

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; prescribing the membership, duties and powers of the State Board of Charter Schools; 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** of this bill create the State Board of Charter Schools and prescribe the membership of the State Board of Charter Schools. **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 to sponsor charter schools. **Sections 43 and 49** of this bill authorize the State Board of Charter Schools to adopt certain regulations relating to charter schools and eliminates 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 charter schools in this State from the board of trustees of a school district to the State Board of Charter Schools. **Sections 59 and 60** of this bill require the Director of the State Board of Charter Schools and other persons employed by the State Board of Charter Schools to be appointed or hired, as appropriate. **Section 61** of this bill requires the members of the State Board of Charter Schools 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.

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



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

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

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

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

3. The State Board shall, and *the State Board of Charter Schools*, each board of trustees of a local school district, the governing body of each charter school and any other school officer may, advise the 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 in 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. 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 . ~~[, including, without limitation, each charter school in 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 in 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 in the district,]~~ with the results of pupils throughout



1 this State. The information required by this subparagraph must be
2 provided in consultation with the Department to ensure the accuracy
3 of the comparison.

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

11 (10) Information on whether each school in the district ~~[~~
12 ~~including, without limitation, each charter school in the district,]~~ has
13 made progress based upon the model adopted by the Department
14 pursuant to NRS 385.3595.

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

22 (c) The ratio of pupils to teachers in kindergarten and at each
23 grade level for each elementary school in the district and the district
24 as a whole ~~[, including, without limitation, each charter school in the~~
25 ~~district,]~~ and the average class size for each core academic subject,
26 as set forth in NRS 389.018, for each secondary school in the
27 district and the district as a whole . ~~[, including, without limitation,~~
28 ~~each charter school in the district,]~~

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

33 (1) The percentage of teachers who are:

34 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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



1 teachers, in the aggregate and disaggregated by high-poverty
2 compared to low-poverty schools, which for the purposes of this
3 subparagraph means schools in the top quartile of poverty and the
4 bottom quartile of poverty in this State;

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

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

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

18 (5) For each elementary school:

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

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

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

38 (f) The curriculum used by the school district, including ~~{:~~
39 ~~— (1) Any}~~ **any** special programs for pupils at an individual
40 school . ~~{; and~~

41 ~~— (2) The curriculum used by each charter school in the~~
42 ~~district.}~~

43 (g) Records of the attendance and truancy of pupils in all grades,
44 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 in the district.]~~

(2) For each elementary school, middle school and junior high school in the district, ~~[including, without limitation, each charter school in 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 in the district.]~~

(j) Efforts made by the school district and by each school in the district ~~[, including, without limitation, each charter school in 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 . ~~[, including, without limitation, each charter school in the district.]~~

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

(p) The transiency rate of pupils for each school in the district and the district as a whole . ~~[, including, without limitation, each charter school in 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 . ~~[, 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 . ~~[, including, without limitation, each charter school in 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 in 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,]~~ 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 in 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 in 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 NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each school in the district and for the district as a whole.

(x) The amount and sources of money received for the training and professional development of teachers and other educational personnel for each school in the district and for the district as a whole . ~~[, including, without limitation, each charter school in the district,]~~

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

(z) Information on whether each public school in the district ~~[, including, without limitation, each charter school in the district,]~~ has made adequate yearly progress, including, without limitation:

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

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

(aa) Information on the paraprofessionals employed by each public school in the district . ~~[, including, without limitation, each charter school in the district,]~~ The information must include:

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

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

(bb) For each high school in the district, ~~[including, without limitation, each charter school that operates as a high school,]~~ information that provides a comparison of the rate of graduation of pupils enrolled in the high school with the rate of graduation of



1 pupils throughout the district and throughout this State. The
2 information required by this paragraph must be provided in
3 consultation with the Department to ensure the accuracy of the
4 comparison.

