

Amendment No. 294

Senate Amendment to Senate Bill No. 212

(BDR 34-900)

Proposed by: Senate Committee on Education**Amends:** Summary: No Title: Yes Preamble: Add Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

CLP/KCR



Date: 4/19/2011

S.B. No. 212—Revises provisions governing charter schools. (BDR 34-900)



SENATE BILL NO. 212—COMMITTEE ON EDUCATION

MARCH 1, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing charter schools. (BDR 34-900)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising provisions relating to sponsorship of charter schools; creating the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority;** prescribing the membership, duties and powers of the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority;** repealing the Subcommittee on Charter Schools of the State Board of Education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the formation of charter schools and authorizes school districts, the State Board of Education and colleges and universities within the Nevada System of Higher Education to sponsor charter schools. (NRS 386.500-386.610) **Sections 25-35.5** of this bill create the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority** and prescribe the membership of the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority.** **Section 38** of this bill removes the authority of the State Board of Education to sponsor charter schools and authorizes the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority** to sponsor charter schools. **Sections 43 and 49** of this bill authorize the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority** to adopt certain regulations relating to charter schools and eliminate the authority of the Department of Education and the State Board of Education to adopt certain regulations relating to charter schools. **Section 2** of this bill transfers the duty to prepare an annual report of accountability information of ~~all the~~ **each** charter ~~[school;]~~ **school** in this State from the board of trustees of a school district to the ~~[State Board of Charter Schools;]~~ **sponsor of that charter school.** **Sections 59 and 60** of this bill require the Director of the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority** and other persons employed by the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority** to be appointed or hired, as appropriate. **Section 61** of this bill requires the members of the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority** to be appointed. **Section 64** of this bill transfers the sponsorship of all charter schools sponsored by the State Board of Education to the State ~~[Board of Charter Schools;]~~ **Public Charter School Authority.**

Section 57 of this bill repeals the Subcommittee on Charter Schools of the State Board of Education.

1 WHEREAS, The Legislature recognizes that each child in this State should
2 be afforded the opportunity to receive a high-quality education from the
3 public schools of this State; and

4 WHEREAS, Some children perform better in different learning
5 environments, and the educational programs in public schools should be
6 designed to fit the individual needs of those children; and

7 WHEREAS, It is the intent of the Legislature to provide teachers and other
8 educational personnel, parents, legal guardians and other persons who are
9 interested in the system of public education in this State the opportunity to:

10 1. Improve the learning of pupils by creating public schools with rigorous
11 standards for the academic achievement of pupils;

12 2. Close the achievement gaps between high-performing and low-
13 performing groups of pupils;

14 3. Increase the opportunities for learning for all pupils;

15 4. Increase access to alternative educational programs for pupils who are
16 identified as being at risk for academic failure; and

17 5. Encourage diverse approaches to public education and the use of
18 innovative teaching methods that have proven effective; and

19 WHEREAS, The Legislature finds that the success of charter schools in this
20 State depends upon the support of high-quality sponsors, effective charter
21 associations and resource centers, effective educational personnel and parents
22 and legal guardians of pupils enrolled in the charter schools; and

23 WHEREAS, The Legislature finds that the sponsors of successful charter
24 schools maintain high standards for the sponsor and the charter schools they
25 sponsor, preserve autonomy for the charter schools they sponsor and protect
26 the interests of the pupils enrolled in the charter schools and the communities
27 they serve; and

28 WHEREAS, The Legislature finds that the creation of a State Public
29 Charter School Authority can serve as a model of the best practices in
30 sponsoring charter schools and can foster high-quality public school choice
31 through the charter schools it sponsors by providing pupils with an
32 opportunity to maximize their academic potential; now, therefore,

33
34 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
35 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

36
37 **Section 1.** NRS 385.005 is hereby amended to read as follows:

38 385.005 1. The Legislature reaffirms its intent that public education in the
39 State of Nevada is essentially a matter for local control by local school districts.
40 The provisions of this title are intended to reserve to the boards of trustees of local
41 school districts within this state such rights and powers as are necessary to maintain
42 control of the education of the children within their respective districts. These rights
43 and powers may only be limited by other specific provisions of law.

44 2. The responsibility of establishing a statewide policy of integration or
45 desegregation of public schools is reserved to the Legislature. The responsibility for
46 establishing a local policy of integration or desegregation of public schools
47 consistent with the statewide policy established by the Legislature is delegated to
48 the respective boards of trustees of local school districts and to the governing body
49 of each charter school.

50 3. The State Board shall, and ~~the State [Board of Charter Schools,]~~ Public
51 Charter School Authority, each board of trustees of a local school district, the
52 governing body of each charter school and any other school officer may, advise the
53 Legislature at each regular session of any recommended legislative action to ensure

high standards of equality of educational opportunity for all children in the State of Nevada.

Sec. 2. NRS 385.347 is hereby amended to read as follows:

385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed educational personnel in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district , including, without limitation, pupils enrolled in charter schools ~~fin~~ sponsored by the school district. The board of trustees of each school district shall report the information required by subsection 2 for each charter school [that is located within the school district, regardless of the sponsor of the charter school.] sponsored by the school district. The information for charter schools must be reported separately. [and must denote the charter schools sponsored by the school district, the charter schools sponsored by the State Board and the charter schools sponsored by a college or university within the Nevada System of Higher Education.]

2. The board of trustees of each school district shall, on or before August 15 of each year, prepare an annual report of accountability concerning:

(a) The educational goals and objectives of the school district.

(b) Pupil achievement for each school in the district and the district as a whole ~~fin~~ , including, without limitation, each charter school ~~fin~~ sponsored by the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 389.015 and 389.550 and shall compare the results of those examinations for the current school year with those of previous school years. The report must include, for each school in the district , including, without limitation, each charter school ~~fin~~ sponsored by the district, and each grade in which the examinations were administered:

(1) The number of pupils who took the examinations.

(2) A record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school.

(3) Except as otherwise provided in this paragraph, pupil achievement, reported separately by gender and reported separately for the following groups of pupils:

(I) Pupils who are economically disadvantaged, as defined by the State Board;

(II) Pupils from major racial and ethnic groups, as defined by the State Board;

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

(V) Pupils who are migratory children, as defined by the State Board.

(4) A comparison of the achievement of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board.

(5) The percentage of pupils who were not tested.

(6) Except as otherwise provided in this paragraph, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in subparagraph (3).

(7) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 389.015 and 389.550, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

(8) Information that compares the results of pupils in the school district including, without limitation, pupils enrolled in charter schools ~~fin~~ sponsored by the district, with the results of pupils throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(9) For each school in the district, including, without limitation, each charter school ~~fin~~ sponsored by the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(10) Information on whether each school in the district including, without limitation, each charter school ~~fin~~ sponsored by the district, has made progress based upon the model adopted by the Department pursuant to NRS 385.3595.

↳ A separate reporting for a group of pupils must not be made pursuant to this paragraph if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe the mechanism for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

(c) The ratio of pupils to teachers in kindergarten and at each grade level for each elementary school in the district and the district as a whole including, without limitation, each charter school ~~fin~~ sponsored by the district, and the average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school in the district and the district as a whole ~~fin~~ including, without limitation, each charter school ~~fin~~ sponsored by the district.

(d) Information on the professional qualifications of teachers employed by each school in the district and the district as a whole ~~fin~~ including, without limitation, each charter school ~~fin~~ sponsored by the district. The information must include, without limitation:

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

(II) Providing instruction pursuant to a waiver of the requirements for licensure for the grade level or subject area in which the teachers are employed; or

(III) Otherwise providing instruction without an endorsement for the subject area in which the teachers are employed;

(2) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers;

(3) The percentage of classes in the core academic subjects, as set forth in NRS 389.018, that are not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools, which for the purposes of this subparagraph means schools in the top quartile of poverty and the bottom quartile of poverty in this State;

(4) For each middle school, junior high school and high school:

(I) ~~{On and after July 1, 2005, the}~~ **The** number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and

(II) ~~{On and after July 1, 2006, the}~~ **The** number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level and subject area; and

(5) For each elementary school:

(I) ~~{On and after July 1, 2005, the}~~ *The* number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and

(II) ~~{On and after July 1, 2006, the}~~ *The* number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level.

(e) The total expenditure per pupil for each school in the district and the district as a whole ~~{ }~~ *, including, without limitation, each charter school ~~{ }~~ sponsored by the district.* If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

(f) The curriculum used by the school district, including :

~~(1) Any ~~{ }~~ special programs for pupils at an individual school ~~{ }~~ ; and~~
~~(2) The curriculum used by each charter school ~~{ }~~ sponsored by the district.~~

(g) Records of the attendance and truancy of pupils in all grades, including, without limitation:

(1) The average daily attendance of pupils, for each school in the district and the district as a whole ~~{ }~~ *, including, without limitation, each charter school ~~{ }~~ sponsored by the district.*

(2) For each elementary school, middle school and junior high school in the district, *including, without limitation, each charter school ~~{ }~~ sponsored by the district that provides instruction to pupils enrolled in a grade level other than high school,* information that compares the attendance of the pupils enrolled in the school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(h) The annual rate of pupils who drop out of school in grade 8 and a separate reporting of the annual rate of pupils who drop out of school in grades 9 to 12, inclusive, for each such grade, for each school in the district and for the district as a whole. The reporting for pupils in grades 9 to 12, inclusive, excludes pupils who:

(1) Provide proof to the school district of successful completion of the examinations of general educational development.

(2) Are enrolled in courses that are approved by the Department as meeting the requirements for an adult standard diploma.

(3) Withdraw from school to attend another school.

(i) Records of attendance of teachers who provide instruction, for each school in the district and the district as a whole ~~{ }~~ *, including, without limitation, each charter school ~~{ }~~ sponsored by the district.*

(j) Efforts made by the school district and by each school in the district ~~{ }~~ *, including, without limitation, each charter school ~~{ }~~ sponsored by the district,* to increase:

(1) Communication with the parents of pupils in the district; and

(2) The participation of parents in the educational process and activities relating to the school district and each school, including, without limitation, the existence of parent organizations and school advisory committees.

(k) Records of incidents involving weapons or violence for each school in the district ~~that~~ , including, without limitation, each charter school that ~~is~~ sponsored by the district.

(l) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district ~~that~~ , including, without limitation, each charter school that ~~is~~ sponsored by the district.

(m) Records of the suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467.

(n) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, for each school in the district and the district as a whole ~~that~~ , including, without limitation, each charter school that ~~is~~ sponsored by the district.

(o) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033 or 392.125, for each school in the district and the district as a whole ~~that~~ , including, without limitation, each charter school that ~~is~~ sponsored by the district.

(p) The transiency rate of pupils for each school in the district and the district as a whole ~~that~~ , including, without limitation, each charter school that ~~is~~ sponsored by the district. For the purposes of this paragraph, a pupil is not transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

(q) Each source of funding for the school district.

(r) A compilation of the programs of remedial study that are purchased in whole or in part with money received from this State, for each school in the district and the district as a whole ~~that~~ , including, without limitation, each charter school sponsored by the district. The compilation must include:

(1) The amount and sources of money received for programs of remedial study for each school in the district and the district as a whole ~~that~~ , including, without limitation, each charter school that ~~is~~ sponsored by the district.

(2) An identification of each program of remedial study, listed by subject area.

(s) For each high school in the district, including, without limitation, each charter school that ~~is~~ sponsored by the district, the percentage of pupils who graduated from that high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, state college or community college within the Nevada System of Higher Education.

(t) The technological facilities and equipment available at each school , including, without limitation, each charter school that ~~is~~ sponsored by the district, and the district's plan to incorporate educational technology at each school.

(u) For each school in the district and the district as a whole, including, without limitation, each charter school that ~~is~~ sponsored by the district, the number and percentage of pupils who received:

(1) A standard high school diploma, reported separately for pupils who received the diploma pursuant to:

(I) Paragraph (a) of subsection 1 of NRS 389.805; and

(II) Paragraph (b) of subsection 1 of NRS 389.805.

(2) An adjusted diploma.

(3) A certificate of attendance.

(v) For each school in the district and the district as a whole, including, without limitation, each charter school that ~~is~~ sponsored by the district, the number and percentage of pupils who failed to pass the high school proficiency examination.

(w) The number of habitual truants who are reported to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 of

1 NRS 392.144 and the number of habitual truants who are referred to an advisory
2 board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS
3 392.144, for each school in the district and for the district as a whole.

4 (x) The amount and sources of money received for the training and
5 professional development of teachers and other educational personnel for each
6 school in the district and for the district as a whole ~~and~~ including, without
7 limitation, each charter school ~~that~~ sponsored by the district.

8 (y) Whether the school district has made adequate yearly progress. If the
9 school district has been designated as demonstrating need for improvement
10 pursuant to NRS 385.377, the report must include a statement indicating the
11 number of consecutive years the school district has carried that designation.

12 (z) Information on whether each public school in the district including,
13 without limitation, each charter school ~~that~~ sponsored by the district, has made
14 adequate yearly progress, including, without limitation:

15 (1) The number and percentage of schools in the district, if any, that have
16 been designated as needing improvement pursuant to NRS 385.3623; and

17 (2) The name of each school, if any, in the district that has been designated
18 as needing improvement pursuant to NRS 385.3623 and the number of consecutive
19 years that the school has carried that designation.

20 (aa) Information on the paraprofessionals employed by each public school in
21 the district ~~and~~ including, without limitation, each charter school ~~that~~ sponsored by
22 the district. The information must include:

23 (1) The number of paraprofessionals employed at the school; and

24 (2) The number and percentage of all paraprofessionals who do not satisfy
25 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting requirements of
26 this subparagraph apply to paraprofessionals who are employed in positions
27 supported with Title I money and to paraprofessionals who are not employed in
28 positions supported with Title I money.

29 (bb) For each high school in the district, including, without limitation, each
30 charter school sponsored by the district that operates as a high school, information
31 that provides a comparison of the rate of graduation of pupils enrolled in the high
32 school with the rate of graduation of pupils throughout the district and throughout
33 this State. The information required by this paragraph must be provided in
34 consultation with the Department to ensure the accuracy of the comparison.

35 (cc) An identification of the appropriations made by the Legislature that are
36 available to the school district or the schools within the district and programs
37 approved by the Legislature to improve the academic achievement of pupils.

38 (dd) For each school in the district and the district as a whole, including,
39 without limitation, each charter school ~~that~~ sponsored by the district, information
40 on pupils enrolled in career and technical education, including, without limitation:

41 (1) The number of pupils enrolled in a course of career and technical
42 education;

43 (2) The number of pupils who completed a course of career and technical
44 education;

45 (3) The average daily attendance of pupils who are enrolled in a program
46 of career and technical education;

47 (4) The annual rate of pupils who dropped out of school and were enrolled
48 in a program of career and technical education before dropping out;

49 (5) The number and percentage of pupils who completed a program of
50 career and technical education and who received a standard high school diploma, an
51 adjusted diploma or a certificate of attendance; and

(6) The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.

(ee) Such other information as is directed by the Superintendent of Public Instruction.

3. ~~The State Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall, on or before August 15 of each year, prepare an annual report of accountability of the charter schools ~~in this State~~ sponsored by the State Public Charter School Authority or institution, as applicable, concerning the accountability information prescribed by the Department pursuant to this section. The Department, in consultation with the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school, shall prescribe by regulation the information that must be prepared by the State ~~Board of Charter Schools~~ Public Charter School Authority and institution, as applicable, which must include, without limitation, the information contained in paragraphs (a) to (ee), inclusive, of subsection 2, as applicable to charter schools. The Department shall provide for public dissemination of the annual report of accountability prepared pursuant to this section in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a copy of the report on the Internet website maintained by the Department.

4. The records of attendance maintained by a school for purposes of paragraph (i) of subsection 2 or maintained by a charter school for purposes of the reporting required pursuant to subsection 3 must include the number of teachers who are in attendance at school and the number of teachers who are absent from school. A teacher shall be deemed in attendance if the teacher is excused from being present in the classroom by the school in which the teacher is employed for one of the following reasons:

(a) Acquisition of knowledge or skills relating to the professional development of the teacher; or

(b) Assignment of the teacher to perform duties for cocurricular or extracurricular activities of pupils.

~~4.4~~ 5. The annual report of accountability prepared pursuant to subsection 2 or 3, as applicable, must:

(a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations adopted pursuant thereto; and

(b) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand.

~~5.4~~ 6. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to ~~subsection 2~~ subsections 2 and 3 and provide the forms to the respective school districts ~~and the State Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school.

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

(c) Consult with a representative of the:

(1) Nevada State Education Association;

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

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

~~6.7.~~ 7. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

~~7.8.~~ 8. On or before August 15 of each year ~~the~~:

(a) ~~The~~ board of trustees of each school district shall submit to each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required in paragraph (g) of subsection 2.

~~8.9.~~ (b) ~~The State Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall submit to each advisory board to review school attendance created in a county pursuant to NRS 392.126 the information regarding the records of the attendance and truancy of pupils enrolled in ~~each~~ the charter school located in that county, if any, in accordance with the regulations prescribed by the Department pursuant to subsection 3.

9. On or before August 15 of each year ~~the~~:

(a) ~~The~~ board of trustees of each school district ~~and the State Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall ~~be~~

~~(a) Provide~~ provide written notice that the report required pursuant to subsection 2 ~~or 3, as applicable~~, is available on the Internet website maintained by the school district ~~for the State Board of Charter Schools~~ Public Charter School Authority or institution, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

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

(b) ~~Provide~~ The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 ~~or 3, as applicable~~, in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a copy of the report on the Internet website maintained by the school district ~~for the State Board of Charter Schools~~ Public Charter School Authority or the institution, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school ~~that~~ sponsored by the district, the residents of the district ~~and the parents and guardians of pupils enrolled in schools in the district ~~that~~ including, without limitation, each charter school ~~that~~ sponsored by the district.~~

~~9. If the State Board of Charter Schools Public Charter School Authority or the institution does not maintain a website, the State Board of Charter Schools Public Charter School Authority or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school in this State it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.~~

10. Upon the request of the Governor, an entity described in paragraph (a) of subsection ~~8~~ 9 or a member of the general public, the board of trustees of a school district ~~for the State Board of Charter Schools Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school, as applicable,~~ shall provide a portion or portions of the report required pursuant to subsection 2 ~~10~~ or 3, as applicable.

