10 days of when an individual is appointed to a charter school board and must be completed annually by each charter school board member. The first three pages provide background information regarding charter board member responsibilities and requirements of which all charter school board members should be aware. The Information and Disclosure Form begins on page four.

Charter School Board Member Responsibilities

Serving on a public charter school board (charter school boards are referred to as “governing bodies” in Nevada’s charter school statutes and regulations) is a position of public trust and fiduciary responsibility. As a board member of a public school, you are a “public officer” and the charter school board is a “public body” as defined in Nevada law, meaning that as a public officer and public body you – and the charter school board – are responsible for and subject to all of the legal requirements related to public officers and public bodies, including Nevada’s Open Meeting Law, governance requirements, and Nevada’s Code of Ethics – particularly as the Ethic Code relates to conflicts of interest – for public officers.

- Nevada’s Ethics Code can be found here:
<https://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/NRS-281.html>;
- Nevada’s Commission on Ethic’s Manual for Public Officers and employees can be found here:
<https://ethics.nv.gov/uploadedFiles/ethicsnv.gov/content/Resources/EthicsManual2014.pdf>;
and
- Additional SPCSA ethics resources can be found here:
https://charterschools.nv.gov/ForSchools/Governance_Standards/.

Additionally, as a public officer, and a member of a public body that is a signatory to a legally binding contract (the charter school contract) with the State of Nevada, you are responsible for governing the charter school, maintaining overall control of the charter school, ensuring the quality of the school program, competent stewardship of public funds, and the school’s fulfillment of its public obligations and all terms of its charter contract. NRS 388A.320(5); NAC 388A.525 (7) and (8); and NAC 388A.530.

Charter School Board Composition and Member Qualifications

Pursuant to NRS 388A.320(1), charter school boards must consist of *at least* five members. Note that as discussed below, there is no limitation on the number of members a charter school board may have and once the charter school board meets the following qualifications for membership other members of the community, stakeholders, parents, etc. may serve as members of the charter school board; however, a charter school board must consist of *at least five members* that meet the following criteria:

(1) at least *one member* that is a Nevada teacher¹ or administrator that holds a license pursuant to NRS Chapter 391, or is a retired Nevada teacher or administrator that previously held a license pursuant to NRS Chapter 391 and that license was in good standing at the time that the teacher or administrator retired;

(2) at least one member that is a Nevada teacher or administrator that holds a license pursuant to NRS Chapter 391, or is a retired Nevada teacher or administrator that previously held a license pursuant to NRS Chapter 391 and that license was in good standing at the time that the teacher or administrator retired (just as with the previous requirement), *or*, 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;

(3) 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);

(4) at least two members with knowledge and experience relating to the following: accounting, financial services, law, or human resources.

In short, charter school boards *must* consist of at least *two educators, a parent or legal guardian of a student at the charter school, and two members with experience related to accounting, finance, law, or human resources.*

Again, once the above-referenced criteria have been met, additional members may serve on a charter school board, subject to the following limitations:

- Charter school board members must not be an employee of the charter school, including teachers and administrators. NAC 388A.525(2)(a). As a result, while charter school boards must have as one of its members a licensed teacher or administrator, the licensed teacher or administrator cannot be employed by the charter school.
- 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(2)(b)(1) and (2). Note that a waiver from this prohibition may be requested from Nevada's Superintendent of Public Instruction and the SPCSA pursuant to NRS 281.210 and NAC 388A.525(3).
- Furthermore, while members of charter school boards may serve on other nonprofit organizations and boards, 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).
- 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

¹ Note that a "teacher" is defined as a person that holds a license issued pursuant to NRS Chapter 391, has at least two years of teaching experience, and does not include a substitute teaching license. NRS 388A.320(7).

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 monthly. NRS 388A.320(6).

Charter School Board Member Required Training

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. Additionally, new charter school board members, are required to receive 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). Information regarding the SPCSA's governance standards and required governance training can be found here: https://charterschools.nv.gov/ForSchools/Governance_Standards/.

Charter School Board Member Information and Disclosure

Charter school board members are required to disclose to the SPCSA any conflicts of interest on an annual basis. NRS 388A.320(4) To fulfill this requirement, the SPCSA requests that each board member responds individually to this questionnaire and disclosure annually. New board members must also complete this questionnaire and disclosure within 10 business days of appointment. NAC 388A.525(6) Where narrative responses are required, brief responses are sufficient.

I. Background

1. Name of Charter School _____
2. Board Member Full Name _____
Home Address (Street/City/State/Zip) _____

Phone Number _____
E-mail Address _____
3. ***For Newly Appointed Board Members:*** Attach the following documents upon submission:
 - Application to become a charter school board member. NAC 388A.525(6)
 - Résumé or professional bio. NAC 388A.525(6)
 - If a licensed teacher, copy of license. NAC 388A.525(6)
 - Copy of completed Fingerprint Background Waiver.