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

9 (dd) For each school in the district and the district as a whole,
10 ~~including, without limitation, each charter school in the district,~~
11 information on pupils enrolled in career and technical education,
12 including, without limitation:

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

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

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

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

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

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

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

32 3. *The State Board of Charter Schools shall, on or before*
33 *August 15 of each year, prepare an annual report of*
34 *accountability of charter schools in this State concerning the*
35 *accountability information prescribed by the Department pursuant*
36 *to this section. The Department shall prescribe by regulation the*
37 *information that must be prepared by the State Board of Charter*
38 *Schools, which must include, without limitation, the information*
39 *contained in paragraphs (a) to (ee), inclusive, of subsection 2, as*
40 *applicable to charter schools.*

41 4. The records of attendance maintained by a school for
42 purposes of paragraph (i) of subsection 2 *or maintained by a*
43 *charter school for purposes of the reporting required pursuant to*
44 *subsection 3* must include the number of teachers who are in
45 attendance at school and the number of teachers who are absent



1 from school. A teacher shall be deemed in attendance if the teacher
2 is excused from being present in the classroom by the school in
3 which the teacher is employed for one of the following reasons:

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

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

8 ~~[4-]~~ 5. The annual report of accountability prepared pursuant
9 to subsection 2 *or 3, as applicable*, must:

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

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

15 ~~[5-]~~ 6. The Superintendent of Public Instruction shall:

16 (a) Prescribe forms for the reports required pursuant to
17 ~~[subsection 2]~~ *subsections 2 and 3* and provide the forms to the
18 respective school districts ~~[]~~ *and the State Board of Charter*
19 *Schools*.

20 (b) Provide statistical information and technical assistance to the
21 school districts *and the State Board of Charter Schools* to ensure
22 that the reports provide comparable information with respect to each
23 school in each district, *each charter school* and among the districts
24 *and charter schools* throughout this State.

25 (c) Consult with a representative of the:

26 (1) Nevada State Education Association;

27 (2) Nevada Association of School Boards;

28 (3) Nevada Association of School Administrators;

29 (4) Nevada Parent Teacher Association;

30 (5) Budget Division of the Department of Administration;

31 and

32 (6) Legislative Counsel Bureau,

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

36 ~~[6-]~~ 7. The Superintendent of Public Instruction may consult
37 with representatives of parent groups other than the Nevada Parent
38 Teacher Association concerning the program and consider any
39 advice or recommendations submitted by the representatives with
40 respect to the program.

41 ~~[7-]~~ 8. On or before August 15 of each year ~~[, the]~~ :

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



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~~[8.]~~ (b) *The State Board of Charter Schools 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 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 board of trustees of each school district *and the State Board of Charter Schools* shall:

(a) 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 ~~[.]~~ *or the State Board of Charter Schools*, 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 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 ~~[.]~~ *or the State Board of Charter Schools*, 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 in the district,]~~ the residents of the district ~~[.]~~ and the parents and guardians of pupils enrolled in schools in the district . ~~[, including, without limitation, each charter school in the district.~~

~~—9.]~~ *If the State Board of Charter Schools does not maintain a website, the State Board of Charter Schools shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school in this State and the parents and guardians of pupils enrolled in each charter school.*

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 *or the State Board of Charter Schools, 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* 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, 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;*

(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~~ *and the State Board of Charter Schools*, prescribe a form that contains the basic information required by subsection 1. The board of trustees of a school district *or the State Board of Charter Schools* 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* 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 ~~and~~ *or charter schools, as applicable.*



(b) Provide for the public dissemination of the summary *of the school district or the State Board of Charter Schools, as applicable*, by posting a copy of the summary on the Internet website maintained by the school district ~~or~~ *or the State Board of Charter Schools*, if any. If a school district *or the State Board of Charter Schools* does not maintain a website, the district *or the State Board of Charter Schools, 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* 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 ~~or~~ *or the State Board of Charter Schools*, if any. Upon the request of a parent or legal guardian, the school district *or the State Board of Charter Schools, 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



1 who are enrolled in the school will make adequate yearly progress
2 and meet the minimum level of proficiency prescribed by the State
3 Board.

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

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

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

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

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

25 (I) The curriculum appropriate to improve achievement;

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

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

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

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

37 (4) Manage effectively the discipline of pupils; and

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

43 (i) An identification, by category, of the employees of the school
44 who are responsible for ensuring that the plan is carried out
45 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 pupils, increasing the rate of attendance of pupils and reducing the number of pupils who drop out of school.