11. As used in this section:

(a) "Highly qualified" has the meaning ascribed to it in 20 U.S.C. § 7801(23).

(b) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 3. NRS 385.349 is hereby amended to read as follows:

385.349 1. The board of trustees of each school district ~~and the State Board of Charter Schools Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school~~ shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.347 on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:

(a) ~~The~~ If prepared by a school district, the information set forth in subsection 1 of NRS 385.34692, reported for the school district as a whole and for each school within the school district;

(b) If prepared by the State ~~Board of Charter Schools Public Charter School Authority or a college or university within the Nevada System of Higher Education, the information set forth in subsection 1 of NRS 385.34692, reported for the charter schools in this State as a whole and for each charter school sponsored by the State Public Charter School Authority or the institution, as applicable.~~

(c) Information on the involvement of parents and legal guardians in the education of their children; and

~~(e)~~ (d) Other information required by the Superintendent of Public Instruction in consultation with the Bureau.

2. The summary prepared pursuant to subsection 1 must:

(a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations adopted pursuant thereto; and

(b) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents will likely understand.

3. The Department shall, in consultation with the Bureau ~~, and the school districts and the State Board of Charter Schools Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school,~~ prescribe a form that contains the basic information required by subsection 1. The board of trustees of a school district ~~for the State Board of Charter Schools Public Charter School Authority or a college or university~~ may use an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.

4. On or before September 7 of each year, the board of trustees of each school district ~~and the State Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall:

(a) Submit the summary in an electronic format to the:

- (1) Governor;
- (2) State Board;
- (3) Department;
- (4) Committee;
- (5) Bureau; and
- (6) Schools within the school district ~~or~~ or charter schools, as applicable.

(b) Provide for the public dissemination of the summary ~~of the school district, for the State Board of Charter Schools, Public Charter School Authority or the college or university, as applicable,~~ by posting a copy of the summary on the Internet website maintained by the school district ~~for the State Board of Charter Schools, Public Charter School Authority or institution,~~ if any. If a school district ~~for the State Board of Charter Schools, Public Charter School Authority or an institution~~ does not maintain a website, the district ~~for the State Board of Charter Schools, Public Charter School Authority or institution, as applicable,~~ shall otherwise provide for public dissemination of the summary. The board of trustees of each school district ~~and the State Board of Charter Schools, Public Charter School Authority or an institution~~ shall ensure that the parents and guardians of pupils enrolled in the school district ~~or each charter school, as applicable,~~ have sufficient information concerning the availability of the summary, including, without limitation, information that describes how to access the summary on the Internet website maintained by the school district ~~for the State Board of Charter Schools, Public Charter School Authority or institution,~~ if any. Upon the request of a parent or legal guardian, the school district ~~for the State Board of Charter Schools, Public Charter School Authority or an institution, as applicable,~~ shall provide the parent or legal guardian with a written copy of the summary.

~~[5. The board of trustees of each school district shall report the information required by this section for each charter school that is located within the school district, regardless of the sponsor of the charter school. The information for charter schools must be reported separately and must denote the charter schools sponsored by the school district, the charter schools sponsored by the State Board and the charter schools sponsored by a college or university within the Nevada System of Higher Education.]~~

Sec. 4. NRS 385.357 is hereby amended to read as follows:

385.357 1. Except as otherwise provided in NRS 385.37603 and 385.37607, the principal of each school, including, without limitation, each charter school, shall, in consultation with the employees of the school, prepare a plan to improve the achievement of the pupils enrolled in the school.

2. The plan developed pursuant to subsection 1 must include:

(a) A review and analysis of the data pertaining to the school upon which the report required pursuant to subsection 2 ~~or 3~~ of NRS 385.347, as applicable, is based and a review and analysis of any data that is more recent than the data upon which the report is based.

(b) The identification of any problems or factors at the school that are revealed by the review and analysis.

(c) Strategies based upon scientifically based research, as defined in 20 U.S.C. § 7801(37), that will strengthen the core academic subjects, as defined in NRS 389.018.

(d) Policies and practices concerning the core academic subjects which have the greatest likelihood of ensuring that each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school will make adequate yearly progress and meet the minimum level of proficiency prescribed by the State Board.

(e) Annual measurable objectives, consistent with the annual measurable objectives established by the State Board pursuant to NRS 385.361, for the continuous and substantial progress by each group of pupils identified in paragraph (b) of subsection 1 of that section who are enrolled in the school to ensure that each group will make adequate yearly progress and meet the level of proficiency prescribed by the State Board.

(f) Strategies, consistent with the policy adopted pursuant to NRS 392.457 by the board of trustees of the school district in which the school is located, to promote effective involvement by parents and families of pupils enrolled in the school in the education of their children.

(g) As appropriate, programs of remedial education or tutoring to be offered before and after school, during the summer, or between sessions if the school operates on a year-round calendar for pupils enrolled in the school who need additional instructional time to pass or to reach a level considered proficient.

(h) Strategies to improve the academic achievement of pupils enrolled in the school, including, without limitation, strategies to:

(1) Instruct pupils who are not achieving to their fullest potential, including, without limitation:

(I) The curriculum appropriate to improve achievement;

(II) The manner by which the instruction will improve the achievement and proficiency of pupils on the examinations administered pursuant to NRS 389.015 and 389.550; and

(III) An identification of the instruction and curriculum that is specifically designed to improve the achievement and proficiency of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361;

(2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;

(3) Integrate technology into the instructional and administrative programs of the school;

(4) Manage effectively the discipline of pupils; and

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

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

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

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

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

(m) For each provision of the plan, measurable criteria for determining whether the provision has contributed toward improving the academic achievement of

1 pupils, increasing the rate of attendance of pupils and reducing the number of pupils
2 who drop out of school.

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

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

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

14 3. In addition to the requirements of subsection 2, if a school has been
15 designated as demonstrating need for improvement pursuant to NRS 385.3623, the
16 plan must comply with 20 U.S.C. § 6316(b)(3) and the regulations adopted
17 pursuant thereto.

18 4. Except as otherwise provided in subsection 5, the principal of each school
19 shall, in consultation with the employees of the school:

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

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

25 5. If a school has been designated as demonstrating need for improvement
26 pursuant to NRS 385.3623 and a support team has been established for the school,
27 the support team shall review the plan and make revisions to the most recent plan
28 for improvement of the school pursuant to NRS 385.36127. If the school is a Title I
29 school that has been designated as demonstrating need for improvement, the
30 support team established for the school shall, in making revisions to the plan, work
31 in consultation with parents and guardians of pupils enrolled in the school and, to
32 the extent deemed appropriate by the entity responsible for creating the support
33 team, outside experts.

34 6. On or before November 1 of each year, the principal of each school or the
35 support team established for the school, as applicable, shall submit the plan or the
36 revised plan, as applicable, to:

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

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

40 7. If a Title I school is designated as demonstrating need for improvement
41 pursuant to NRS 385.3623, the superintendent of schools of the school district or
42 the governing body, as applicable, shall carry out a process for peer review of the
43 plan or the revised plan, as applicable, in accordance with 20 U.S.C. §
44 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days
45 after receipt of the plan, the superintendent of schools of the school district or the
46 governing body, as applicable, shall approve the plan or the revised plan, as
47 applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the
48 regulations adopted pursuant thereto and the requirements of this section. The
49 superintendent of schools of the school district or the governing body, as
50 applicable, may condition approval of the plan or the revised plan, as applicable, in
51 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the regulations adopted
52 pursuant thereto. The State Board shall prescribe the requirements for the process

1 of peer review, including, without limitation, the qualifications of persons who may
2 serve as peer reviewers.

3 8. If a school is designated as demonstrating exemplary achievement, high
4 achievement or adequate achievement, or if a school that is not a Title I school is
5 designated as demonstrating need for improvement, not later than 45 days after
6 receipt of the plan or the revised plan, as applicable, the superintendent of schools
7 of the school district or the governing body, as applicable, shall approve the plan or
8 the revised plan if it meets the requirements of this section.

9 9. On or before December 15 of each year, the principal of each school or the
10 support team established for the school, as applicable, shall submit the final plan or
11 the final revised plan, as applicable, to the:

- 12 (a) Superintendent of Public Instruction;
- 13 (b) Governor;
- 14 (c) State Board;
- 15 (d) Department;
- 16 (e) Committee;
- 17 (f) Bureau; and
- 18 (g) Board of trustees of the school district in which the school is located ~~or,~~

19 if the school is a charter school, the sponsor of the charter school ~~or~~ and the
20 governing body of the charter school.

21 10. A plan for the improvement of a school must be carried out expeditiously,
22 but not later than January 1 after approval of the plan pursuant to subsection 7 or 8,
23 as applicable.

24 **Sec. 5.** NRS 385.358 is hereby amended to read as follows:

25 385.358 1. The principal of each public school, including, without
26 limitation, each charter school, shall prepare a summary of accountability
27 information on the form prescribed by the Department pursuant to subsection 3 or
28 an expanded form, as applicable. The summary must include, without limitation:

29 (a) The information set forth in subsection 1 of NRS 385.34692, reported only
30 for the school;

31 (b) Information on the involvement of parents and legal guardians in the
32 education of their children; and

33 (c) Such other information as is directed by the Superintendent of Public
34 Instruction in consultation with the Bureau.

35 2. The summary prepared pursuant to subsection 1 must be presented in an
36 understandable and uniform format and, to the extent practicable, provided in a
37 language that parents will likely understand.

38 3. The Department shall, in consultation with the Bureau, ~~and~~ the school
39 districts ~~and~~ the State ~~Board of Charter Schools,~~ Public Charter School
40 Authority and each college or university within the Nevada System of Higher
41 Education that sponsors a charter school, prescribe a form that contains the basic
42 information required by subsection 1. The principal of a school may use an
43 expanded form that contains additions to the form prescribed by the Department if
44 the basic information contained in the expanded form complies with the form
45 prescribed by the Department.

46 4. On or before September 7 of each year:

47 (a) The principal of each public school shall submit the summary in electronic
48 format to the:

- 49 (1) Department;
- 50 (2) Bureau; and

51 (3) Board of trustees of the school district in which the school is located ~~or,~~
52 or, if the school is a charter school, to the sponsor of the charter school ~~or~~ and
53 the governing body of the charter school.

(b) The school district in which the school is located shall ensure that the summary is posted on the Internet website maintained by the school, if any, or the Internet website maintained by the school district, if any. *The sponsor of a charter school shall ensure that each summary of the charter school is posted on the Internet website maintained by the charter school, if any, or the Internet website maintained by the sponsor, if any.* If the summary is not posted on the website of the school, ~~for~~ the school district ~~or~~ *or the sponsor of the charter school, as applicable*, the school district *or the sponsor of the charter school, as applicable*, shall otherwise provide for public dissemination of the summary.

(c) The principal of each public school shall ensure that the parents and legal guardians of the pupils enrolled in the school have sufficient information concerning the availability of the summary, including, without limitation, information that describes how to access the summary on the Internet website, if any, and how a parent or guardian may otherwise access the summary.

(d) The principal of each public school shall provide a written copy of the summary to each parent and legal guardian of a pupil enrolled in the school.

Sec. 6. NRS 385.359 is hereby amended to read as follows:

385.359 1. The Bureau shall contract with a person or entity to:

(a) Review and analyze, in accordance with the standards prescribed by the Committee pursuant to subsection 2 of NRS 218E.615, the:

(1) Annual report of accountability prepared by:

(I) The State Board pursuant to NRS 385.3469; ~~and~~

(II) The board of trustees of each school district pursuant to *subsection 2 of* NRS 385.347 ~~and~~; *and*

(III) *The State ~~Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385.347.*

(2) Plan to improve the achievement of pupils prepared by:

(I) The State Board pursuant to NRS 385.34691;

(II) The board of trustees of each school district pursuant to NRS 385.348; and

(III) Each school pursuant to NRS 385.357 identified by the Bureau for review, if any, or if such a plan has not been prepared, the turnaround plan for the schools identified by the Bureau, if any, implemented pursuant to NRS 385.37603 or the plan for restructuring the school implemented pursuant to NRS 385.37607, as applicable.

(b) Submit a written report to and consult with the State Board and the Department regarding any methods by which the State Board may improve the accuracy of the report of accountability required pursuant to NRS 385.3469 and the plan to improve the achievement of pupils required pursuant to NRS 385.34691, and the purposes for which the report and plan to improve are used.

(c) Submit a written report to and consult with each school district, ~~and~~ *the State ~~Board of Charter Schools~~ Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school, as applicable*, regarding any methods by which the district, ~~for~~ *the State ~~Board of Charter Schools~~ Public Charter School Authority or the institution* may improve the accuracy of the report required pursuant to subsection 2 *or 3* of NRS 385.347, *as applicable*, and the plan to improve the achievement of pupils required pursuant to NRS 385.348, and the purposes for which the report and plan to improve are used.

(d) If requested by the Bureau, submit a written report to and consult with individual schools identified by the Bureau regarding any methods by which the

school may improve the accuracy of the information required to be reported for the school pursuant to subsection 2 *or 3* of NRS 385.347, *as applicable*, and the:

(1) Plan to improve the achievement of pupils required pursuant to NRS 385.357;

(2) Turnaround plan for the school implemented pursuant to NRS 385.37603; or

(3) Plan for restructuring the school implemented pursuant to NRS 385.37607,

☛ whichever is applicable for the school.

(e) Submit written reports and any recommendations to the Committee and the Bureau concerning:

(1) The effectiveness of the provisions of NRS 385.3455 to 385.391, inclusive, in improving the accountability of the schools of this State;

(2) The status of each school district that is designated as demonstrating need for improvement pursuant to NRS 385.377 and each school that is designated as demonstrating need for improvement pursuant to NRS 385.3623; and

(3) Any other matter related to the accountability of the public schools of this State, as deemed necessary by the Bureau.

2. The consultant with whom the Bureau contracts to perform the duties required pursuant to subsection 1 must possess the experience and knowledge necessary to perform those duties, as determined by the Committee.

Sec. 7. NRS 385.36127 is hereby amended to read as follows:

385.36127 1. If a school support team is established pursuant to the regulations adopted by the State Board pursuant to NRS 385.361, the support team shall:

(a) Review and analyze the operation of the school, including, without limitation, the design and operation of the instructional program of the school.

(b) Review and analyze the data pertaining to the school upon which the report required pursuant to subsection 2 *or 3* of NRS 385.347, *as applicable*, is based and review and analyze any data that is more recent than the data upon which the report is based.

(c) Review the most recent plan to improve the achievement of the school's pupils.

(d) Review the information concerning the educational involvement accords provided to the support team pursuant to NRS 392.4575 and the information concerning the reports provided to the support team pursuant to NRS 392.456.

(e) Identify and investigate the problems and factors at the school that contributed to the designation of the school as demonstrating need for improvement.

(f) Assist the school in developing recommendations for improving the performance of pupils who are enrolled in the school.

(g) Except as otherwise provided in this paragraph, make recommendations to the board of trustees of the school district, the State Board and the Department concerning additional assistance for the school in carrying out the plan for improvement of the school, the turnaround plan for the school or the plan for restructuring the school, whichever is applicable for the school. For a charter school sponsored by the State ~~[Board]~~ ~~[;]~~ ~~[of Charter Schools,]~~ Public Charter School Authority, the support team shall make the recommendations to the State ~~[Board of Charter Schools]~~ Public Charter School Authority and the Department. For a charter school sponsored by a college or university within the Nevada System of Higher Education, the support team shall make the recommendations to the sponsor ~~[; the State Board]~~ and the Department.

(h) In accordance with its findings pursuant to this section and NRS 385.36129, submit, on or before November 1, written revisions to the most recent plan to improve the achievement of the school's pupils for approval pursuant to NRS 385.357, or submit, on or before May 1, written recommendations for revisions to the turnaround plan for the school implemented pursuant to NRS 385.37603 or the plan for restructuring the school implemented pursuant to NRS 385.37607, whichever is applicable for the school. The written revisions or recommendations, as applicable, must:

(1) Comply with NRS 385.357 if the school has demonstrated need for improvement for less than 5 years or with NRS 385.37603 or 385.37607, as applicable, if the school has demonstrated need for improvement for 5 or more consecutive years;

(2) If the school is a Title I school, be developed in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity that created the support team, outside experts;

(3) Include the data and findings of the support team that provide support for the revisions;

(4) Set forth goals, objectives, tasks and measures for the school that are:

(I) Designed to improve the achievement of the school's pupils;

(II) Specific;

(III) Measurable; and

(IV) Conducive to reliable evaluation;

(5) Set forth a timeline to carry out the revisions;

(6) Set forth priorities for the school in carrying out the revisions; and

(7) Set forth the name and duties of each person who is responsible for carrying out the revisions.

(i) Except as otherwise provided in this paragraph, work cooperatively with the board of trustees of the school district in which the school is located, the employees of the school, and the parents and guardians of pupils enrolled in the school to carry out and monitor the plan for improvement of the school. If a charter school is sponsored by the State ~~[Board] [the Department] [of Charter Schools, the State Board of Charter Schools]~~ Public Charter School Authority, the State Public Charter School Authority shall assist the school with carrying out and monitoring the plan for improvement of the school. If a charter school is sponsored by a college or university within the Nevada System of Higher Education, ~~[that]~~ the institution that sponsors the charter school shall assist the school with carrying out and monitoring the plan for improvement of the school.

(j) Prepare a quarterly progress report in the format prescribed by the Department and:

(1) Submit the progress report to the Department.

(2) Distribute copies of the progress report to each employee of the school for review.

(k) In addition to the requirements of this section, if the support team is established for a Title I school, carry out the requirements of 20 U.S.C. § 6317(a)(5).

2. A school support team may require the school for which the support team was established to submit plans, strategies, tasks and measures that, in the determination of the support team, will assist the school in improving the achievement and proficiency of pupils enrolled in the school.

3. The Department shall prescribe a concise quarterly progress report for use by each support team in accordance with paragraph (j) of subsection 1.