II. Conflicts of Interest

A person serving on a charter school board must disclose to the sponsor of the charter school any conflicts of interest concerning the person or any family member of the person and a charter management organization, educational management organization or other person with which the governing body of the charter school has entered into a contract to provide any services at the charter school in the immediately preceding year. NRS 388A.320(4). A conflict of interest is defined as a "commitment in a private capacity" which includes a commitment, interest or relationship in the form of a substantial and continuing business relationship as is outlined in the Nevada Ethics in Government Manual.

1. If unemployed or retired, indicate here: _____ Unemployed _____ Retired
2. Employer Name and Address: _____

3. Are you or your employer affiliated with any charter schools? _____ Yes _____ No
4. If Yes, describe any affiliation with any charter school.

NOTE: In the following questions, “the charter school” refers to the charter school for which you are a board member.

5. Are you an employee of the charter school, including a teacher or an administrator?

___ No, I am not an employee of the charter school.

___ Yes, I am an employee of the charter school

6. If Yes, what is your position? _____

7. How long have you been employed by the charter school? _____

8. Are you related by blood or marriage to an employee of the charter school or another member of the charter school’s board?

___ No, I am not related by blood or marriage to an employee of the charter school or another member of the charter school’s board.

___ Yes, I am related by blood or marriage to an employee of the charter school or another member of the charter school’s board.

9. If Yes, describe the relationship to the individual you are related to by blood or marriage.

10. What is the role of the individual you are related to by blood or marriage?

11. Are you employed by or affiliated with any nonprofit organization?

___ No, I am not employed by or affiliated with a nonprofit organization.

___ Yes, I am employed by or affiliated with a nonprofit organization.

12. If Yes, what is the nonprofit organization(s)?

13. What is your role with the nonprofit organization(s)?

14. Is this nonprofit organization affiliated in any way with *any* charter schools? ___ Yes ___ No

15. If Yes, describe the affiliation.

16. Are you aware of any other person employed by or affiliated with this nonprofit organization that is affiliated with this or any other Nevada charter school? ___ Yes ___ No

17. If Yes, provide their full name(s) and affiliated charter school(s) here:

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18. Do you own, operate, or are employed by a corporation, business, or other entity that has entered into a contract to provide services, **for profit**, to the charter school, or are you related by blood or marriage to a person that owns, operates, or is employed by a corporation, business, or other entity that has entered into a contract to provide services, for profit, to the charter school?

___ No, I do not own, operate, nor am I employed by a corporation, business, or other entity that has entered into a contract to provide services, for profit, to the charter school, nor am I related by blood or marriage to a person that owns, operates, or is employed by a corporation, business, or other entity that has entered into a contract to provide services, for profit, to the charter school.

___ Yes, I own, operate, or am employed by a corporation, business, or other entity that has entered into a contract to provide services, for profit, to the charter school, or I am related by blood or marriage to a person that owns, operates, or is employed by a corporation, business, or other entity that has entered into a contract to provide services, for profit, to the charter school.

19. If Yes, provide the name of the corporation, business, or other entity as well as the services performed by the corporation, business, or other entity for the charter school.

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20. Describe the relationship you, or the individual you are related to by blood or marriage, have with this corporation, business, or other entity.

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21. Are you aware of any other conflicts of interest which is required to be disclosed to the SPCSA?

___ No, I am not aware of any other conflicts of interest.

___ Yes, I am aware of a conflict(s) of interest.

22. If Yes, describe the conflict(s) of interest:

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III. Fingerprints and Background Check

NRS 388A.323 requires that charter school board members submit to the charter school, within 10 days of being appointed to a charter school board, a complete set of fingerprints as well as written authorization allowing the governing body of the charter school 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 member. *Note that this provision does not apply to a teacher or administrator who currently holds a license issued pursuant to NRS Chapter 391.* By signing below, you are certifying that you have complied with this requirement and that you have provided the required authorization to the charter school.

Signature

Date

IV. Declaration and Certification

I, _____, have been appointed to the _____
Board Member Name Charter School Name

governing body, and I declare and certify under penalty of perjury the following:

1. I have not been convicted of a felony relating to serving on the governing body of a charter school or any offense involving moral turpitude²;
2. I have received training or read and understand material concerning the roles and responsibilities of members of governing bodies of charter schools and other training and material designed to assist the governing bodies of charter schools (NRS 388A.320(3)(b)), as well as completed required governance training (NRS 388A.224);
3. I have complied with the requirements contained within NRS 388A.323, in that I have or will submit to the charter school, within 10 days of being appointed to a charter school board, a complete set of fingerprints, and by signing below, I authorize the governing body of the charter school 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 member. *Note that this provision does not apply to a teacher or administrator who currently holds a license issue pursuant to NRS Chapter 391.*

Pursuant to NRS 53.045, I hereby declare and certify, under penalty of perjury pursuant to the laws of the State of Nevada, that the foregoing is true and correct.

Board Member Name

Board Member Signature

Date

² Nevada's Department of Education has defined offenses involving moral turpitude in NAC 388C.100.