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

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

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

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

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

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

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

5. If a school has been designated as demonstrating need for improvement pursuant to NRS 385.3623 and a support team has been established for the school, the support team shall review the plan and make revisions to the most recent plan for improvement of



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1 the school pursuant to NRS 385.36127. If the school is a Title I
2 school that has been designated as demonstrating need for
3 improvement, the support team established for the school shall, in
4 making revisions to the plan, work in consultation with parents and
5 guardians of pupils enrolled in the school and, to the extent deemed
6 appropriate by the entity responsible for creating the support team,
7 outside experts.

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

11 (a) If the school is a public school of the school district, the
12 superintendent of schools of the school district.

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

15 7. If a Title I school is designated as demonstrating need for
16 improvement pursuant to NRS 385.3623, the superintendent of
17 schools of the school district or the governing body, as applicable,
18 shall carry out a process for peer review of the plan or the revised
19 plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E)
20 and the regulations adopted pursuant thereto. Not later than 45 days
21 after receipt of the plan, the superintendent of schools of the school
22 district or the governing body, as applicable, shall approve the plan
23 or the revised plan, as applicable, if it meets the requirements of 20
24 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto
25 and the requirements of this section. The superintendent of schools
26 of the school district or the governing body, as applicable, may
27 condition approval of the plan or the revised plan, as applicable, in
28 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
29 regulations adopted pursuant thereto. The State Board shall
30 prescribe the requirements for the process of peer review, including,
31 without limitation, the qualifications of persons who may serve as
32 peer reviewers.

33 8. If a school is designated as demonstrating exemplary
34 achievement, high achievement or adequate achievement, or if a
35 school that is not a Title I school is designated as demonstrating
36 need for improvement, not later than 45 days after receipt of the
37 plan or the revised plan, as applicable, the superintendent of schools
38 of the school district or the governing body, as applicable, shall
39 approve the plan or the revised plan if it meets the requirements of
40 this section.

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

45 (a) Superintendent of Public Instruction;



- 1 (b) Governor;
- 2 (c) State Board;
- 3 (d) Department;
- 4 (e) Committee;
- 5 (f) Bureau; and
- 6 (g) Board of trustees of the school district in which the school is
- 7 located ~~[]~~ *or, if the school is a charter school, the sponsor of the*
- 8 *charter school.*

9 10. A plan for the improvement of a school must be carried out

10 expeditiously, but not later than January 1 after approval of the plan

11 pursuant to subsection 7 or 8, as applicable.

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

13 385.358 1. The principal of each public school, including,

14 without limitation, each charter school, shall prepare a summary of

15 accountability information on the form prescribed by the

16 Department pursuant to subsection 3 or an expanded form, as

17 applicable. The summary must include, without limitation:

18 (a) The information set forth in subsection 1 of NRS 385.34692,

19 reported only for the school;

20 (b) Information on the involvement of parents and legal

21 guardians in the education of their children; and

22 (c) Such other information as is directed by the Superintendent

23 of Public Instruction in consultation with the Bureau.

24 2. The summary prepared pursuant to subsection 1 must be

25 presented in an understandable and uniform format and, to the

26 extent practicable, provided in a language that parents will likely

27 understand.

28 3. The Department shall, in consultation with the Bureau ,

29 ~~[and]~~ the school districts ~~[]~~ *and the State Board of Charter*

30 *Schools*, prescribe a form that contains the basic information

31 required by subsection 1. The principal of a school may use an

32 expanded form that contains additions to the form prescribed by the

33 Department if the basic information contained in the expanded form

34 complies with the form prescribed by the Department.

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

36 (a) The principal of each public school shall submit the

37 summary in electronic format to the:

38 (1) Department;

39 (2) Bureau; and

40 (3) Board of trustees of the school district in which the

41 school is located ~~[]~~ *or, if the school is a charter school, to the*

42 *sponsor of the charter school.*

43 (b) The school district in which the school is located shall

44 ensure that the summary is posted on the Internet website

45 maintained by the school, if any, or the Internet website maintained



1 by the school district, if any. *The sponsor of a charter school shall*
2 *ensure that each summary of the charter school is posted on the*
3 *Internet website maintained by the charter school, if any, or the*
4 *Internet website maintained by the sponsor, if any.* If the summary
5 is not posted on the website of the school, ~~or~~ the school district ~~or~~
6 *or the sponsor of the charter school, as applicable,* the school
7 district *or the sponsor of the charter school, as applicable,* shall
8 otherwise provide for public dissemination of the summary.