Sec. 8. NRS 385.36129 is hereby amended to read as follows:
385.36129 1. In addition to the duties prescribed in NRS 385.36127, a support team established for a school shall prepare an annual written report that includes:

(a) Information concerning the most recent plan to improve the achievement of the school's pupils, the turnaround plan for the school or the plan for restructuring the school, whichever is applicable for the school, including, without limitation, an evaluation of:

(1) The appropriateness of the plan for the school; and
(2) Whether the school has achieved the goals and objectives set forth in the plan;

(b) The written revisions to the plan to improve the achievement of the school's pupils or written recommendations for revisions to the turnaround plan for the school or the plan for restructuring the school, whichever is applicable for the school, submitted by the support team pursuant to NRS 385.36127;

(c) A summary of each program for remediation, if any, purchased for the school with money that is available from the Federal Government, this state and the school district in which the school is located, including, without limitation:

(1) The name of the program;
(2) The date on which the program was purchased and the date on which the program was carried out by the school;

(3) The percentage of personnel at the school who were trained regarding the use of the program;

(4) The satisfaction of the personnel at the school with the program; and
(5) An evaluation of whether the program has improved the academic achievement of the pupils enrolled in the school who participated in the program;

(d) An analysis of the problems and factors at the school which contributed to the designation of the school as demonstrating need for improvement, including, without limitation, issues relating to:

(1) The financial resources of the school;
(2) The administrative and educational personnel of the school;
(3) The curriculum of the school;
(4) The facilities available at the school, including the availability and accessibility of educational technology; and

(5) Any other factors that the support team believes contributed to the designation of the school as demonstrating need for improvement; and

(e) Other information concerning the school, including, without limitation:

(1) The results of the pupils who are enrolled in the school on the examinations that are administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable;

(2) Records of the attendance and truancy of pupils who are enrolled in the school;

(3) The transiency rate of pupils who are enrolled in the school;

(4) A description of the number of years that each teacher has provided instruction at the school and the rate of turnover of teachers and other educational personnel employed at the school;

(5) A description of the participation of parents and legal guardians in the educational process and other activities relating to the school;

(6) A description of each source of money for the remediation of pupils who are enrolled in the school; ~~and~~

(7) ~~[A]~~ *Except as otherwise provided in subparagraph (8), a* description of the disciplinary problems of the pupils who are enrolled in the school, including,

without limitation, the information contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS 385.347 ~~(h)~~; and

(8) *For a charter school, a description of the disciplinary problems of the pupils enrolled in the charter school as reported in the annual report of accountability prepared by the State ~~(Board of Charter Schools)~~ Public Charter School Authority or the college or university within the Nevada System of Higher Education that sponsors the charter school, as applicable, pursuant to subsection 3 of NRS 385.347.*

2. On or before November 1, the support team *of a school other than a charter school* shall submit a copy of the final written report to the:

- (a) Principal of the school;
- (b) Board of trustees of the school district in which the school is located;
- (c) Superintendent of schools of the school district in which the school is located;
- (d) Department; and
- (e) Bureau.

➤ The support team shall make the written report available, upon request, to each parent or legal guardian of a pupil who is enrolled in the school.

3. *On or before November 1, the support team for a charter school shall submit a copy of the final written report to the:*

- (a) *Principal of the charter school;*
- (b) *Sponsor of the charter school;*
- (c) *Governing body of the charter school;*
- (d) *Department; and*
- ~~(d)~~ (e) *Bureau.*

➤ *The support team shall make the written report available, upon request, to each parent or legal guardian of a pupil who is enrolled in the charter school.*

Sec. 9. NRS 385.3613 is hereby amended to read as follows:

385.3613 1. Except as otherwise provided in subsection 2, on or before June 15 of each year, the Department shall determine whether each public school is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361.

2. On or before June 30 of each year, the Department shall determine whether each public school that operates on a schedule other than a traditional 9-month schedule is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361.

3. The determination pursuant to subsection 1 or 2, as applicable, for a public school, including, without limitation, a charter school sponsored by the board of trustees of the school district, must be made in consultation with the board of trustees of the school district in which the public school is located. If a charter school is sponsored by the State ~~(Board of Charter Schools)~~ Public Charter School Authority or by a college or university within the Nevada System of Higher Education, the Department shall make a determination for the charter school in consultation with the State ~~(Board of Charter Schools)~~ Public Charter School Authority or the institution *within the Nevada System of Higher Education* that sponsors the charter school, as applicable. The determination made for each school must be based only upon the information and data for those pupils who are enrolled in the school for a full academic year. On or before June 15 or June 30 of each year, as applicable, the Department shall transmit:

(a) Except as otherwise provided in paragraph (b) or (c), the determination made for each public school to the board of trustees of the school district in which the public school is located.

(b) To the State ~~[Board of Charter Schools]~~ Public Charter School Authority the determination made for each charter school that is sponsored by the State ~~[Board]~~ ~~[of Charter Schools]~~ Public Charter School Authority.

(c) The determination made for the charter school to the institution that sponsors the charter school if a charter school is sponsored by a college or university within the Nevada System of Higher Education.

4. Except as otherwise provided in this subsection, the Department shall determine that a public school has failed to make adequate yearly progress if any group identified in paragraph (b) of subsection 1 of NRS 385.361 does not satisfy the annual measurable objectives established by the State Board pursuant to that section. To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant thereto, the State Board shall prescribe by regulation the conditions under which a school shall be deemed to have made adequate yearly progress even though a group identified in paragraph (b) of subsection 1 of NRS 385.361 did not satisfy the annual measurable objectives of the State Board.

5. In addition to the provisions of subsection 4, the Department shall determine that a public school has failed to make adequate yearly progress if:

(a) The number of pupils enrolled in the school who took the examinations administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable, is less than 95 percent of all pupils enrolled in the school who were required to take the examinations; or

(b) Except as otherwise provided in subsection 6, for each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361, the number of pupils in the group enrolled in the school who took the examinations administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable, is less than 95 percent of all pupils in that group enrolled in the school who were required to take the examinations.

6. If the number of pupils in a particular group who are enrolled in a public school is insufficient to yield statistically reliable information:

(a) The Department shall not determine that the school has failed to make adequate yearly progress pursuant to paragraph (b) of subsection 5 based solely upon that particular group.

(b) The pupils in such a group must be included in the overall count of pupils enrolled in the school who took the examinations.

➤ The State Board shall prescribe the mechanism for determining the number of pupils that must be in a group for that group to yield statistically reliable information.

7. If an irregularity in testing administration or an irregularity in testing security occurs at a school and the irregularity invalidates the test scores of pupils, those test scores must be included in the scores of pupils reported for the school, the attendance of those pupils must be counted towards the total number of pupils who took the examinations and the pupils must be included in the total number of pupils who were required to take the examinations.

8. As used in this section:

(a) "Irregularity in testing administration" has the meaning ascribed to it in NRS 389.604.

(b) "Irregularity in testing security" has the meaning ascribed to it in NRS 389.608.

Sec. 10. NRS 385.362 is hereby amended to read as follows:

385.362 1. If a public school fails to make adequate yearly progress for 1 year:

(a) Except as otherwise provided in ~~[paragraph (b)]~~ paragraphs (b) and (c), the board of trustees of the school district in which the school is located shall

1 ensure that the school receives technical assistance in the manner set forth in 20
2 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto. For a charter
3 school sponsored by the school district, the board of trustees shall provide the
4 technical assistance to the charter school in conjunction with the governing body of
5 the charter school.

6 (b) *For a charter school sponsored by the State ~~[Board of Charter Schools,~~*
7 *Public Charter School Authority, the State ~~[Board of Charter Schools]~~ Public*
8 *Charter School Authority shall ensure, in conjunction with the governing body of*
9 *the charter school, that the charter school receives technical assistance in the*
10 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant*
11 *thereto.*

12 (c) For a charter school sponsored by ~~the State Board or by~~ a college or
13 university within the Nevada System of Higher Education, the Department shall
14 ensure, in conjunction with the governing body of the charter school, that the
15 *charter* school receives technical assistance in the manner set forth in 20 U.S.C. §
16 6316(b)(4) and the regulations adopted pursuant thereto.

17 2. If a public school fails to make adequate yearly progress for 1 year, the
18 principal of the school shall ensure that the plan to improve the achievement of
19 pupils enrolled in the school is reviewed, revised and approved in accordance with
20 NRS 385.357.

21 **Sec. 11.** NRS 385.366 is hereby amended to read as follows:

22 385.366 1. Based upon the information received from the Department
23 pursuant to NRS 385.3613, the board of trustees of each school district shall, on or
24 before July 1 of each year, issue a preliminary designation for each public school in
25 the school district in accordance with the criteria set forth in NRS 385.3623,
26 excluding charter schools sponsored by the State ~~[Board of Charter Schools]~~
27 *Public Charter School Authority* or by a college or university within the Nevada
28 System of Higher Education. The board of trustees shall make preliminary
29 designations for all charter schools that are sponsored by the board of trustees. The
30 Department shall make preliminary designations for all charter schools that are
31 sponsored by the State ~~[Board of Charter Schools]~~ *Public Charter School*
32 *Authority* and all charter schools sponsored by a college or university within the
33 Nevada System of Higher Education. The initial designation of a school as
34 demonstrating need for improvement must be based upon 2 consecutive years of
35 data and information for that school.

36 2. Before making a final designation for a school, the board of trustees of the
37 school district or the Department, as applicable, shall provide the school an
38 opportunity to review the data upon which the preliminary designation is based and
39 to present evidence in the manner set forth in 20 U.S.C. § 6316(b)(2) and the
40 regulations adopted pursuant thereto. If the school is a public school of the school
41 district or a charter school sponsored by the board of trustees, the board of trustees
42 of the school district shall, in consultation with the Department, make a final
43 determination concerning the designation for the school on August 1. If the school
44 is a charter school sponsored by the State ~~[Board of Charter Schools]~~ *Public*
45 *Charter School Authority* or by a college or university within the Nevada System
46 of Higher Education, the Department shall make a final determination concerning
47 the designation for the school on August 1.

48 3. On or before August 1 of each year, the Department shall provide written
49 notice of the determinations made pursuant to NRS 385.3613 and the final
50 designations made pursuant to this section as follows:

51 (a) The determinations and final designations made for all schools in this State
52 to the:

53 (1) Governor;

- (2) State Board;
- (3) Committee; and
- (4) Bureau.

(b) The determinations and final designations made for all schools within a school district to the:

- (1) Superintendent of schools of the school district; and
- (2) Board of trustees of the school district.

(c) The determination and final designation made for each school to the principal of the school.

(d) The determination and final designation made for each charter school [sponsored by the State Board of Charter Schools to the State Board of Charter Schools.] to the sponsor of the charter school.

Sec. 12. NRS 385.3661 is hereby amended to read as follows:

385.3661 1. Except as otherwise provided in subsection 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of NRS 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607 do not apply, the board of trustees of the school district shall:

(a) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(b) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of NRS 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607 do not apply:

(a) The governing body of the charter school shall provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) For a charter school sponsored by the State [Board of Charter Schools, the State Board of Charter Schools.] Public Charter School Authority, the State Public Charter School Authority shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(d) For a charter school sponsored by [the State Board or by] a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

3. In addition to the requirements of subsection 1 or 2, as applicable, if a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of NRS 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607 do not apply:

(a) Except as otherwise provided in ~~[paragraph (b).]~~ *paragraphs (b) and (c)*, the board of trustees of the school district shall provide school choice to the parents and guardians of pupils enrolled in the school, including, without limitation, a charter school sponsored by the school district, in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

(b) *For a charter school sponsored by the State ~~[Board of Charter Schools, the State Board of Charter Schools]~~ Public Charter School Authority, the State Public Charter School Authority shall work cooperatively with the board of trustees of the school district in which the ~~[charter school is located]~~ pupil resides to provide school choice to the ~~[parents and guardians of pupils]~~ parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.*

(c) For a charter school sponsored by ~~[the State Board or by]~~ a college or university within the Nevada System of Higher Education, the Department shall work cooperatively with the board of trustees of the school district in which the ~~[charter school is located]~~ pupil resides to provide school choice to the ~~[parents and guardians of pupils]~~ parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

Sec. 13. NRS 385.3693 is hereby amended to read as follows:

385.3693 1. Except as otherwise provided in subsection 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 2 consecutive years, the board of trustees of the school district shall:

(a) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(b) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 2 consecutive years:

(a) The governing body of the charter school shall provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) *For a charter school sponsored by the State ~~[Board of Charter Schools, the State Board of Charter Schools]~~ Public Charter School Authority, the State Public Charter School Authority shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.*

(d) For a charter school sponsored by ~~[the State Board or by]~~ a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

Sec. 14. NRS 385.372 is hereby amended to read as follows:

385.372 1. In addition to the requirements of NRS 385.3693, if a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 2 consecutive years for failing to make adequate yearly progress:

(a) Except as otherwise provided in paragraph (b), the board of trustees of the school district shall:

(1) Provide school choice to the parents and guardians of pupils enrolled in the school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

(2) Except as otherwise provided in subsection 2, provide supplemental educational services in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law.

(b) If the school is a charter school:

(1) Sponsored by the board of trustees of a school district, the board of trustees shall provide school choice to the parents and guardians of pupils enrolled in the school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

(2) *Sponsored by the State ~~[Board of Charter Schools, the State Board of Charter Schools]~~ Public Charter School Authority, the State Public Charter School Authority shall work cooperatively with the board of trustees of the school district in which the ~~[charter school is located]~~ pupil resides to provide school choice to the ~~[parents and guardians of pupils]~~ parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.*

(3) Sponsored by ~~[the State Board or by]~~ a college or university within the Nevada System of Higher Education, the Department shall work cooperatively with the board of trustees of the school district in which the ~~[charter school is located]~~ pupil resides to provide school choice to the ~~[parents and guardians of pupils]~~ parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

~~[(3)]~~ (4) Except as otherwise provided in subsection 3, the governing body of the charter school shall provide supplemental educational services in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law.

2. The board of trustees of a school district shall grant a delay from the imposition of supplemental educational services for a school for a period not to exceed 1 year if the school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the provisions of NRS 385.3721 apply to the school as if the delay never occurred.

3. The sponsor of a charter school shall grant a delay from the imposition of supplemental educational services for the charter school for a period not to exceed 1 year if the charter school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the charter school fails to make adequate yearly progress during the period of the delay, the provisions of NRS 385.3721 apply to the charter school as if the delay never occurred.

Sec. 15. NRS 385.3721 is hereby amended to read as follows:

385.3721 1. Except as otherwise provided in subsection 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years:

(a) The board of trustees of the school district shall:

(1) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(2) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The Department shall require the board of trustees of the school district to conduct a comprehensive audit of the school which must include an audit of the curriculum, including, without limitation, methods of instruction and assessments, implemented by the school.

1 *in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the*
2 *regulations adopted pursuant thereto; and*

3 (II) *Except as otherwise provided in subsection 3, take corrective*
4 *action pursuant to 20 U.S.C. § 6316(b)(7) and the regulations adopted pursuant*
5 *thereto.*

6 (3) Sponsored by ~~[the State Board or by]~~ a college or university within the
7 Nevada System of Higher Education, the Department shall:

8 (I) Work cooperatively with the board of trustees of the school district
9 in which the ~~[charter school is located]~~ *pupil resides* to provide school choice to the
10 ~~[parents and guardians of pupils]~~ *parent or guardian of each pupil* enrolled in the
11 *charter* school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations
12 adopted pursuant thereto; and

13 (II) Except as otherwise provided in subsection 3, take corrective
14 action pursuant to 20 U.S.C. § 6316(b)(7) and the regulations adopted pursuant
15 thereto.

16 ~~(3)~~ (4) Regardless of the sponsor, the governing body of the charter
17 school shall provide supplemental educational services in accordance with 20
18 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider
19 approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that
20 provision of federal law.

21 2. The board of trustees of a school district shall grant a delay from the
22 imposition of corrective action for a school for a period not to exceed 1 year if the
23 school qualifies for a delay pursuant to 20 U.S.C. 6316(b)(7)(D). If the school fails
24 to make adequate yearly progress during the period of the delay, the provisions of
25 NRS 385.3745 apply as if the delay never occurred.

26 3. The sponsor of a charter school shall grant a delay from the imposition of
27 corrective action for the charter school for a period not to exceed 1 year if the
28 charter school qualifies for a delay pursuant to 20 U.S.C. 6316(b)(7)(D). If the
29 charter school fails to make adequate yearly progress during the period of the delay,
30 the provisions of NRS 385.3745 apply as if the delay never occurred.

31 **Sec. 17.** NRS 385.3744 is hereby amended to read as follows:

32 385.3744 1. Except as otherwise provided in subsection 2, if a public school
33 that is not a Title I school is designated as demonstrating need for improvement
34 pursuant to NRS 385.3623 for 3 consecutive years for failing to make adequate
35 yearly progress, ~~the State [Board of Charter Schools]~~ *Public Charter School*
36 *Authority may, for a charter school sponsored by the State [Board of Charter*
37 *Schools],* *Public Charter School Authority,* the Department may, for a charter
38 school sponsored by ~~[the State Board or by]~~ a college or university within the
39 Nevada System of Higher Education, and the board of trustees of a school district
40 may, for a school of the school district or a charter school sponsored by the board
41 of trustees, take one or more of the following corrective actions for the school:

42 (a) Significantly decrease the managerial authority of the employees at the
43 school.

44 (b) Extend the school year or the school day.

45 2. The ~~State [Board of Charter Schools]~~ *Public Charter School Authority,*
46 *the* Department or the board of trustees of a school district, as applicable, shall
47 grant a delay from the imposition of corrective action for a school for a period not
48 to exceed 1 year if the school qualifies for a delay in the manner set forth in 20
49 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during
50 the period of the delay, ~~the State [Board of Charter Schools]~~ *Public Charter*
51 *School Authority,* the Department or the board of trustees, as applicable, may
52 proceed with corrective action as if the delay never occurred.

Sec. 18. NRS 385.3745 is hereby amended to read as follows:

385.3745 1. Except as otherwise provided in subsection 2, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years:

(a) The board of trustees of the school district shall:

(1) Except as otherwise provided in subsection 3, develop a turnaround plan to improve the academic achievement of pupils enrolled in the school which meets the requirements prescribed by the State Board pursuant to paragraph (b).

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The State Board shall prescribe by regulation:

(1) The requirements for a turnaround plan which must include, without limitation:

(I) A requirement that the plan is based on the results of the comprehensive audit conducted pursuant to NRS 385.3721;

(II) Measurable goals and objectives for obtaining adequate yearly progress;

(III) Specified steps or actions for obtaining adequate yearly progress; and

(IV) A timeline for the completion of the turnaround plan, which must provide for implementation of the plan in accordance with NRS 385.37603 if the school is designated as needing improvement for 5 years; and

(2) The actions the Department may take to monitor the development of the turnaround plan developed pursuant to this section and the implementation of any corrective action at the school.

2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years:

(a) The governing body of the charter school shall provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school:

(1) Except as otherwise provided in subsection 3, develop a turnaround plan to improve the academic achievement of pupils enrolled in the school which meets the requirements prescribed by the State Board pursuant to paragraph ~~(d)~~ (e).

(2) Ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) ~~For a charter school sponsored by the State Board of Charter Schools, the State Board of Charter Schools;~~ Public Charter School Authority, the State Public Charter School Authority shall, in conjunction with the governing body of the charter school;

(1) Except as otherwise provided in subsection 3, develop a turnaround plan to improve the academic achievement of pupils enrolled in the charter school which meets the requirements prescribed by the State Board pursuant to paragraph (e);

1 (2) *Ensure that the charter school receives technical assistance in the*
2 *manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant*
3 *thereto.*

4 (d) For a charter school sponsored by ~~the State Board or by~~ a college or
5 university within the Nevada System of Higher Education, the Department shall, in
6 conjunction with the governing body of the charter school:

7 (1) Except as otherwise provided in subsection 3, develop a
8 turnaround plan to improve the academic achievement of pupils enrolled in the
9 school which meets the requirements prescribed by the State Board pursuant to
10 paragraph ~~(d)~~ (e).

11 (2) Ensure that the charter school receives technical assistance in the
12 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant
13 thereto.

14 ~~(d)~~ (e) The State Board shall prescribe by regulation:

15 (1) The requirements for a turnaround plan which must include, without
16 limitation:

17 (I) A requirement that the plan is based on the results of the
18 comprehensive audit conducted pursuant to NRS 385.3721;

19 (II) Measurable goals and objectives for obtaining adequate yearly
20 progress;

21 (III) Specified steps or actions for obtaining adequate yearly progress;
22 and

23 (IV) A timeline for the completion of the turnaround plan, which must
24 provide for implementation of the plan in accordance with NRS 385.37603 if the
25 school is designated as needing improvement for 5 years; and

26 (2) The actions the Department may take to monitor the implementation of
27 the turnaround plan developed pursuant to this section and the implementation of
28 any corrective action at the charter school.

29 3. If a public school is granted a delay from the development of a turnaround
30 plan pursuant to subsection 2 of NRS 385.376 and the school fails to make
31 adequate yearly progress during the period of the delay, a turnaround plan must be
32 immediately developed and implemented for the school in accordance with this
33 section as if the delay never occurred.

34 4. On or before June 30, a turnaround plan developed for a school must be
35 submitted to the:

36 (a) Superintendent of Public Instruction;

37 (b) Department;

38 (c) Bureau;

39 (d) Board of trustees of the school district in which the school is located ~~or~~
40 if the school is a charter school, the sponsor of the charter school and the
41 governing body of the charter school; and

42 (e) Principal of the school.

43 **Sec. 19.** NRS 385.3746 is hereby amended to read as follows:

44 385.3746 1. If a Title I school is designated as demonstrating need for
45 improvement pursuant to NRS 385.3623 for 4 consecutive years:

46 (a) Except as otherwise provided in paragraph (b), the board of trustees of the
47 school district shall:

48 (1) Provide notice of the designation to the parents and guardians of the
49 pupils enrolled in the school on the form prescribed by the Department pursuant to
50 NRS 385.382;

51 (2) Ensure that the school receives technical assistance in the manner set
52 forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;

(3) Provide school choice to the parents and guardians of pupils enrolled in the school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto;

(4) Provide supplemental educational services in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law; and

(5) Except as otherwise provided in subsection 3, develop a plan for restructuring the school if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

(b) The governing body of the charter school shall provide notice of the designation to the parents and guardians of the pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382. If the school is a charter school:

(1) Sponsored by the board of trustees of a school district, the board of trustees shall:

(I) In conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;

(II) Provide school choice to the parents and guardians of pupils enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1); and

(III) Except as otherwise provided in subsection 4, develop a plan for restructuring the school if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

(2) ~~Sponsored by the State Board of Charter Schools, the State Board of Charter Schools,~~ Public Charter School Authority, the State Public Charter School Authority shall:

(I) In conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;

(II) Work cooperatively with the board of trustees of the school district in which the ~~charter school is located~~ pupil resides to provide school choice to the ~~parents and guardians of pupils~~ parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto; and

(III) Except as otherwise provided in subsection 4, develop a plan for restructuring the charter school if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

(3) Sponsored by ~~the State Board or by~~ a college or university within the Nevada System of Higher Education, the Department shall:

(I) In conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;

(II) Work cooperatively with the board of trustees of the school district in which the ~~charter school is located~~ pupil resides to provide school choice to the ~~parents and guardians of pupils~~ parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto; and

(III) Except as otherwise provided in subsection 4, develop a plan for restructuring the charter school if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto.

~~(3)~~ (4) Regardless of the sponsor, the governing body of the charter school shall provide supplemental educational services in accordance with

20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law.

2. A plan for restructuring the school developed pursuant to this section must include, without limitation:

(a) A requirement that the plan is based on the results of the comprehensive audit conducted pursuant to NRS 385.3721;

(b) Measurable goals and objectives for obtaining adequate yearly progress;

(c) Specified steps or actions for obtaining adequate yearly progress; and

(d) A timeline for the completion of the plan for restructuring the school, which must provide for implementation of the plan in accordance with NRS 385.37607 if the school is designated as needing improvement for 5 years.

3. The board of trustees of a school district shall grant a delay from the development of a plan for restructuring for a school for a period not to exceed 1 year if the school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the board of trustees shall immediately develop and proceed with the implementation of the plan for restructuring the school as if the delay never occurred.

4. The sponsor of a charter school shall grant a delay from the development of a plan for restructuring for the charter school for a period not to exceed 1 year if the charter school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the charter school fails to make adequate yearly progress during the period of the delay, a plan for restructuring must be immediately developed for the school in accordance with this section and the Department shall proceed with the implementation of the plan for restructuring the charter school as if the delay never occurred.

5. On or before June 30, a plan for restructuring developed pursuant to this section must be submitted to the:

(a) Superintendent of Public Instruction;

(b) Department;

(c) Bureau;

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

(e) Principal of the school.

Sec. 20. NRS 385.376 is hereby amended to read as follows:

385.376 1. Except as otherwise provided in subsection 2, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 consecutive years for failure to make adequate yearly progress, ~~the State Board of Charter Schools~~ Public Charter School Authority may, for a charter school sponsored by the State Board of Charter Schools, Public Charter School Authority, the Department may, for a charter school sponsored by ~~the State Board or by~~ a college or university within the Nevada System of Higher Education, and the board of trustees of a school district may, for a school of the school district or a charter school sponsored by the board of trustees, take corrective action as set forth in NRS 385.3744 or proceed with differentiated correction actions, consequences or sanctions, or any combination thereof, as prescribed by the State Board pursuant to NRS 385.361.

2. The ~~State Board of Charter Schools~~ Public Charter School Authority, the Department or the board of trustees of a school district, as applicable, shall grant a delay from the imposition of corrective action, consequences or sanctions, or any combination thereof, pursuant to this section for a school for a period not to exceed 1 year if the school qualifies for a delay in the manner set forth in 20 U.S.C.

§ 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, ~~the State [Board of Charter Schools]~~ Public Charter School Authority, the Department or the board of trustees, as applicable, may proceed with corrective action, consequences or sanctions, or any combination thereof, for the school, as appropriate, pursuant to the provisions of NRS 385.37603 and 385.37605 as if the delay never occurred.

3. Before the board of trustees, ~~the State [Board of Charter Schools]~~ Public Charter School Authority or the Department proceeds with consequences or sanctions, the board of trustees, ~~the State [Board of Charter Schools]~~ Public Charter School Authority or the Department, as applicable, shall provide to the administrators, teachers and other educational personnel employed at that school, and parents and guardians of pupils enrolled in the school:

(a) Notice that the board of trustees, ~~the State [Board of Charter Schools]~~ Public Charter School Authority or the Department, as applicable, will proceed with consequences or sanctions for the school;

(b) An opportunity to comment before the consequences or sanctions are carried out; and

(c) An opportunity to participate in the development of the consequences or sanctions.

Sec. 21. NRS 385.37603 is hereby amended to read as follows:

385.37603 1. If a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:

(a) The board of trustees of the school district shall:

(1) Except as otherwise provided in subsection 3 of NRS 385.37605, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and, not later than September 30, implement the turnaround plan to improve the academic achievement of pupils enrolled in the school developed pursuant to NRS 385.3745;

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; and

(3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(b) The State Board shall prescribe by regulation the actions which the Department may take to monitor the implementation of any corrective action at the school.

2. If a charter school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:

(a) The governing body of the charter school shall:

(1) Except as otherwise provided in subsection 3 of NRS 385.37605, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and, not later than September 30, implement the turnaround plan to improve the academic achievement of pupils enrolled in the school developed pursuant to NRS 385.3745.

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on a form prescribed by the Department pursuant to NRS 385.382.

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

(c) *For a charter school sponsored by the State ~~[Board of Charter Schools, the State Board of Charter Schools]~~ Public Charter School Authority, the State Public Charter School Authority shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.*

(d) For a charter school sponsored by ~~[the State Board or by]~~ a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

~~[(d)]~~ (e) The State Board shall prescribe by regulation the actions which the Department may take to monitor the implementation of any corrective action at the charter school.

Sec. 22. NRS 385.37605 is hereby amended to read as follows:

385.37605 1. Except as otherwise provided in subsection 3, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years for failure to make adequate yearly progress:

(a) *The State ~~[Board of Charter Schools]~~ Public Charter School Authority may, for a charter school sponsored by the State ~~[Board of Charter Schools]~~ Public Charter School Authority, take corrective action as set forth in NRS 385.3744 or proceed with consequences or sanctions, or both, as prescribed by the State Board pursuant to NRS 385.361.*

(b) The Department may, for a charter school sponsored by ~~[the State Board or by]~~ a college or university within the Nevada System of Higher Education, take corrective action as set forth in NRS 385.3744 or proceed with consequences or sanctions, or both, as prescribed by the State Board pursuant to NRS 385.361.

~~[(b)]~~ (c) The board of trustees of a school district may, for a school of the school district or a charter school sponsored by the board of trustees, take corrective action as set forth in NRS 385.3744 or proceed with consequences or sanctions, or both, as prescribed by the State Board pursuant to NRS 385.361.

2. The Department shall monitor the implementation of the turnaround plan for the school developed pursuant to NRS 385.3745.

3. The State ~~[Board of Charter Schools]~~ Public Charter School Authority, the Department or the board of trustees of a school district, as applicable, shall grant a delay from the imposition of corrective action, consequences or sanctions pursuant to this section for a school, including, without limitation, the development and implementation of a turnaround plan, for a period not to exceed 1 year if the school qualifies for a delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the State ~~[Board of Charter Schools]~~ Public Charter School Authority, the Department or the board of trustees, as applicable, may proceed with corrective action or with consequences or sanctions, or both, for the school, as appropriate, as if the delay never occurred.

4. Before the board of trustees, *the State ~~[Board of Charter Schools]~~ Public Charter School Authority* or the Department proceeds with consequences or sanctions, the board of trustees, *the State ~~[Board of Charter Schools]~~ Public Charter School Authority* or the Department, as applicable, shall provide to the administrators, teachers and other educational personnel employed at that school, and parents and guardians of pupils enrolled in the school:

(a) Notice that the board of trustees, ~~the State [Board of Charter Schools]~~ Public Charter School Authority or the Department, as applicable, will proceed with consequences or sanctions for the school;

(b) An opportunity to comment before the consequences or sanctions are carried out; and

(c) An opportunity to participate in the development of the consequences or sanctions.

Sec. 23. NRS 385.37607 is hereby amended to read as follows:

385.37607 1. If a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 5 or more consecutive years:

(a) Except as otherwise provided in paragraph (b), the board of trustees of the school district shall:

(1) Except as otherwise provided in subsection 2, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and, not later than September 30, implement the plan for restructuring the school developed pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto;

(2) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382;

(3) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto;

(4) Provide school choice to the parents and guardians of pupils enrolled in the school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto; and

(5) Provide supplemental educational services in accordance with 20 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law.

(b) If the school is a charter school:

(1) Sponsored by the board of trustees of a school district, the board of trustees shall:

(I) Except as otherwise provided in subsection 3, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and, not later than September 30, implement the plan for restructuring the charter school developed pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8) and the regulations adopted pursuant thereto;

(II) Provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382;

(III) Ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto; and

(IV) Provide school choice to the parents and guardians of pupils enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

(2) ~~Sponsored by the State [Board of Charter Schools, the State Board of Charter Schools]~~ Public Charter School Authority, the State Public Charter School Authority shall:

(I) Except as otherwise provided in subsection 3, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and, not later than September 30, implement the plan for restructuring the

1 *charter school developed pursuant to NRS 385.3746 if required by 20 U.S.C. §*
2 *6316(b)(8) and the regulations adopted pursuant thereto;*

3 (II) *Provide notice of the designation to the parents and guardians of*
4 *pupils enrolled in the charter school on the form prescribed by the Department*
5 *pursuant to NRS 385.382;*

6 (III) *Ensure that the charter school receives technical assistance in*
7 *the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted*
8 *pursuant thereto; and*

9 (IV) *Work cooperatively with the board of trustees of the school*
10 *district in which the ~~charter school is located~~ pupil resides to provide school*
11 *choice to the ~~parents and guardians of pupils~~ parent or guardian of each pupil*
12 *enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the*
13 *regulations adopted pursuant thereto.*

14 (3) Sponsored by ~~the State Board or by~~ a college or university within the
15 Nevada System of Higher Education, the Department shall:

16 (I) Except as otherwise provided in subsection 3, repeal the plan to
17 improve the academic achievement of pupils developed pursuant to NRS 385.357
18 and, not later than September 30, implement the plan for restructuring the charter
19 school developed pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)
20 and the regulations adopted pursuant thereto;

21 (II) Provide notice of the designation to the parents and guardians of
22 pupils enrolled in the charter school on the form prescribed by the Department
23 pursuant to NRS 385.382;

24 (III) Ensure that the charter school receives technical assistance in the
25 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant
26 thereto; and

27 (IV) Work cooperatively with the board of trustees of the school
28 district in which the ~~charter school is located~~ pupil resides to provide school
29 choice to the ~~parents and guardians of pupils~~ parent or guardian of each pupil
30 enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the
31 regulations adopted pursuant thereto.

32 ~~(3)~~ (4) Regardless of the sponsor, the governing body of the charter
33 school shall provide supplemental educational services in accordance with 20
34 U.S.C. § 6316(e) and the regulations adopted pursuant thereto from a provider
35 approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that
36 provision of federal law.

37 (c) The State Board shall prescribe by regulation the actions which the
38 Department may take to monitor the implementation of any corrective action at the
39 school or charter school.

40 2. The board of trustees of a school district shall grant a delay from the
41 imposition of a plan for restructuring for a school, including, without limitation, the
42 development and implementation of a plan for restructuring, for a period not to
43 exceed 1 year if the school qualifies for a delay pursuant to 20 U.S.C. §
44 6316(b)(7)(D). If the school fails to make adequate yearly progress during the
45 period of delay, the board of trustees shall proceed with a plan for restructuring the
46 school as if the delay never occurred.

47 3. The sponsor of a charter school shall grant a delay from the imposition of a
48 plan for restructuring for a school, including, without limitation, the development
49 and implementation of a plan for restructuring, for a period not to exceed 1 year if
50 the school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the charter
51 school fails to make adequate yearly progress during the period of delay, the
52 Department shall proceed with a plan for restructuring the charter school as if the
53 delay never occurred.

4. Before the board of trustees of a school district, ~~the State Board of Charter Schools~~ Public Charter School Authority or the Department proceeds with a plan for restructuring, the board of trustees, ~~the State Board of Charter Schools~~ Public Charter School Authority or the Department, as applicable, shall provide to the administrators, teachers and other educational personnel employed at that school, and parents and guardians of pupils enrolled in the school:

(a) Notice that the board of trustees, ~~the State Board of Charter Schools~~ Public Charter School Authority or the Department, as applicable, will develop a plan for restructuring the school;

(b) An opportunity to comment before the plan to restructure is developed; and

(c) An opportunity to participate in the development of the plan to restructure.

Sec. 24. NRS 385.620 is hereby amended to read as follows:

385.620 The Advisory Council shall:

1. Review the policy of parental involvement adopted by the State Board and the policy of parental involvement adopted by the board of trustees of each school district pursuant to NRS 392.457;

2. Review the information relating to communication with and participation of parents that is included in the annual report of accountability for each school district pursuant to paragraph (j) of subsection 2 of NRS 385.347 ~~+~~ and similar information in the annual report of accountability prepared by the State Board of Charter Schools, Public Charter School Authority and a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385.347;

3. Review any effective practices carried out in individual school districts to increase parental involvement and determine the feasibility of carrying out those practices on a statewide basis;

4. Review any effective practices carried out in other states to increase parental involvement and determine the feasibility of carrying out those practices in this State;

5. Identify methods to communicate effectively and provide outreach to parents and legal guardians of pupils who have limited time to become involved in the education of their children for various reasons, including, without limitation, work schedules, single-parent homes and other family obligations;

6. Identify the manner in which the level of parental involvement affects the performance, attendance and discipline of pupils;

7. Identify methods to communicate effectively with and provide outreach to parents and legal guardians of pupils who are limited English proficient;

8. Determine the necessity for the appointment of a statewide parental involvement coordinator or a parental involvement coordinator in each school district, or both;

9. On or before July 1 of each year, submit a report to the Legislative Committee on Education describing the activities of the Advisory Council and any recommendations for legislation; and

10. On or before February 1 of each odd-numbered year, submit a report to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature describing the activities of the Advisory Council and any recommendations for legislation.

Sec. 25. Chapter 386 of NRS is hereby amended by adding thereto the provisions set forth as sections 26 to ~~35.1~~ 35.5, inclusive, of this act.