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

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

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

19 385.359 1. The Bureau shall contract with a person or entity
20 to:

21 (a) Review and analyze, in accordance with the standards
22 prescribed by the Committee pursuant to subsection 2 of NRS
23 218E.615, the:

24 (1) Annual report of accountability prepared by:

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

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

28 *(III) The State Board of Charter Schools pursuant to*
29 *subsection 3 of NRS 385.347.*

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

31 (I) The State Board pursuant to NRS 385.34691;

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

34 (III) Each school pursuant to NRS 385.357 identified by
35 the Bureau for review, if any, or if such a plan has not been
36 prepared, the turnaround plan for the schools identified by the
37 Bureau, if any, implemented pursuant to NRS 385.37603 or the plan
38 for restructuring the school implemented pursuant to NRS
39 385.37607, as applicable.

40 (b) Submit a written report to and consult with the State Board
41 and the Department regarding any methods by which the State
42 Board may improve the accuracy of the report of accountability
43 required pursuant to NRS 385.3469 and the plan to improve the
44 achievement of pupils required pursuant to NRS 385.34691, and the
45 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* regarding any methods by which the district *or the State Board of Charter Schools* 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



1 NRS 385.347 , *as applicable*, is based and review and analyze any
2 data that is more recent than the data upon which the report is based.

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

5 (d) Review the information concerning the educational
6 involvement accords provided to the support team pursuant to NRS
7 392.4575 and the information concerning the reports provided to the
8 support team pursuant to NRS 392.456.

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

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

14 (g) Except as otherwise provided in this paragraph, make
15 recommendations to the board of trustees of the school district, the
16 State Board and the Department concerning additional assistance for
17 the school in carrying out the plan for improvement of the school,
18 the turnaround plan for the school or the plan for restructuring the
19 school, whichever is applicable for the school. For a charter school
20 sponsored by the State Board ~~of~~ *of Charter Schools*, the support
21 team shall make the recommendations to the State Board *of Charter*
22 *Schools* and the Department. For a charter school sponsored by a
23 college or university within the Nevada System of Higher
24 Education, the support team shall make the recommendations to the
25 sponsor ~~[, the State Board]~~ and the Department.

26 (h) In accordance with its findings pursuant to this section and
27 NRS 385.36129, submit, on or before November 1, written revisions
28 to the most recent plan to improve the achievement of the school's
29 pupils for approval pursuant to NRS 385.357, or submit, on or
30 before May 1, written recommendations for revisions to the
31 turnaround plan for the school implemented pursuant to NRS
32 385.37603 or the plan for restructuring the school implemented
33 pursuant to NRS 385.37607, whichever is applicable for the school.
34 The written revisions or recommendations, as applicable, must:

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

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

44 (3) Include the data and findings of the support team that
45 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* 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:



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(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 ~~;~~ ~~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 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) Department; and

(d) 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* 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* 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* the determination made for each charter school that is sponsored by the State Board *of Charter Schools*.

(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.



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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 ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the



1 regulations adopted pursuant thereto. For a charter school sponsored
2 by the school district, the board of trustees shall provide the
3 technical assistance to the charter school in conjunction with the
4 governing body of the charter school.

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

11 (c) For a charter school sponsored by ~~the State Board or by~~ a
12 college or university within the Nevada System of Higher
13 Education, the Department shall ensure, in conjunction with the
14 governing body of the charter school, that the *charter* school
15 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
18 1 year, the principal of the school shall ensure that the plan to
19 improve the achievement of pupils enrolled in the school is
20 reviewed, revised and approved in accordance with 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
23 Department pursuant to NRS 385.3613, the board of trustees of each
24 school district shall, on or before July 1 of each year, issue a
25 preliminary designation for each public school in the school district
26 in accordance with the criteria set forth in NRS 385.3623, excluding
27 charter schools sponsored by the State Board *of Charter Schools* or
28 by a college or university within the Nevada System of Higher
29 Education. The board of trustees shall make preliminary
30 designations for all charter schools that are sponsored by the board
31 of trustees. The Department shall make preliminary designations for
32 all charter schools that are sponsored by the State Board *of Charter*
33 *Schools* and all charter schools sponsored by a college or university
34 within the Nevada System of Higher Education. The initial
35 designation of a school as demonstrating need for improvement
36 must be based upon 2 consecutive years of data and information for
37 that school.

38 2. Before making a final designation for a school, the board of
39 trustees of the school district or the Department, as applicable, shall
40 provide the school an opportunity to review the data upon which the
41 preliminary designation is based and to present evidence in the
42 manner set forth in 20 U.S.C. § 6316(b)(2) and the regulations
43 adopted pursuant thereto. If the school is a public school of the
44 school district or a charter school sponsored by the board of trustees,
45 the board of trustees of the school district shall, in consultation with



1 the Department, make a final determination concerning the
2 designation for the school on August 1. If the school is a charter
3 school sponsored by the State Board *of Charter Schools* or by a
4 college or university within the Nevada System of Higher
5 Education, the Department shall make a final determination
6 concerning the designation for the school on August 1.

7 3. On or before August 1 of each year, the Department shall
8 provide written notice of the determinations made pursuant to NRS
9 385.3613 and the final designations made pursuant to this section as
10 follows:

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

- 13 (1) Governor;
- 14 (2) State Board;
- 15 (3) Committee; and
- 16 (4) Bureau.

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

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

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

23 *(d) The determination and final designation made for each*
24 *charter school sponsored by the State Board of Charter Schools to*
25 *the State Board of Charter Schools.*

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

27 385.3661 1. Except as otherwise provided in subsection 2, if
28 a public school is designated as demonstrating need for
29 improvement pursuant to NRS 385.3623 and the provisions of NRS
30 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607
31 do not apply, the board of trustees of the school district shall:

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

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

38 2. If a charter school is designated as demonstrating need for
39 improvement pursuant to NRS 385.3623 and the provisions of NRS
40 385.3693, 385.3721, 385.3745, 385.3746, 385.37603 or 385.37607
41 do not apply:

42 (a) The governing body of the charter school shall provide
43 notice of the designation to the parents and guardians of pupils
44 enrolled in the charter school on the form prescribed by the
45 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 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 shall work cooperatively with the board of trustees of the school district in which the charter school is located to 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.*

(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 to 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.

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



1 improvement pursuant to NRS 385.3623 for 2 consecutive years, the
2 board of trustees of the school district shall:

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

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

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

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

15 (b) For a charter school sponsored by the board of trustees of a
16 school district, the board of trustees shall, in conjunction with the
17 governing body of the charter school, ensure that the charter school
18 receives technical assistance in the manner set forth in 20 U.S.C. §
19 6316(b)(4) and the regulations adopted pursuant thereto.

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

26 (d) For a charter school sponsored by ~~the State Board or by~~ a
27 college or university within the Nevada System of Higher
28 Education, the Department shall, in conjunction with the governing
29 body of the charter school, ensure that the charter school receives
30 technical assistance in the manner set forth in 20 U.S.C. §
31 6316(b)(4) and the regulations adopted pursuant thereto.

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

33 385.372 1. In addition to the requirements of NRS 385.3693,
34 if a Title I school is designated as demonstrating need for
35 improvement pursuant to NRS 385.3623 for 2 consecutive years for
36 failing to make adequate yearly progress:

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

39 (1) Provide school choice to the parents and guardians of
40 pupils enrolled in the school in accordance with 20 U.S.C. §
41 6316(b)(1) and the regulations adopted pursuant thereto.

42 (2) Except as otherwise provided in subsection 2, provide
43 supplemental educational services in accordance with 20 U.S.C. §
44 6316(e) and the regulations adopted pursuant thereto from a



1 provider approved pursuant to NRS 385.384, unless a waiver is
2 granted pursuant to that provision of federal law.

3 (b) If the school is a charter school:

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

8 (2) *Sponsored by the State Board of Charter Schools, the*
9 *State Board of Charter Schools shall work cooperatively with the*
10 *board of trustees of the school district in which the charter school*
11 *is located to provide school choice to the parents and guardians of*
12 *pupils enrolled in the charter school in accordance with 20 U.S.C.*
13 *§ 6316(b)(1) and the regulations adopted pursuant thereto.*

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

21 ~~(3)~~ (4) Except as otherwise provided in subsection 3, the
22 governing body of the charter school shall provide supplemental
23 educational services in accordance with 20 U.S.C. § 6316(e) and the
24 regulations adopted pursuant thereto from a provider approved
25 pursuant to NRS 385.384, unless a waiver is granted pursuant to that
26 provision of federal law.