Sec. 26. *As used in NRS 386.500 to 386.610, inclusive, and sections 26 to ~~35.1~~ 35.5, inclusive, of this act, the words and terms defined in NRS 386.500 and sections 27 and 28 of this act have the meanings ascribed to them in those sections.*

1 Sec. 27. "Director" means the Director of the State ~~[Board of Charter~~
2 ~~Schools]~~ Public Charter School Authority appointed pursuant to section 31 of

3 this act.
4 Sec. 28. "State ~~[Board of Charter Schools]~~ Public Charter School
5 Authority" means the State ~~[Board of Charter Schools]~~ Public Charter School
6 Authority created by section ~~[29]~~ 28.5 of this act.

7 Sec. 28.5. The State Public Charter School Authority is hereby created.
8 The purpose of the State Public Charter School Authority is to:

9 1. Authorize charter schools of high-quality throughout this State with the
10 goal of expanding the opportunities for pupils in this State, including, without
11 limitation, pupils who are at risk.

12 2. Provide oversight to the charter schools that it sponsors to ensure that
13 those charter schools maintain high educational and operational standards,
14 preserve autonomy and safeguard the interests of pupils and the community.

15 3. Serve as a model of the best practices in sponsoring charter schools and
16 foster a climate in this State in which all charter schools, regardless of sponsor,
17 can flourish.

18 Sec. 29. 1. The State ~~[Board of Charter Schools, consisting]~~ Public
19 Charter School Authority consists of seven members. ~~[It is hereby created.]~~ The
20 membership of the State ~~[Board of Charter Schools]~~ Public Charter School
21 Authority consists of:

22 (a) Two members appointed by the Governor in accordance with
23 subsection 2;

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

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

28 (d) One member appointed by an association of charter schools pursuant to
29 subsection 3.

30 2. The Governor, the Majority Leader of the Senate and the Speaker of the
31 Assembly shall ensure that the membership of the State ~~[Board of Charter~~
32 ~~Schools]~~ Public Charter School Authority:

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

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

38 (c) Includes persons with specific knowledge of:

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

40 (2) School finance ~~and~~ or accounting, or both;

41 (3) Management practices;

42 (4) Assessments required in elementary and secondary education;

43 (5) Educational technology; and

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

45 ~~[(b)]~~ (d) Insofar as practicable, reflects the ethnic and geographical diversity
46 of this State.

47 3. The State ~~[Board of Charter Schools]~~ Public Charter School Authority
48 shall establish a list of associations of charter schools ~~[that operate within this~~
49 State] operating in this State which the State Board recognizes as representing
50 the charter schools in this State and designate the order in which such
51 associations may appoint a member to the State ~~[Board of Charter Schools]~~
52 Public Charter School Authority. Except as otherwise provided in subsection 5,
53 an association may not appoint more than one member to the State ~~[Board of~~

~~Charter Schools.~~ Public Charter School Authority unless each association designated pursuant to this subsection has had an opportunity to make an appointment.

4. Each member of the State ~~Board of Charter Schools.~~ Public Charter School Authority must be a resident of this State.

5. After the initial terms, the term of each member of the State ~~Board of Charter Schools.~~ Public Charter School Authority is 3 years, commencing on July 1 of the year in which he or she is appointed. A vacancy in the membership of the State ~~Board of Charter Schools.~~ Public Charter School Authority must be filled for the remainder of the unexpired term in the same manner as the original appointment. A member shall continue to serve on the State ~~Board of Charter Schools.~~ Public Charter School Authority until his or her successor is appointed.

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

7. Each member of the State ~~Board of Charter Schools.~~ Public Charter School Authority is entitled to receive:

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

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

Sec. 30. 1. The members of the State ~~Board of Charter Schools.~~ Public Charter School Authority shall meet throughout the year at the times and places specified by a call of the Chair or a majority of the members.

2. Four members of the State ~~Board of Charter Schools.~~ Public Charter School Authority constitute a quorum, and a quorum may exercise all the power and authority conferred on the State ~~Board of Charter Schools.~~ Public Charter School Authority.

Sec. 31. 1. The State ~~Board of Charter Schools.~~ Public Charter School Authority shall appoint a Director of the State ~~Board of Charter Schools.~~ Public Charter School Authority for a term of 3 years. The State ~~Board of Charter Schools.~~ Public Charter School Authority may remove the Director from office for inefficiency, neglect of duty, malfeasance in office or for other just cause. Public Charter School Authority shall ensure that the Director has a demonstrated understanding of charter schools and a commitment to using charter schools as a way to strengthen public education in this State.

2. A vacancy in the position of Director must be filled by the State ~~Board of Charter Schools.~~ Public Charter School Authority for the remainder of the unexpired term.

3. The Director is in the unclassified service of the State.

Sec. 32. The Director shall not pursue any other business or occupation or hold any other office of profit without the approval of the State ~~Board of Charter Schools.~~ Public Charter School Authority.

1 **Sec. 33. The Director shall:**

2 1. Execute, direct and supervise all administrative, technical and
3 procedural activities of the State ~~{Board of Charter Schools}~~ Public Charter
4 School Authority in accordance with the policies prescribed by the State ~~{Board~~
5 ~~of Charter Schools}~~ Public Charter School Authority;

6 2. Organize the State ~~{Board of Charter Schools}~~ Public Charter School
7 Authority in a manner which will ~~assure~~ ensure the efficient operation and
8 service of the State ~~{Board of Charter Schools}~~ Public Charter School Authority;

9 3. Serve as the Executive Secretary of the State ~~{Board of Charter Schools}~~;
10 Public Charter School Authority; ~~and~~

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

13 5. Perform such other duties as are prescribed by law or the State ~~{Board of~~
14 ~~Charter Schools}~~ Public Charter School Authority.

15 **Sec. 34. The State** ~~{Board of Charter Schools}~~ Public Charter School
16 Authority may employ such persons as it deems necessary to carry out the
17 provisions of NRS 386.500 to 386.610, inclusive, and sections 26 to ~~35.5~~ 35.5,
18 inclusive, of this act. The staff employed by the State Public Charter School
19 Authority must be qualified to carry out the daily responsibilities of sponsoring
20 charter schools in accordance with the provisions of NRS 386.500 to 386.610,
21 inclusive, and sections 26 to 35.5, inclusive, of this act.

22 **Sec. 35. 1. The Account for the State** ~~{Board of Charter Schools}~~ Public
23 Charter School Authority is hereby created in the State General Fund, to be
24 administered by the Director.

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

27 3. The money in the Account may be used only for the establishment and
28 maintenance of the State ~~{Board of Charter Schools}~~ Public Charter School
29 Authority.

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

33 5. The Director and the State Public Charter School Authority may accept
34 gifts, grants and bequests to carry out the provisions of NRS 386.500 to 386.610,
35 inclusive, and sections 26 to ~~35.5~~ 35.5, inclusive, of this act. Any money from
36 gifts, grants and bequests must be deposited in the Account and may be expended
37 in accordance with the terms and conditions of the gift, grant or bequest, or in
38 accordance with this section.

39 **Sec. 35.3. 1. The governing body of a charter school may contract with**
40 the sponsor of the charter school for the purchase of services, excluding those
41 services which are covered by the sponsorship fee paid to the sponsor pursuant to
42 NRS 386.570. If the governing body of a charter school elects to purchase such
43 services, the governing body and the sponsor shall enter into an annual service
44 agreement which is separate from the written charter of the charter school.

45 2. If a service agreement is entered into pursuant to this section, the
46 sponsor of the charter school shall, not later than August 1 after the completion
47 of the school year, provide to the governing body of the charter school an
48 itemized accounting of the actual costs of those services purchased by the charter
49 school. Any difference between the amount paid by the charter school pursuant
50 to the service agreement and the actual cost for those services must be reconciled
51 and paid to the party to whom it is due. If the governing body or the sponsor
52 disputes the amount due, the party making the dispute may request an
53 independent review by the Department, whose determination is final.

1 3. The governing body of a charter school may not be required to enter into
2 a service agreement pursuant to this section as a condition to approval of its
3 written charter by the sponsor of the charter school or as a condition to renewal
4 of the written charter.

5 Sec. 35.5. 1. The State Public Charter School Authority is hereby deemed
6 a local educational agency for the purpose of directing the proportionate share of
7 any money available from federal and state categorical grant programs to charter
8 schools which are sponsored by the State Public Charter School Authority or a
9 college or university within the Nevada System of Higher Education that are
10 eligible to receive such money. A charter school that receives money pursuant to
11 such a grant program shall comply with any applicable reporting requirements to
12 receive the grant.

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

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

18 **Sec. 36.** NRS 386.500 is hereby amended to read as follows:

19 386.500 ~~For the purposes of NRS 386.500 to 386.610, inclusive, a~~ A pupil
20 is "at risk" if the pupil has an economic or academic disadvantage such that he or
21 she requires special services and assistance to enable him or her to succeed in
22 educational programs. The term includes, without limitation, pupils who are
23 members of economically disadvantaged families, pupils who are limited English
24 proficient, pupils who are at risk of dropping out of high school and pupils who do
25 not meet minimum standards of academic proficiency. The term does not include a
26 pupil with a disability.

27 **Sec. 37.** ~~NRS 386.508 is hereby amended to read as follows:~~

28 ~~386.508 There is hereby created a school district to be designated as the~~
29 ~~Charter School District for State [Board-Sponsored] Board of Charter Schools-~~
30 ~~Sponsored Charter Schools and Nevada System of Higher Education Sponsored~~
31 ~~Charter Schools. The School District comprises only those charter schools that are~~
32 ~~sponsored by the State Board of Charter Schools or sponsored by a college or~~
33 ~~university within the Nevada System of Higher Education. The State Board of~~
34 ~~Charter Schools is hereby deemed the Board of Trustees of the School District.~~
35 ~~The School District is created for the sole purpose of providing local educational~~
36 ~~agency status to the School District for purposes of federal law governing charter~~
37 ~~schools.] (Deleted by amendment.)~~

38 **Sec. 38.** NRS 386.515 is hereby amended to read as follows:

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

45 2. The State ~~[Board of Charter Schools]~~ Public Charter School Authority
46 shall sponsor charter schools whose applications have been approved by the State
47 ~~[Board of Charter Schools]~~ Public Charter School Authority pursuant to NRS
48 386.525. Except as otherwise provided by specific statute, if the State ~~[Board of~~
49 ~~Charter Schools]~~ Public Charter School Authority sponsors a charter school, the
50 State ~~[Board]~~ ~~[for the Department]~~ ~~[of Charter Schools]~~ Public Charter School
51 Authority is responsible for the evaluation, monitoring and oversight of the charter
52 school.

3. A college or university within the Nevada System of Higher Education may sponsor charter schools.

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

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

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

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

(d) Negotiating and executing written charters pursuant to NRS 386.527;

(e) Monitoring, in accordance with NRS 386.500 to 386.610, inclusive, and sections 26 to 35.5, inclusive, of this act, and in accordance with the terms and conditions of the applicable written charter, the performance and compliance of each charter school sponsored by the entity; and

(f) Determining whether each written charter of a charter school that the entity sponsors merits renewal or whether the renewal of the written charter should be denied or the written charter should be revoked in accordance with NRS 386.530 or 386.535, as applicable.

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

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

(b) The procedure for evaluating charter school applications in accordance with NRS 386.525;

(c) A description of how the sponsor will maintain oversight of the charter schools it sponsors; and

(d) A description of the process of evaluation for charter schools it sponsors in accordance with NRS 386.610.

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

Sec. 39. NRS 386.520 is hereby amended to read as follows:

386.520 1. A committee to form a charter school must consist of at least three teachers, as defined in subsection 4. In addition to the teachers who serve, the committee may consist of:

(a) Members of the general public;

(b) Representatives of nonprofit organizations and businesses; or

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

➤ A majority of the persons described in paragraphs (a), (b) and (c) who serve on the committee must be residents of this State at the time that the application to form the charter school is submitted to the Department.

2. ~~[Before a committee to form a charter school may submit an application to the board of trustees of a school district, [the Subcommittee on Charter Schools,] [the State Board of Charter Schools or a college or university within the Nevada System of Higher Education, it must submit the application to the Department. The]~~
An application to form a charter school must include all information prescribed by

1 the ~~[Department]~~ State [Board of Charter Schools] Public Charter School
2 Authority by regulation and:

3 (a) A written description of how the charter school will carry out the provisions
4 of NRS 386.500 to 386.610, inclusive ~~[]~~, and sections 26 to ~~[35.]~~ 35.5, inclusive,
5 of this act.

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

8 (1) Improving the ~~[opportunities for pupils to learn:]~~ academic
9 achievement of pupils;

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

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

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

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

16 (6) Creating new professional opportunities for teachers.

17 (c) The projected enrollment of pupils in the charter school.

18 (d) The proposed dates of enrollment for the charter school.

19 (e) The proposed system of governance for the charter school, including,
20 without limitation, the number of persons who will govern, the method of selecting
21 the persons who will govern and the term of office for each person.

22 (f) The method by which disputes will be resolved between the governing body
23 of the charter school and the sponsor of the charter school.

24 (g) The proposed curriculum for the charter school and, if applicable to the
25 grade level of pupils who are enrolled in the charter school, the requirements for the
26 pupils to receive a high school diploma, including, without limitation, whether
27 those pupils will satisfy the requirements of the school district in which the charter
28 school is located for receipt of a high school diploma.

29 (h) The textbooks that will be used at the charter school.

30 (i) The qualifications of the persons who will provide instruction at the charter
31 school.

32 (j) Except as otherwise required by NRS 386.595, the process by which the
33 governing body of the charter school will negotiate employment contracts with the
34 employees of the charter school.

35 (k) A financial plan for the operation of the charter school. The plan must
36 include, without limitation, procedures for the audit of the programs and finances of
37 the charter school and guidelines for determining the financial liability if the charter
38 school is unsuccessful.

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

46 (m) The procedure for the evaluation of teachers of the charter school, if
47 different from the procedure prescribed in NRS 391.3125. If the procedure is
48 different from the procedure prescribed in NRS 391.3125, the procedure for the
49 evaluation of teachers of the charter school must provide the same level of
50 protection and otherwise comply with the standards for evaluation set forth in
51 NRS 391.3125.

52 (n) The time by which certain academic or educational results will be achieved.

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

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

3. The proposed sponsor of a charter school may request that the Department review an application before review by the proposed sponsor to determine whether the application is complete. Upon such a request, the Department shall review an application to form a charter school to determine whether it is complete. If an application proposes to convert an existing public school, homeschool or other program of home study into a charter school, the Department shall deny the application. The Department shall provide written notice to the applicant and the proposed sponsor of the charter school of its ~~{approval or denial of}~~ determination of whether the application is complete. If the Department ~~{denies}~~ determines an application ~~{is not complete}~~, the Department shall include in the written notice the reason for ~~{the denial}~~ its determination and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. If the Department determines an application is complete, the Department shall transmit the application to the proposed sponsor for review pursuant to NRS 386.525.

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

(a) Holds a current license to teach issued pursuant to chapter 391 of NRS; and

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

➤ The term does not include a person who is employed as a substitute teacher.

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

386.525 1. ~~{Upon approval of an application by the Department, a}~~ Except as otherwise provided in this subsection, a committee to form a charter school may submit the application to the ~~{board of trustees of the school district in which the}~~ proposed sponsor of the charter school. ~~{will be located, a college or university within the Nevada System of Higher Education} or {directly to the Subcommittee on} {the State Board of Charter Schools.}~~ If the proposed sponsor of a charter school requested that the Department review the application pursuant to NRS 386.520 and the Department determined that the application was not complete pursuant to that section, the application must not be submitted to the proposed sponsor for review pursuant to this section. If an application proposes to convert an existing public school, homeschool or other program of home study into a charter school, the proposed sponsor shall deny the application.

2. If the board of trustees of a school district ~~{or}~~ or a college or a university ~~{}~~ within the Nevada System of Higher Education, as applicable, receives an application to form a charter school, the board of trustees or the institution, as applicable, shall consider the application at a meeting that must be held not later than 45 days after the receipt of the application, or a period mutually agreed upon by the committee to form the charter school and the board of trustees of the school district or the institution, as applicable, and ensure that notice of the meeting has been provided pursuant to chapter 241 of NRS. If the proposed sponsor requested that the Department review the application pursuant to NRS 386.520, the proposed sponsor shall be deemed to receive the application pursuant to this subsection upon transmittal of the application from the Department. The board of trustees, the college ~~{or}~~ or the university ~~{for the} {Subcommittee on} {State Board}~~

~~of Charter Schools.]~~ as applicable, shall review an application to determine whether the application:

(a) Complies with NRS 386.500 to 386.610, inclusive, and sections 26 to 35.5, inclusive, of this act and the regulations applicable to charter schools; and

(b) Is complete in accordance with the regulations of the ~~[Department.] [State Board of Charter Schools.]~~

~~[2.]~~ **State Public Charter School Authority.**

3. The Department shall assist the board of trustees of a school district, ~~the State Board of Charter Schools,~~ the college or the university, as applicable, in the review of an application. The board of trustees, the college or the university, as applicable, may approve an application if it satisfies the requirements of paragraphs (a) and (b) of subsection ~~[1.]~~ 2. The board of trustees, the college or the university, as applicable, shall provide written notice to the applicant of its approval or denial of the application.

~~[2.]~~ 4. If the board of trustees, the college or the university, as applicable, denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application.

~~[4.]~~ 5. If the board of trustees, the college or the university, as applicable, denies an application after it has been resubmitted pursuant to subsection ~~[2.]~~ 4. the applicant may submit a written request for sponsorship by the State ~~[Board]~~ ~~[to the Subcommittee on]~~ ~~[of Charter Schools created pursuant to]~~ ~~[NRS 386.507]~~ ~~[section 29 of this act]~~ Public Charter School Authority not more than 30 days after receipt of the written notice of denial. Any request that is submitted pursuant to this subsection must be accompanied by the application to form the charter school.