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

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

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

42 385.3721 1. Except as otherwise provided in subsection 2, if
43 a public school is designated as demonstrating need for
44 improvement pursuant to NRS 385.3623 for 3 consecutive years:

45 (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.

2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 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 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 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 Department shall require the governing body of the charter school to conduct a comprehensive audit of the charter school which must include an audit of the curriculum, including, without limitation, methods of instruction and assessments, implemented by the charter school.

Sec. 16. NRS 385.3743 is hereby amended to read as follows:

385.3743 1. In addition to the requirements of NRS 385.3721, if a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years:

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



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(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) 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

(3) Except as otherwise provided in subsection 2, take corrective action pursuant to 20 U.S.C. § 6316(b)(7) and the regulations adopted pursuant thereto.

(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) 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

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

(2) *Sponsored by the State Board of Charter Schools, the State Board of Charter Schools shall:*

(I) Work cooperatively with the board of trustees of the school district in which the charter school is located to 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; and

(II) Except as otherwise provided in subsection 3, take corrective action pursuant to 20 U.S.C. § 6316(b)(7) 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) Work cooperatively with the board of trustees of the school district in which the charter school is located to 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; and

(II) Except as otherwise provided in subsection 3, take corrective action pursuant to 20 U.S.C. § 6316(b)(7) 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



1 NRS 385.384, unless a waiver is granted pursuant to that provision
2 of federal law.

3 2. The board of trustees of a school district shall grant a delay
4 from the imposition of corrective action for a school for a period not
5 to exceed 1 year if the school qualifies for a delay pursuant to 20
6 U.S.C. 6316(b)(7)(D). If the school fails to make adequate yearly
7 progress during the period of the delay, the provisions of NRS
8 385.3745 apply as if the delay never occurred.

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

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

16 385.3744 1. Except as otherwise provided in subsection 2, if
17 a public school that is not a Title I school is designated as
18 demonstrating need for improvement pursuant to NRS 385.3623 for
19 3 consecutive years for failing to make adequate yearly progress, *the*
20 *State Board of Charter Schools may, for a charter school*
21 *sponsored by the State Board of Charter Schools,* the Department
22 may, for a charter school sponsored by ~~the State Board or by~~ a
23 college or university within the Nevada System of Higher
24 Education, and the board of trustees of a school district may, for a
25 school of the school district or a charter school sponsored by the
26 board of trustees, take one or more of the following corrective
27 actions for the school:

28 (a) Significantly decrease the managerial authority of the
29 employees at the school.

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

31 2. The *State Board of Charter Schools, the* Department or the
32 board of trustees of a school district, as applicable, shall grant a
33 delay from the imposition of corrective action for a school for a
34 period not to exceed 1 year if the school qualifies for a delay in the
35 manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to
36 make adequate yearly progress during the period of the delay, *the*
37 *State Board of Charter Schools,* the Department or the board of
38 trustees, as applicable, may proceed with corrective action as if the
39 delay never occurred.

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

41 385.3745 1. Except as otherwise provided in subsection 2, if
42 a public school that is not a Title I school is designated as
43 demonstrating need for improvement pursuant to NRS 385.3623 for
44 4 consecutive years:

45 (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 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);*

(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.*

(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:

(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.

~~[(d)]~~ (e) 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 implementation of the turnaround plan developed pursuant to this section and the implementation of any corrective action at the charter school.

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



4. On or before June 30, a turnaround plan developed for a school 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; and

(e) Principal of the school.

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

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

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

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

(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;

(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



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(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 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 to 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; 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 to 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; 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; 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 may, for a charter school sponsored by the State Board of Charter Schools,* 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,



1 consequences or sanctions, or any combination thereof, as
2 prescribed by the State Board pursuant to NRS 385.361.

3 2. The *State Board of Charter Schools, the* Department or the
4 board of trustees of a school district, as applicable, shall grant a
5 delay from the imposition of corrective action, consequences or
6 sanctions, or any combination thereof, pursuant to this section for a
7 school for a period not to exceed 1 year if the school qualifies for a
8 delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the
9 school fails to make adequate yearly progress during the period of
10 the delay, *the State Board of Charter Schools, the* Department or
11 the board of trustees, as applicable, may proceed with corrective
12 action, consequences or sanctions, or any combination thereof, for
13 the school, as appropriate, pursuant to the provisions of NRS
14 385.37603 and 385.37605 as if the delay never occurred.