~~[5.]~~ 6. If the ~~[Subcommittee on]~~ State ~~[Board of Charter Schools]~~ Public Charter School Authority receives an application pursuant to subsection 1 or ~~[4.]~~ 5. it shall hold a meeting to consider the application. If the State Public Charter School Authority requested that the Department review the application pursuant to NRS 386.520, the State Public Charter School Authority shall be deemed to receive the application pursuant to this subsection upon transmittal of the application from the Department. The meeting must be held not later than 45 days after receipt of the application. Notice of the meeting must be posted in accordance with chapter 241 of NRS. The ~~[Subcommittee]~~ State ~~[Board of Charter Schools]~~ Public Charter School Authority shall review the application in accordance with the factors set forth in paragraphs (a) and (b) of subsection ~~[1.]~~ 2. ~~[The Subcommittee may approve an application if it satisfies the requirements of paragraphs (a) and (b) of subsection 1.]~~

~~6.~~ The Subcommittee on Charter Schools shall transmit the application and the recommendation of the Subcommittee for approval or denial of the application to the State Board. Not more than 14 days after the date of the meeting of the Subcommittee pursuant to subsection 5, the State Board shall hold a meeting to consider the recommendation of the Subcommittee. Notice of the meeting must be posted in accordance with chapter 241 of NRS. The State Board shall review the application in accordance with the factors set forth in paragraphs (a) and (b) of subsection ~~[1.]~~ 2. The Department shall assist the State Public Charter School Authority in the review of an application. The State ~~[Board of Charter Schools]~~ Public Charter School Authority may approve an application if it satisfies the requirements of paragraphs (a) and (b) of subsection ~~[1.]~~ 2. Not more than 30 days after the meeting, the State ~~[Board of Charter Schools]~~ Public Charter School Authority shall provide written notice of its determination to the applicant.

1 ~~7. 6.~~ If the State ~~[Board of Charter Schools]~~ Public Charter School
2 Authority denies an application, it shall include in the written notice the reasons for
3 the denial and the deficiencies in the application. The applicant must be granted 30
4 days after receipt of the written notice to correct any deficiencies identified in the
5 written notice and resubmit the application.

6 ~~8. 7.~~ If the State ~~[Board of Charter Schools]~~ Public Charter School
7 Authority denies an application after it has been resubmitted pursuant to subsection
8 ~~7. 6.~~ the applicant may, not more than 30 days after the receipt of the written
9 notice from the State ~~[Board]~~ ~~[of Charter Schools]~~ Public Charter School
10 Authority, appeal the final determination to the district court of the county in which
11 the proposed charter school will be located.

12 ~~9. 8.~~ On or before January 1 of each odd-numbered year, the
13 Superintendent of Public Instruction shall submit a written report to the Director of
14 the Legislative Counsel Bureau for transmission to the next regular session of the
15 Legislature. The report must include:

16 (a) A list of each application to form a charter school that was submitted to the
17 board of trustees of a school district, the State ~~[Board]~~ ~~[of Charter Schools]~~,
18 Public Charter School Authority, a college or a university during the immediately
19 preceding biennium;

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

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

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

24 **Sec. 41.** NRS 386.527 is hereby amended to read as follows:

25 386.527 1. If the State ~~[Board]~~ ~~[of Charter Schools]~~ Public Charter
26 School Authority, the board of trustees of a school district or a college or university
27 within the Nevada System of Higher Education approves an application to form a
28 charter school, it shall grant a written charter to the applicant. The State ~~[Board]~~ ~~[of Charter Schools]~~, Public Charter School Authority, the board of trustees, the
29 college or the university, as applicable, shall, not later than 10 days after the
30 approval of the application, provide written notice to the Department of
31 the approval and the date of the approval. If the board of trustees approves the
32 application, the board of trustees shall be deemed the sponsor of the charter school.

33 2. If the State ~~[Board of Charter Schools]~~ Public Charter School Authority
34 approves the application:

35 (a) The State ~~[Board of Charter Schools]~~ Public Charter School Authority
36 shall be deemed the sponsor of the charter school.

37 (b) Neither the State of Nevada, the State Board, ~~[of Education]~~, the State
38 ~~[Board of Charter Schools]~~ Public Charter School Authority nor the Department
39 is an employer of the members of the governing body of the charter school or any
40 of the employees of the charter school.

41 3. If a college or university within the Nevada System of Higher Education
42 approves the application:

43 (a) That institution shall be deemed the sponsor of the charter school.

44 (b) Neither the State of Nevada, the State Board ~~[of Education]~~, the State
45 ~~[Board of Charter Schools]~~ nor the Department is an employer of the members of
46 the governing body of the charter school or any of the employees of the charter
47 school.

48 4. The governing body of a charter school may request, at any time, a change
49 in the sponsorship of the charter school to an entity that is authorized to sponsor
50 charter schools pursuant to NRS 386.515. The State ~~[Board of Charter Schools]~~
51 Public Charter School Authority shall adopt :
52

~~(a) [An application]~~ (a) A process for a charter school that requests a change in the sponsorship of the charter school, which must not require the ~~[applicant]~~ charter school to undergo all the requirements of an initial application to form a charter school ~~; and~~

~~(b) Objective criteria for the conditions under which such a request may be granted. [If the request is for sponsorship by the State Board of Charter Schools, the governing body must not be required to submit an application and the State Board of Charter Schools shall accept the transfer of the charter school to the State Board of Charter Schools.]~~

5. Except as otherwise provided in subsection 7, a written charter must be for a term of 6 years unless the governing body of a charter school renews its initial charter after 3 years of operation pursuant to subsection 2 of NRS 386.530. A written charter must include all conditions of operation set forth in subsection 2 of NRS 386.520 and include the kind of school, as defined in subsections 1 to 4, inclusive, of NRS 388.020 for which the charter school is authorized to operate. If the State ~~[Board of Charter Schools]~~ Public Charter School Authority or a college or university within the Nevada System of Higher Education is the sponsor of the charter school, the written charter must set forth the responsibilities of the sponsor and the charter school with regard to the provision of services and programs to pupils with disabilities who are enrolled in the charter school in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and NRS 388.440 to 388.520, inclusive. As a condition of the issuance of a written charter pursuant to this subsection, the charter school must agree to comply with all conditions of operation set forth in NRS 386.550.

6. The governing body of a charter school may submit to the sponsor of the charter school a written request for an amendment of the written charter of the charter school. Such an amendment may include, without limitation, the expansion of instruction and other educational services to pupils who are enrolled in grade levels other than the grade levels of pupils currently approved for enrollment in the charter school if the expansion of grade levels does not change the kind of school, as defined in NRS 388.020, for which the charter school is authorized to operate. If the proposed amendment complies with the provisions of ~~[this section.]~~ NRS 386.500 to 386.610, inclusive, and sections 26 to ~~35.7~~ 35.5, inclusive, of this act, and any other statute or regulation applicable to charter schools, the sponsor may amend the written charter in accordance with the proposed amendment. If a charter school wishes to expand the instruction and other educational services offered by the charter school to pupils who are enrolled in grade levels other than the grade levels of pupils currently approved for enrollment in the charter school and the expansion of grade levels changes the kind of school, as defined in NRS 388.020, for which the charter school is authorized to operate, the governing body of the charter school must submit a new application to form a charter school. If such an application is approved, the charter school may continue to operate under the same governing body and an additional governing body does not need to be selected to operate the charter school with the expanded grade levels.

7. The State ~~[Board of Charter Schools]~~ Public Charter School Authority shall adopt objective criteria for the issuance of a written charter to an applicant who is not prepared to commence operation on the date of issuance of the written charter. The criteria must include, without limitation, the:

(a) Period for which such a written charter is valid; and

(b) Timelines by which the applicant must satisfy certain requirements demonstrating its progress in preparing to commence operation.

➤ A holder of such a written charter may apply for grants of money to prepare the charter school for operation. A written charter issued pursuant to this subsection

1 must not be designated as a conditional charter or a provisional charter or otherwise
2 contain any other designation that would indicate the charter is issued for a
3 temporary period.

4 8. The holder of a written charter that is issued pursuant to subsection 7 shall
5 not commence operation of the charter school and is not eligible to receive
6 apportionments pursuant to NRS 387.124 until the sponsor has determined that the
7 requirements adopted by the State ~~{Board of Charter Schools}~~ Public Charter
8 School Authority pursuant to subsection 7 have been satisfied and that the facility
9 the charter school will occupy has been inspected and meets the requirements of
10 any applicable building codes, codes for the prevention of fire, and codes pertaining
11 to safety, health and sanitation. Except as otherwise provided in this subsection, the
12 sponsor shall make such a determination 30 days before the first day of school for
13 the:

14 (a) Schools of the school district in which the charter school is located that
15 operate on a traditional school schedule and not a year-round school schedule; or

16 (b) Charter school,
17 ↪ whichever date the sponsor selects. The sponsor shall not require a charter
18 school to demonstrate compliance with the requirements of this subsection more
19 than 30 days before the date selected. However, it may authorize a charter school to
20 demonstrate compliance less than 30 days before the date selected.

21 **Sec. 42.** NRS 386.530 is hereby amended to read as follows:

22 386.530 1. Except as otherwise provided in subsection 2, an application for
23 renewal of a written charter may be submitted to the sponsor of the charter school
24 not less than 120 days before the expiration of the charter. The application must
25 include the information prescribed by the regulations of the ~~{Department}~~ State
26 ~~{Board of Charter Schools}~~ Public Charter School Authority. The sponsor shall
27 conduct an intensive review and evaluation of the charter school in accordance with
28 the regulations of the ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public
29 Charter School Authority. The sponsor shall renew the charter unless it finds the
30 existence of any ground for revocation set forth in NRS 386.535. The sponsor shall
31 provide written notice of its determination not fewer than 30 days before the
32 expiration of the charter. If the sponsor intends not to renew the charter, the written
33 notice must:

34 (a) Include a statement of the deficiencies or reasons upon which the action of
35 the sponsor is based; and

36 (b) Prescribe a period of not less than 30 days during which the charter school
37 may correct any such deficiencies.

38 ↪ If the charter school corrects the deficiencies to the satisfaction of the sponsor
39 within the time prescribed in paragraph (b), the sponsor shall renew the charter of
40 the charter school.

41 2. A charter school may submit an application for renewal of its initial charter
42 after 3 years of operation of the charter school. The application must include the
43 information prescribed by the regulations of the ~~{Department}~~ State ~~{Board of~~
44 ~~Charter Schools}~~ Public Charter School Authority. The sponsor shall conduct an
45 intensive review and evaluation of the charter school in accordance with the
46 regulations of the ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter
47 School Authority. The sponsor shall renew the charter unless it finds the existence
48 of any ground for revocation set forth in NRS 386.535. The sponsor shall provide
49 written notice of its determination. If the sponsor intends not to renew the charter,
50 the written notice must:

51 (a) Include a statement of the deficiencies or reasons upon which the action of
52 the sponsor is based; and

(b) Prescribe a period of not less than 30 days during which the charter school may correct any such deficiencies.

↪ If the charter school corrects the deficiencies to the satisfaction of the sponsor within the time prescribed in paragraph (b), the sponsor shall renew the charter of the charter school.

Sec. 43. NRS 386.540 is hereby amended to read as follows:

386.540 1. ~~1. [The Department]~~ *Subject to the provisions of subsections 3 and 4, the State* ~~[Board of Charter Schools]~~ *Public Charter School Authority* shall adopt regulations that prescribe:

(a) The process for submission of an application by the board of trustees of a school district to the Department for authorization to sponsor charter schools and the contents of the application;

(b) The process for submission of an application to form a charter school to the ~~[Department, the]~~ board of trustees of a school district, the ~~[Subcommittee on]~~ *State* ~~[Board of Charter Schools]~~ *Public Charter School Authority* and a college or university within the Nevada System of Higher Education, and the contents of the application;

(c) The process for submission of an application to renew a written charter; and

(d) The criteria and type of investigation that must be applied by the board of trustees, ~~[the Subcommittee on Charter Schools,]~~ the State ~~[Board of Charter Schools]~~ *Public Charter School Authority* and a college or university within the Nevada System of Higher Education in determining whether to approve an application to form a charter school or an application to renew a written charter.

2. *Subject to the provisions of subsections 3 and 4, the State* ~~[Board of Charter Schools]~~ *Public Charter School Authority* *may adopt regulations as it determines are necessary to carry out the provisions of NRS 386.500 to 386.610, inclusive, and sections 26 to* ~~[35,]~~ *35.5, inclusive, of this act, including, without limitation, regulations that prescribe the:*

(a) *Requirements for performance audits of charter schools on an annual basis for charter schools that do not satisfy the requirements of subsection 1 of NRS 386.5515; and*

(b) *Requirements for performance audits every 3 years for charter schools that satisfy the requirements of subsection 1 of NRS 386.5515.*

3. The Department may adopt regulations *relating to the finances and budgets of charter schools* as it determines are necessary to carry out the provisions of NRS 386.500 to 386.610, inclusive, *and sections 26 to* ~~[35,]~~ *35.5, inclusive, of this act*, including, without limitation, regulations that prescribe the:

(a) Procedures for accounting and budgeting;

(b) Requirements for ~~[performance audits and]~~ financial audits of charter schools on an annual basis for charter schools that do not satisfy the requirements of subsection 1 of NRS 386.5515; and

(c) Requirements for ~~[performance audits every 3 years and]~~ financial audits on an annual basis for charter schools that satisfy the requirements of subsection 1 of NRS 386.5515.

4. *The State Board of Education may disapprove any regulation adopted by the State* ~~[Board of Charter Schools]~~ *Public Charter School Authority if the regulation:*

(a) *Threatens the efficient operation of the public schools in this State; or*

(b) *Creates an undue financial hardship for any charter school in this State.*

↪ *A regulation shall be deemed approved if the State Board of Education does not disapprove the regulation within 45 days after it is adopted by the State* ~~[Board of Charter Schools]~~ *Public Charter School Authority.*

1 **Sec. 44.** NRS 386.547 is hereby amended to read as follows:
2 386.547 The State ~~{Board of Charter Schools}~~ Public Charter School
3 Authority shall:

4 1. Review all statutes and regulations from which charter schools are exempt
5 and determine whether such exemption assisted or impeded the charter schools in
6 achieving their educational goals and objectives.

7 2. Make available information concerning the formation and operation of
8 charter schools in this State to pupils, parents and legal guardians of pupils,
9 teachers and other educational personnel and members of the general public.

10 **Sec. 45.** NRS 386.5515 is hereby amended to read as follows:

11 386.5515 1. To the extent money is available from legislative appropriation
12 or otherwise, a charter school may apply to the Department for money for facilities
13 if:

14 (a) The charter school has been operating in this State for at least 5 consecutive
15 years and is in good financial standing;

16 (b) Each financial audit and each performance audit of the charter school
17 required ~~{by the Department}~~ pursuant to NRS 386.540 contains no major
18 notations, corrections or errors concerning the charter school for at least 5
19 consecutive years;

20 (c) The charter school has met or exceeded adequate yearly progress as
21 determined pursuant to NRS 385.3613 or has demonstrated improvement in the
22 achievement of pupils enrolled in the charter school, as indicated by annual
23 measurable objectives determined by the State Board ~~{of Charter Schools}~~
24 majority of the years of its operation; and

25 (d) ~~{The charter school offers instruction on a daily basis during the school~~
26 ~~week of the charter school on the campus of the charter school; and~~
27 ~~—(e)—~~ At least 75 percent of the pupils enrolled in the charter school who are
28 required to take the high school proficiency examination have passed that
29 examination, if the charter school enrolls pupils at a high school grade level.

30 2. A charter school that satisfies the requirements of subsection 1 shall submit
31 to a performance audit as required by the ~~{Department}~~ State {Board of Charter
32 Schools} Public Charter School Authority one time every 3 years. The sponsor of
33 the charter school and the ~~{Department}~~ regulations of the State {Board of Charter
34 Schools} Public Charter School Authority shall not ~~{request}~~ require a
35 performance audit of the charter school more frequently than every 3 years without
36 reasonable evidence of noncompliance in achieving the educational goals and
37 objectives of the charter school based upon the annual report submitted to the ~~{State~~
38 ~~Board of Charter Schools}~~ Department pursuant to NRS 386.610. If the charter
39 school no longer satisfies the requirements of subsection 1 or if reasonable evidence
40 of noncompliance in achieving the educational goals and objectives of the charter
41 school exists based upon the annual report, the charter school shall, upon written
42 notice from the sponsor, submit to an annual performance audit. Notwithstanding
43 the provisions of paragraph (b) of subsection 1, such a charter school:

44 (a) May, after undergoing the annual performance audit, reapply to the sponsor
45 to determine whether the charter school satisfies the requirements of paragraphs (a),
46 (c), and (d) ~~{and (e)}~~ of subsection 1.

47 (b) Is not eligible for any available money pursuant to subsection 1 until the
48 sponsor determines that the charter school satisfies the requirements of that
49 subsection.

50 3. A charter school that does not satisfy the requirements of subsection 1 shall
51 submit a quarterly report of the financial status of the charter school if requested by
52 the sponsor of the charter school.

1 **Sec. 45.5. NRS 386.560 is hereby amended to read as follows:**

2 386.560 1. The governing body of a charter school may contract with the
3 board of trustees of the school district in which the charter school is located or
4 the Nevada System of Higher Education for the provision of facilities to operate the
5 charter school or to perform any service relating to the operation of the charter
6 school, including, without limitation, transportation, the provision of health services
7 for the pupils who are enrolled in the charter school and the provision of school
8 police officers. **If the board of trustees of a school district or a college or**
9 **university within the Nevada System of Higher Education is the sponsor of the**
10 **charter school, the governing body and the sponsor must enter into a service**
11 **agreement pursuant to section 35.3 of this act before the provision of such**
12 **services.**

13 2. A charter school may use any public facility located within the school
14 district in which the charter school is located. A charter school may use school
15 buildings owned by the school district only upon approval of the board of trustees
16 of the school district and during times that are not regular school hours.

17 3. The board of trustees of a school district may donate surplus personal
18 property of the school district to a charter school that is located within the school
19 district.

20 4. Except as otherwise provided in this subsection, upon the request of a
21 parent or legal guardian of a pupil who is enrolled in a charter school, the board of
22 trustees of the school district in which the pupil resides shall authorize the pupil to
23 participate in a class that is not available to the pupil at the charter school or
24 participate in an extracurricular activity, excluding sports, at a public school within
25 the school district if:

26 (a) Space for the pupil in the class or extracurricular activity is available; and

27 (b) The parent or legal guardian demonstrates to the satisfaction of the board of
28 trustees that the pupil is qualified to participate in the class or extracurricular
29 activity.

30 ➤ If the board of trustees of a school district authorizes a pupil to participate in a
31 class or extracurricular activity, excluding sports, pursuant to this subsection, the
32 board of trustees is not required to provide transportation for the pupil to attend the
33 class or activity. The provisions of this subsection do not apply to a pupil who is
34 enrolled in a charter school and who desires to participate on a part-time basis in a
35 program of distance education provided by the board of trustees of a school district
36 pursuant to NRS 388.820 to 388.874, inclusive. Such a pupil must comply with
37 NRS 388.858.

38 5. Upon the request of a parent or legal guardian of a pupil who is enrolled in
39 a charter school, the board of trustees of the school district in which the pupil
40 resides shall authorize the pupil to participate in sports at the public school that he
41 or she would otherwise be required to attend within the school district, or upon
42 approval of the board of trustees, any public school within the same zone of
43 attendance as the charter school if:

44 (a) Space is available for the pupil to participate; and

45 (b) The parent or legal guardian demonstrates to the satisfaction of the board of
46 trustees that the pupil is qualified to participate.

47 ➤ If the board of trustees of a school district authorizes a pupil to participate in
48 sports pursuant to this subsection, the board of trustees is not required to provide
49 transportation for the pupil to participate.

50 6. The board of trustees of a school district may revoke its approval for a
51 pupil to participate in a class, extracurricular activity or sports at a public school
52 pursuant to subsections 4 and 5 if the board of trustees or the public school
53 determines that the pupil has failed to comply with applicable statutes, or applicable

1 rules and regulations of the board of trustees, the public school or the Nevada
2 Interscholastic Activities Association. If the board of trustees so revokes its
3 approval, neither the board of trustees nor the public school is liable for any
4 damages relating to the denial of services to the pupil.

5 **Sec. 46.** NRS 386.570 is hereby amended to read as follows:

6 386.570 1. Each pupil who is enrolled in a charter school, including,
7 without limitation, a pupil who is enrolled in a program of special education in a
8 charter school, must be included in the count of pupils in the school district for the
9 purposes of apportionments and allowances from the State Distributive School
10 Account pursuant to NRS 387.121 to 387.126, inclusive, unless the pupil is exempt
11 from compulsory attendance pursuant to NRS 392.070. A charter school is entitled
12 to receive its proportionate share of any other money available from federal, state or
13 local sources that the school or the pupils who are enrolled in the school are eligible
14 to receive. If a charter school receives special education program units directly
15 from this State, the amount of money for special education that the school district
16 pays to the charter school may be reduced proportionately by the amount of money
17 the charter school received from this State for that purpose.

18 2. All money received by the charter school from this State or from the board
19 of trustees of a school district must be deposited in an account with a bank, credit
20 union or other financial institution in this State. The governing body of a charter
21 school may negotiate with the board of trustees of the school district and the State
22 Board for additional money to pay for services which the governing body wishes to
23 offer.

24 3. Upon completion of each school quarter, the ~~[sponsor of a charter school~~
25 ~~may request reimbursement from the governing body of the charter school]~~
26 Superintendent of Public Instruction shall pay to the sponsor of a charter school
27 one-quarter of the yearly sponsorship fee for the administrative costs associated
28 with sponsorship for that school quarter ~~[if the sponsor provided administrative~~
29 ~~services during that school quarter. The request must include an itemized list of~~
30 ~~those costs. Unless a delay is granted pursuant to subsection] [9.] [8, upon receipt~~
31 ~~of such a request, the governing body shall pay the reimbursement to the] [board of~~
32 ~~trustees of the school district if the board of trustees sponsors the charter school, to~~
33 ~~the Department if the State Board sponsors the charter school or to the college or~~
34 ~~university within the Nevada System of Higher Education if that institution~~
35 ~~sponsors] [sponsor of the charter school. If a governing body fails to pay the~~
36 ~~reimbursement pursuant to this subsection or pursuant to a plan approved by~~
37 ~~the Superintendent of Public Instruction in accordance with subsection] [9.] [8, the~~
38 ~~charter school shall be deemed to have violated its written charter and the sponsor~~
39 ~~may take such action to revoke the written charter pursuant to NRS 386.535 as it~~
40 ~~deems necessary.] [If the board of trustees of a school district is the sponsor of a~~
41 ~~charter school, the] [The amount of money that may be paid to the sponsor pursuant~~
42 ~~to this subsection for administrative expenses in 1 school year must not exceed] [:~~

43 — (a) For the first year of operation of the charter school, 2 percent of the total
44 amount of money apportioned to the charter school during the year pursuant to
45 NRS 387.124, as adjusted by the final computation of apportionment pursuant to
46 subsection 4 of NRS 387.1243.

47 — (b) For any year after the first year of operation of the charter school, 1 percent
48 of the total amount of money apportioned to the charter school during the year
49 pursuant to NRS 387.124, as adjusted by the final computation of apportionment
50 pursuant to subsection 4 of NRS 387.1243.

51 — 4. If the State Board or a college or university within the Nevada System of
52 Higher Education is the sponsor of a charter school, the amount of money that may

be paid to the Department or to the institution, as applicable, pursuant to subsection 3 for administrative expenses in 1 school year must not exceed:

(a) For the first year of operation of the charter school, 2 percent of the total amount of money apportioned to the charter school during the year pursuant to NRS 387.124, as adjusted by the final computation of apportionment pursuant to subsection 4 of NRS 387.1243.

(b) For any year after the first year of operation of the charter school, 1.5 percent of the total amount of money apportioned to the charter school during the year pursuant to NRS 387.124, as adjusted by the final computation of apportionment pursuant to subsection 4 of NRS 387.1243.

~~5.] 2 percent of the total amount of money apportioned to the charter school during the year pursuant to NRS 387.124.]~~ which must be deducted from the quarterly apportionment to the charter school made pursuant to NRS 387.124. Except as otherwise provided in this subsection, the yearly sponsorship fee for the sponsor of a charter school must be in an amount of money not to exceed 2 percent of the total amount of money apportioned to the charter school during the school year pursuant to NRS 387.124. If the governing body of a charter school satisfies the requirements of this subsection, the governing body may submit a request to the sponsor of the charter school for transmittal to the Superintendent of Public Instruction for approval of a sponsorship fee in an amount that is less than 2 percent but at least 1 percent of the total amount of money apportioned to the charter school during the school year pursuant to NRS 387.124. The Superintendent of Public Instruction shall approve such a request if the Superintendent determines that the charter school satisfies the requirements of this subsection. If the Superintendent of Public Instruction approves such a request, the Superintendent shall provide notice of his or her decision to the governing body of the charter school and the sponsor of the charter school. The governing body of a charter school may submit a request for a reduction of the sponsorship fee if:

(a) The charter school has been operating in this State for at least 3 consecutive years and is in good financial standing;

(b) Each financial audit and each performance audit of the charter school required pursuant to NRS 386.540 contains no major notations, corrections or errors concerning the charter school for at least 3 consecutive years;

(c) The charter school has met or exceeded adequate yearly progress as determined pursuant to NRS 385.3613 or has demonstrated improvement in the achievement of pupils enrolled in the charter school, as indicated by annual measurable objectives determined by the State Board, for the majority of the years of its operation; and

(d) At least 75 percent of the pupils enrolled in the charter school who are required to take the high school proficiency examination have passed that examination, if the charter school enrolls pupils at the high school grade level.

4. To determine the amount of money for distribution to a charter school in its first year of operation, the count of pupils who are enrolled in the charter school must initially be determined 30 days before the beginning of the school year of the school district, based on the number of pupils whose applications for enrollment have been approved by the charter school. The count of pupils who are enrolled in the charter school must be revised on the last day of the first school month of the school district in which the charter school is located for the school year, based on the actual number of pupils who are enrolled in the charter school. Pursuant to subsection 5 of NRS 387.124, the governing body of a charter school may request that the apportionments made to the charter school in its first year of operation be

1 paid to the charter school 30 days before the apportionments are otherwise required
2 to be made.

3 ~~[6.]~~ 5. If a charter school ceases to operate as a charter school during a school
4 year, the remaining apportionments that would have been made to the charter
5 school pursuant to NRS 387.124 for that year must be paid on a proportionate basis
6 to the school districts where the pupils who were enrolled in the charter school
7 reside.

8 ~~[7.]~~ 6. The governing body of a charter school may solicit and accept
9 donations, money, grants, property, loans, personal services or other assistance for
10 purposes relating to education from members of the general public, corporations or
11 agencies. The governing body may comply with applicable federal laws and
12 regulations governing the provision of federal grants for charter schools. The State
13 ~~{Board of Charter Schools}~~ Public Charter School Authority may assist a charter
14 school that operates exclusively for the enrollment of pupils who receive special
15 education in identifying sources of money that may be available from the Federal
16 Government or this State for the provision of educational programs and services to
17 such pupils.

18 ~~[8.]~~ 7. If a charter school uses money received from this State to purchase
19 real property, buildings, equipment or facilities, the governing body of the charter
20 school shall assign a security interest in the property, buildings, equipment and
21 facilities to the State of Nevada.

22 ~~[9.]~~ 8. ~~The governing body of a charter school may submit to the~~
23 ~~Superintendent of Public Instruction a written request to delay a quarterly payment~~
24 ~~of a reimbursement for the administrative costs that a charter school owes pursuant~~
25 ~~to this section. The written request must be in the form prescribed by the~~
26 ~~Superintendent and must include, without limitation, documentation that a financial~~
27 ~~hardship exists for the charter school and a plan for the payment of the~~
28 ~~reimbursement. The Superintendent may approve or deny the request and shall~~
29 ~~notify the governing body and the sponsor of the charter school of the approval or~~
30 ~~denial of the request.]~~

31 **Sec. 47.** NRS 386.576 is hereby amended to read as follows:

32 386.576 1. The Fund for Charter Schools is hereby created in the State
33 Treasury as a revolving loan fund, to be administered by the ~~{Department}~~ State
34 ~~{Board of Charter Schools}~~ Public Charter School Authority.

35 2. The money in the revolving fund must be invested as other state funds are
36 invested. All interest and income earned on the money in the revolving fund must
37 be credited to the revolving fund. Any money remaining in the revolving fund at
38 the end of a fiscal year does not revert to the State General Fund, and the balance in
39 the Fund must be carried forward.

40 3. All payments of principal and interest on all the loans made to a charter
41 school from the revolving fund must be deposited in the State Treasury for credit to
42 the revolving fund.

43 4. Claims against the revolving fund must be paid as other claims against the
44 State are paid.

45 5. The ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter
46 School Authority may accept gifts, grants, bequests and donations from any source
47 for deposit in the revolving fund.

48 **Sec. 48.** NRS 386.577 is hereby amended to read as follows:

49 386.577 1. After deducting the costs directly related to administering the
50 Fund for Charter Schools, the ~~{Department}~~ State ~~{Board of Charter Schools}~~
51 Public Charter School Authority may use the money in the Fund for Charter
52 Schools, including repayments of principal and interest on loans made from the

Fund, and interest and income earned on money in the Fund, only to make loans at or below market rate to charter schools for the costs incurred:

- (a) In preparing a charter school to commence its first year of operation; and
- (b) To improve a charter school that has been in operation.

2. The total amount of a loan that may be made to a charter school in 1 year must not exceed \$25,000.

Sec. 49. NRS 386.578 is hereby amended to read as follows:

386.578 1. If the governing body of a charter school has a written charter issued pursuant to NRS 386.527, the governing body may submit an application to the ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter School Authority for a loan from the Fund for Charter Schools. An application must include a written description of the manner in which the loan will be used to prepare the charter school for its first year of operation or to improve a charter school that has been in operation.

2. The ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter School Authority shall, within the limits of money available for use in the Fund, make loans to charter schools whose applications have been approved. If the ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter School Authority makes a loan from the Fund, the ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter School Authority shall ensure that the contract for the loan includes all terms and conditions for repayment of the loan.

3. ~~{The}~~ Subject to the provisions of subsection 3 of NRS 386.540, the State ~~{Board}~~ ~~{ }~~ ~~{of Charter Schools}~~ Public Charter School Authority:

(a) Shall adopt regulations that prescribe the:

(1) Annual deadline for submission of an application to the ~~{Department}~~ State ~~{Board of Charter Schools}~~ Public Charter School Authority by a charter school that desires to receive a loan from the Fund; and

(2) Period for repayment and the rate of interest for loans made from the Fund.

(b) May adopt such other regulations as it deems necessary to carry out the provisions of this section and NRS 386.576 and 386.577.

Sec. 50. NRS 386.605 is hereby amended to read as follows:

386.605 1. On or before July 15 of each year, the governing body of a charter school shall submit the information concerning the charter school that is required pursuant to ~~{subsection} [2] {2 of}~~ NRS 385.347 to ~~{the board of trustees of the school district in which the charter school is located} { }~~

~~—(a) If the charter school is sponsored by the board of trustees of a school district or a college or university within the Nevada System of Higher Education, the sponsor of the charter school, which shall forward the information to the State Board of Charter Schools in a timely manner; or~~

~~—(b) If the charter school is sponsored by the State Board of Charter Schools, the State Board of Charter Schools,~~

~~—{ the sponsor of the charter school }~~ for inclusion in the report ~~{of the} {school district} {State Board of Charter Schools} required~~ pursuant to that section. The information must be submitted ~~{by the charter school}~~ in a format prescribed by the ~~{board of trustees} State ~~{Board of Charter Schools}~~ Public Charter School Authority.~~

2. The Legislative Bureau of Educational Accountability and Program Evaluation created pursuant to NRS 218E.625 may authorize a person or entity with whom it contracts pursuant to NRS 385.359 to review and analyze information submitted ~~{by charter schools}~~ pursuant to this section and pursuant to NRS 385.357, 385.3745 or 385.3746, whichever is applicable for the school, consult with ~~the {State Board of Charter Schools}~~ sponsors of the charter schools and the

governing bodies of charter schools and submit written reports concerning charter schools pursuant to NRS 385.359.

Sec. 51. NRS 386.610 is hereby amended to read as follows:

386.610 1. On or before August 15 of each year, ~~[if the] [State Board, the] [board of trustees of a school district or a college or university within the Nevada System of Higher Education sponsors a charter school,] [the Department,] [the board of trustees or the institution, as applicable,]~~ the sponsor of a charter school shall submit a written report to the ~~[State Board]~~ [] of Charter Schools, Department. The written report must include:

(a) An evaluation of the progress of each charter school ~~[sponsored by the] [State Board, the] [board of trustees or the institution, as applicable,]~~ that it sponsors in achieving ~~its~~ the educational goals and objectives ~~[] of the charter school.~~

(b) A description of all administrative support and services provided by the ~~[Department, the] [school district or the institution, as applicable,]~~ sponsor to the charter school ~~[]~~ , including, without limitation, an itemized accounting for the costs of the support and services.

(c) An identification of each charter school approved by the sponsor:

(1) Which has not opened and the scheduled time for opening, if any;

(2) Which is open and in operation;

(3) Which has transferred sponsorship;

(4) Whose written charter has been revoked by the sponsor;

(5) Whose written charter has not been renewed by the sponsor; and

(6) Which has voluntarily ceased operation.

(d) A description of the strategic vision of the sponsor for the charter schools that it sponsors and the progress of the sponsor in achieving that vision.

(e) A description of the services provided by the sponsor pursuant to a service agreement entered into with the governing body of the charter school pursuant to section 35.3 of this act, including an itemized accounting of the actual costs of those services.

2. The governing body of a charter school shall, after 3 years of operation under its initial charter, submit a written report to the sponsor of the charter school. The written report must include a description of the progress of the charter school in achieving its educational goals and objectives. If the charter school submits an application for renewal in accordance with the regulations of the ~~[Department,] State [Board of Charter Schools,] Public Charter School Authority,~~ the sponsor may renew the written charter of the school pursuant to subsection 2 of NRS 386.530.

Sec. 52. NRS 386.650 is hereby amended to read as follows:

386.650 1. The Department shall establish and maintain an automated system of accountability information for Nevada. The system must:

(a) Have the capacity to provide and report information, including, without limitation, the results of the achievement of pupils:

(1) In the manner required by 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, and NRS 385.3469 and 385.347; and

(2) In a separate reporting for each group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361;

(b) Include a system of unique identification for each pupil:

(1) To ensure that individual pupils may be tracked over time throughout this State; and

(2) That, to the extent practicable, may be used for purposes of identifying a pupil for both the public schools and the Nevada System of Higher Education, if that pupil enrolls in the System after graduation from high school;

(c) Have the capacity to provide longitudinal comparisons of the academic achievement, rate of attendance and rate of graduation of pupils over time throughout this State;

(d) Have the capacity to perform a variety of longitudinal analyses of the results of individual pupils on assessments, including, without limitation, the results of pupils by classroom and by school;

(e) Have the capacity to identify which teachers are assigned to individual pupils and which paraprofessionals, if any, are assigned to provide services to individual pupils;

(f) Have the capacity to provide other information concerning schools and school districts that is not linked to individual pupils, including, without limitation, the designation of schools and school districts pursuant to NRS 385.3623 and 385.377, respectively, and an identification of which schools, if any, are persistently dangerous;

(g) Have the capacity to access financial accountability information for each public school, including, without limitation, each charter school, for each school district and for this State as a whole; and

(h) Be designed to improve the ability of the Department, ~~the [State Board of Charter Schools]~~ sponsors of charter schools, ~~the~~ school districts and the public schools in this State, including, without limitation, charter schools, to account for the pupils who are enrolled in the public schools, including, without limitation, charter schools.

➤ The information maintained pursuant to paragraphs (c), (d) and (e) must be used for the purpose of improving the achievement of pupils and improving classroom instruction. The information must be considered, but must not be used as the sole criterion, in evaluating the performance of or taking disciplinary action against an individual teacher, paraprofessional or other employee.

2. The board of trustees of each school district shall:

(a) Adopt and maintain the program prescribed by the Superintendent of Public Instruction pursuant to subsection 3 for the collection, maintenance and transfer of data from the records of individual pupils to the automated system of information, including, without limitation, the development of plans for the educational technology which is necessary to adopt and maintain the program;

(b) Provide to the Department electronic data concerning pupils as required by the Superintendent of Public Instruction pursuant to subsection 3; and

(c) Ensure that an electronic record is maintained in accordance with subsection 3 of NRS 386.655.

3. The Superintendent of Public Instruction shall:

(a) Prescribe a uniform program throughout this State for the collection, maintenance and transfer of data that each school district must adopt, which must include standardized software;

(b) Prescribe the data to be collected and reported to the Department by each school district and each sponsor of a charter school pursuant to subsection 2 and by each university school for profoundly gifted pupils;

(c) Prescribe the format for the data;

(d) Prescribe the date by which each school district shall report the data to the Department;

(e) Prescribe the date by which each charter school shall report the data to the sponsor of the charter school;

(f) Prescribe the date by which each university school for profoundly gifted pupils shall report the data to the Department;

(g) Prescribe standardized codes for all data elements used within the automated system and all exchanges of data within the automated system, including, without limitation, data concerning:

- (1) Individual pupils;
- (2) Individual teachers and paraprofessionals;
- (3) Individual schools and school districts; and
- (4) Programs and financial information;

(h) Provide technical assistance to each school district to ensure that the data from each public school in the school district, including, without limitation, each charter school and university school for profoundly gifted pupils located within the school district, is compatible with the automated system of information and comparable to the data reported by other school districts; and

(i) Provide for the analysis and reporting of the data in the automated system of information.

4. The Department shall establish, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, a mechanism by which persons or entities, including, without limitation, state officers who are members of the Executive or Legislative Branch, administrators of public schools and school districts, teachers and other educational personnel, and parents and guardians, will have different types of access to the accountability information contained within the automated system to the extent that such information is necessary for the performance of a duty or to the extent that such information may be made available to the general public without posing a threat to the confidentiality of an individual pupil.

5. The Department may, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, enter into an agreement with the Nevada System of Higher Education to provide access to data contained within the automated system for research purposes.

Sec. 53. NRS 387.124 is hereby amended to read as follows:

387.124 Except as otherwise provided in this section and NRS 387.528:

1. On or before August 1, November 1, February 1 and May 1 of each year, the Superintendent of Public Instruction shall apportion the State Distributive School Account in the State General Fund among the several county school districts, charter schools and university schools for profoundly gifted pupils in amounts approximating one-fourth of their respective yearly apportionments less any amount set aside as a reserve. The apportionment to a school district, computed on a yearly basis, equals the difference between the basic support and the local funds available pursuant to NRS 387.1235, minus all the funds attributable to pupils who reside in the county but attend a charter school, all the funds attributable to pupils who reside in the county and are enrolled full-time or part-time in a program of distance education provided by another school district or a charter school and all the funds attributable to pupils who are enrolled in a university school for profoundly gifted pupils located in the county. No apportionment may be made to a school district if the amount of the local funds exceeds the amount of basic support.

2. Except as otherwise provided in subsection 3, the apportionment to a charter school, computed on a yearly basis, is equal to the sum of the basic support per pupil in the county in which the pupil resides plus the amount of local funds available per pupil pursuant to NRS 387.1235 and all other funds available for public schools in the county in which the pupil resides minus the sponsorship fee prescribed by NRS 386.570 and minus all the funds attributable to pupils who are enrolled in the charter school but are concurrently enrolled part-time in a program of distance education provided by a school district or another charter school. If the

1 apportionment per pupil to a charter school is more than the amount to be
2 apportioned to the school district in which a pupil who is enrolled in the charter
3 school resides, the school district in which the pupil resides shall pay the difference
4 directly to the charter school.

5 3. The apportionment to a charter school that is sponsored by the State ~~Board~~
6 ~~of Charter Schools~~ Public Charter School Authority or by a college or university
7 within the Nevada System of Higher Education, computed on a yearly basis, is
8 equal to the sum of the basic support per pupil in the county in which the pupil
9 resides plus the amount of local funds available per pupil pursuant to NRS
10 387.1235 and all other funds available for public schools in the county in which the
11 pupil resides, minus the sponsorship fee prescribed by NRS 386.570 and minus all
12 funds attributable to pupils who are enrolled in the charter school but are
13 concurrently enrolled part-time in a program of distance education provided by a
14 school district or another charter school.

15 4. In addition to the apportionments made pursuant to this section, an
16 apportionment must be made to a school district or charter school that provides a
17 program of distance education for each pupil who is enrolled part-time in the
18 program. The amount of the apportionment must be equal to the percentage of the
19 total time services are provided to the pupil through the program of distance
20 education per school day in proportion to the total time services are provided during
21 a school day to pupils who are counted pursuant to subparagraph (2) of paragraph
22 (a) of subsection 1 of NRS 387.1233 for the school district in which the pupil
23 resides.

24 5. The governing body of a charter school may submit a written request to the
25 Superintendent of Public Instruction to receive, in the first year of operation of the
26 charter school, an apportionment 30 days before the apportionment is required to be
27 made pursuant to subsection 1. Upon receipt of such a request, the Superintendent
28 of Public Instruction may make the apportionment 30 days before the
29 apportionment is required to be made. A charter school may receive all four
30 apportionments in advance in its first year of operation.

31 6. The apportionment to a university school for profoundly gifted pupils,
32 computed on a yearly basis, is equal to the sum of the basic support per pupil in the
33 county in which the university school is located plus the amount of local funds
34 available per pupil pursuant to NRS 387.1235 and all other funds available for
35 public schools in the county in which the university school is located. If the
36 apportionment per pupil to a university school for profoundly gifted pupils is more
37 than the amount to be apportioned to the school district in which the university
38 school is located, the school district shall pay the difference directly to the
39 university school. The governing body of a university school for profoundly gifted
40 pupils may submit a written request to the Superintendent of Public Instruction to
41 receive, in the first year of operation of the university school, an apportionment 30
42 days before the apportionment is required to be made pursuant to subsection 1.
43 Upon receipt of such a request, the Superintendent of Public Instruction may make
44 the apportionment 30 days before the apportionment is required to be made. A
45 university school for profoundly gifted pupils may receive all four apportionments
46 in advance in its first year of operation.

47 7. The Superintendent of Public Instruction shall apportion, on or before
48 August 1 of each year, the money designated as the "Nutrition State Match"
49 pursuant to NRS 387.105 to those school districts that participate in the National
50 School Lunch Program, 42 U.S.C. §§ 1751 et seq. The apportionment to a school
51 district must be directly related to the district's reimbursements for the Program as
52 compared with the total amount of reimbursements for all school districts in this
53 State that participate in the Program.

8. If the State Controller finds that such an action is needed to maintain the balance in the State General Fund at a level sufficient to pay the other appropriations from it, the State Controller may pay out the apportionments monthly, each approximately one-twelfth of the yearly apportionment less any amount set aside as a reserve. If such action is needed, the State Controller shall submit a report to the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau documenting reasons for the action.

Sec. 54. NRS 388.795 is hereby amended to read as follows:

388.795 1. The Commission shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the Commission shall consider:

(a) Plans that have been adopted by the Department and the school districts in this State;

(b) Plans that have been adopted in other states;

(c) The information reported pursuant to paragraph (t) of subsection 2 of NRS 385.347 ~~and similar information included in the annual report of accountability information prepared by the State Board of Charter Schools~~ Public Charter School Authority and a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385.347;

(d) The results of the assessment of needs conducted pursuant to subsection 6; and

(e) Any other information that the Commission or the Committee deems relevant to the preparation of the plan.

2. The plan established by the Commission must include recommendations for methods to:

(a) Incorporate educational technology into the public schools of this State;

(b) Increase the number of pupils in the public schools of this State who have access to educational technology;

(c) Increase the availability of educational technology to assist licensed teachers and other educational personnel in complying with the requirements of continuing education, including, without limitation, the receipt of credit for college courses completed through the use of educational technology;

(d) Facilitate the exchange of ideas to improve the achievement of pupils who are enrolled in the public schools of this State; and

(e) Address the needs of teachers in incorporating the use of educational technology in the classroom, including, without limitation, the completion of training that is sufficient to enable the teachers to instruct pupils in the use of educational technology.

3. The Department shall provide:

(a) Administrative support;

(b) Equipment; and

(c) Office space,

as is necessary for the Commission to carry out the provisions of this section.

4. The following entities shall cooperate with the Commission in carrying out the provisions of this section:

(a) The State Board.

(b) The board of trustees of each school district.

(c) The superintendent of schools of each school district.

(d) The Department.

5. The Commission shall:

(a) Develop technical standards for educational technology and any electrical or structural appurtenances necessary thereto, including, without limitation,

uniform specifications for computer hardware and wiring, to ensure that such technology is compatible, uniform and can be interconnected throughout the public schools of this State.

(b) Allocate money to the school districts from the Trust Fund for Educational Technology created pursuant to NRS 388.800 and any money appropriated by the Legislature for educational technology, subject to any priorities for such allocation established by the Legislature.

(c) Establish criteria for the board of trustees of a school district that receives an allocation of money from the Commission to:

(1) Repair, replace and maintain computer systems.

(2) Upgrade and improve computer hardware and software and other educational technology.

(3) Provide training, installation and technical support related to the use of educational technology within the district.

(d) Submit to the Governor, the Committee and the Department its plan for the use of educational technology in the public schools of this State and any recommendations for legislation.

(e) Review the plan annually and make revisions as it deems necessary or as directed by the Committee or the Department.

(f) In addition to the recommendations set forth in the plan pursuant to subsection 2, make further recommendations to the Committee and the Department as the Commission deems necessary.

6. During the spring semester of each even-numbered school year, the Commission shall conduct an assessment of the needs of each school district relating to educational technology. In conducting the assessment, the Commission shall consider:

(a) The recommendations set forth in the plan pursuant to subsection 2;

(b) The plan for educational technology of each school district, if applicable;

(c) Evaluations of educational technology conducted for the State or for a school district, if applicable; and

(d) Any other information deemed relevant by the Commission.

➤ The Commission shall submit a final written report of the assessment to the Superintendent of Public Instruction on or before April 1 of each even-numbered year.

7. The Superintendent of Public Instruction shall prepare a written compilation of the results of the assessment conducted by the Commission and transmit the written compilation on or before June 1 of each even-numbered year to the Legislative Committee on Education and to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.

8. The Commission may appoint an advisory committee composed of members of the Commission or other qualified persons to provide recommendations to the Commission regarding standards for the establishment, coordination and use of a telecommunications network in the public schools throughout the various school districts in this State. The advisory committee serves at the pleasure of the Commission and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

9. As used in this section, "public school" includes the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS.

Sec. 55. NRS 392.128 is hereby amended to read as follows:

392.128 1. Each advisory board to review school attendance created pursuant to NRS 392.126 shall:

(a) Review the records of the attendance and truancy of pupils submitted to the advisory board to review school attendance by the board of trustees of the school district ~~or the State Board of Charter Schools~~ Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection ~~7~~ 8 of NRS 385.347;

(b) Identify factors that contribute to the truancy of pupils in the school district;

(c) Establish programs to reduce the truancy of pupils in the school district, including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;

(d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and

(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the district of the policies and procedures adopted pursuant to the provisions of this section.

2. The chair of an advisory board may divide the advisory board into subcommittees. The advisory board may delegate one or more of the duties of the advisory board to a subcommittee of the advisory board, including, without limitation, holding hearings pursuant to NRS 392.147. If the chair of an advisory board divides the advisory board into subcommittees, the chair shall notify the board of trustees of the school district of this action. Upon receipt of such a notice, the board of trustees shall establish rules and procedures for each such subcommittee. A subcommittee shall abide by the applicable rules and procedures when it takes action or makes decisions.

3. An advisory board to review school attendance may work with a family resource center or other provider of community services to provide assistance to pupils who are truant. The advisory board shall identify areas within the school district in which community services are not available to assist pupils who are truant. As used in this subsection, "family resource center" has the meaning ascribed to it in NRS 430A.040.

4. An advisory board to review school attendance created in a county pursuant to NRS 392.126 may use money appropriated by the Legislature and any other money made available to the advisory board for the use of programs to reduce the truancy of pupils in the school district. The advisory board to review school attendance shall, on a quarterly basis, provide to the board of trustees of the school district an accounting of the money used by the advisory board to review school attendance to reduce the truancy of pupils in the school district.

Sec. 56. NRS 218E.615 is hereby amended to read as follows:
218E.615 1. The Committee may:

(a) Evaluate, review and comment upon issues related to education within this State, including, but not limited to:

(1) Programs to enhance accountability in education;

(2) Legislative measures regarding education;

(3) The progress made by this State, the school districts and the public schools in this State in satisfying the goals and objectives of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and the annual measurable objectives established by the State Board of Education pursuant to NRS 385.361;

(4) Methods of financing public education;

(5) The condition of public education in the elementary and secondary schools;

(6) The program to reduce the ratio of pupils per class per licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

(7) The development of any programs to automate the receipt, storage and retrieval of the educational records of pupils; and

(8) Any other matters that, in the determination of the Committee, affect the education of pupils within this State.

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section.

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee.

(d) Make recommendations to the Legislature concerning the manner in which public education may be improved.

2. The Committee shall:

(a) In addition to any standards prescribed by the Department of Education, prescribe standards for the review and evaluation of the reports of the State Board of Education, ~~State Board of Charter Schools,~~ Public Charter School Authority, school districts and public schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

(b) For the purposes set forth in NRS 385.389, recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to NRS 385.384. In recommending providers, the Committee shall consider providers with a demonstrated record of effectiveness in improving the academic achievement of pupils.

(d) For the purposes set forth in NRS 385.3785, recommend to the Commission on Educational Excellence created by NRS 385.3784 programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

Sec. 57. NRS 386.507 ~~and~~ and 386.508 are hereby repealed.

Sec. 58. The Department of Education shall, on or before October 1, 2011, transfer to the Account for the State ~~Board of Charter Schools,~~ Public Charter School Authority created by section 35 of this act any unexpended money collected by the Department pursuant to NRS 386.570 for reimbursement of the administrative costs associated with sponsorship of charter schools sponsored by the State Board of Education.

Sec. 59. Notwithstanding the provisions of section 31 of this act to the contrary, on October 1, 2011, the Governor shall appoint a Director of the State ~~Board of Charter Schools,~~ Public Charter School Authority to a term of 3 years. The Director appointed by the Governor must have a demonstrated understanding of charter schools and a commitment to using charter schools as a way to strengthen public education in this State. Upon the expiration of the term of the Director or if a vacancy occurs before the expiration of the term, the State ~~Board of Charter Schools,~~ Public Charter School Authority shall appoint the Director in accordance with section 31 of this act.

Sec. 60. 1. To assist the State ~~Board of Charter Schools,~~ Public Charter School Authority created by section ~~29~~ 28.5 of this act in carrying out its duties and responsibilities, the Director of the State ~~Board of Charter Schools,~~ Public Charter School Authority shall, on or before January 1, 2012:

(a) Hire an administrative assistant and an accounting assistant; and

(b) Hire an educational consultant.

2. On January 1, 2012, one management analyst position in the Department of Education with job duties and responsibilities that relate to charter schools must be transferred to the State ~~[Board of Charter Schools]~~ Public Charter School Authority.

Sec. 61. On or before January 1, 2012, the members of the State ~~[Board of Charter Schools]~~ Public Charter School Authority created by section ~~[29]~~ 28.5 of this act shall be appointed to terms commencing on January 1, 2012, as follows:

1. One member appointed by the Governor to a term that expires on June 30, 2013.

2. One member appointed by the Governor to a term that expires on June 30, 2015.

3. One member appointed by the Majority Leader of the Senate to a term that expires on June 30, 2013.

4. One member appointed by the Majority Leader of the Senate to a term that expires on June 30, 2015.

5. One member appointed by the Speaker of the Assembly to a term that expires on June 30, 2013.

6. One member appointed by the Speaker of the Assembly to a term that expires on June 30, 2015.

7. One member must be appointed by an association of charter schools to a term that expires on June 30, 2015. For the initial selection pursuant to this subsection, the Superintendent of Public Instruction shall designate the association of charter schools that is authorized to appoint a member of the State ~~[Board of Charter Schools]~~ Public Charter School Authority.

Sec. 62. The Legislative Counsel shall, in preparing the reprint and supplement to the Nevada Revised Statutes with respect to any section which is not amended by this act or is adopted or amended by another act, appropriately change any reference to an officer or agency whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate officer or agency. If any internal reference is made to a section repealed by this act, the Legislative Counsel shall delete the reference and replace it by reference to the superseding section, if any.

Sec. 63. Any regulations adopted by the Department of Education or the State Board of Education pursuant to NRS 386.500 to 386.610, inclusive, before January 1, 2012, remain in effect and may be enforced by the State ~~[Board of Charter Schools]~~ Public Charter School Authority created by section ~~[29]~~ 28.5 of this act until the State ~~[Board of Charter Schools]~~ Public Charter School Authority adopts regulations to repeal or replace those regulations.

Sec. 64. A charter school that is approved to operate as a charter school sponsored by the State Board of Education before January 1, 2012, shall be deemed to be sponsored by the State ~~[Board of Charter Schools]~~ Public Charter School Authority created pursuant to section 28.5 of this act commencing on January 1, 2012, and the written charter of the charter school shall remain in effect until the expiration of the written charter, unless the written charter is revoked by the State ~~[Board of Charter Schools]~~ Public Charter School Authority pursuant to NRS 386.535. Before expiration of the written charter, such a charter school may apply to the State ~~[Board of Charter Schools]~~ Public Charter School Authority for renewal of its written charter pursuant to NRS 386.530.

Sec. 65. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2011, for all other purposes.

TEXT OF REPEALED ~~[SECTION]~~ SECTIONS

386.507 Subcommittee on Charter Schools: Appointment of members; terms. The Subcommittee on Charter Schools of the State Board is hereby created. The President of the State Board shall appoint three members of the State Board to serve on the Subcommittee. Except as otherwise provided in this section, the members of the Subcommittee serve terms of 2 years. If a member is not reelected to the State Board during his or her service on the Subcommittee, the term of the member on the Subcommittee expires when his or her membership on the State Board expires. Members of the Subcommittee may be reappointed.

386.508 Charter School District for State Board-Sponsored Charter Schools and Nevada System of Higher Education-Sponsored Charter Schools. There is hereby created a school district to be designated as the Charter School District for State Board-Sponsored Charter Schools and Nevada System of Higher Education-Sponsored Charter Schools. The School District comprises only those charter schools that are sponsored by the State Board or sponsored by a college or university within the Nevada System of Higher Education. The State Board is hereby deemed the Board of Trustees of the School District. The School District is created for the sole purpose of providing local educational agency status to the School District for purposes of federal law governing charter schools.