15 3. Before the board of trustees, *the State Board of Charter*
16 *Schools* or the Department proceeds with consequences or
17 sanctions, the board of trustees, *the State Board of Charter*
18 *Schools* or the Department, as applicable, shall provide to the
19 administrators, teachers and other educational personnel employed
20 at that school, and parents and guardians of pupils enrolled in the
21 school:

22 (a) Notice that the board of trustees, *the State Board of Charter*
23 *Schools* or the Department, as applicable, will proceed with
24 consequences or sanctions for the school;

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

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

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

31 385.37603 1. If a public school that is not a Title I school is
32 designated as demonstrating need for improvement pursuant to NRS
33 385.3623 for 5 or more consecutive years for failure to make
34 adequate yearly progress:

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

36 (1) Except as otherwise provided in subsection 3 of NRS
37 385.37605, repeal the plan to improve the academic achievement of
38 pupils developed pursuant to NRS 385.357 and, not later than
39 September 30, implement the turnaround plan to improve the
40 academic achievement of pupils enrolled in the school developed
41 pursuant to NRS 385.3745;

42 (2) Provide notice of the designation to the parents and
43 guardians of pupils enrolled in the school on the form prescribed by
44 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 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



1 5 or more consecutive years for failure to make adequate yearly
2 progress:

3 (a) *The State Board of Charter Schools may, for a charter*
4 *school sponsored by the State Board of Charter Schools, take*
5 *corrective action as set forth in NRS 385.3744 or proceed with*
6 *consequences or sanctions, or both, as prescribed by the State*
7 *Board pursuant to NRS 385.361.*

8 (b) The Department may, for a charter school sponsored by ~~the~~
9 ~~State Board or by~~ a college or university within the Nevada System
10 of Higher Education, take corrective action as set forth in NRS
11 385.3744 or proceed with consequences or sanctions, or both, as
12 prescribed by the State Board pursuant to NRS 385.361.

13 ~~(b)~~ (c) The board of trustees of a school district may, for a
14 school of the school district or a charter school sponsored by the
15 board of trustees, take corrective action as set forth in NRS
16 385.3744 or proceed with consequences or sanctions, or both, as
17 prescribed by the State Board pursuant to NRS 385.361.

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

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

33 4. Before the board of trustees, *the State Board of Charter*
34 *Schools* or the Department proceeds with consequences or
35 sanctions, the board of trustees, *the State Board of Charter*
36 *Schools* or the Department, as applicable, shall provide to the
37 administrators, teachers and other educational personnel employed
38 at that school, and parents and guardians of pupils enrolled in the
39 school:

40 (a) Notice that the board of trustees, *the State Board of Charter*
41 *Schools* or the Department, as applicable, will proceed with
42 consequences or sanctions for the school;

43 (b) An opportunity to comment before the consequences or
44 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 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) *Work cooperatively with the board of trustees of the school district in which the charter school is located to 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.*

(3) Sponsored by ~~{the State Board or by}~~ a college or university within the Nevada System of Higher Education, the Department 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) Work cooperatively with the board of trustees of the school district in which the charter school is located to 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.

~~{(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



1 pursuant thereto from a provider approved pursuant to NRS
2 385.384, unless a waiver is granted pursuant to that provision of
3 federal law.

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

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

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

23 4. Before the board of trustees of a school district, *the State*
24 *Board of Charter Schools* or the Department proceeds with a plan
25 for restructuring, the board of trustees, *the State Board of Charter*
26 *Schools* or the Department, as applicable, shall provide to the
27 administrators, teachers and other educational personnel employed
28 at that school, and parents and guardians of pupils enrolled in the
29 school:

30 (a) Notice that the board of trustees, *the State Board of Charter*
31 *Schools* or the Department, as applicable, will develop a plan for
32 restructuring the school;


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

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

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

38 385.620 The Advisory Council shall:

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

42 2. Review the information relating to communication with and
43 participation of parents that is included in the annual report of
44 accountability for each school district pursuant to paragraph (j) of
45 subsection 2 of NRS 385.347  *and similar information in the*



annual report of accountability prepared by the State Board of Charter Schools 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, inclusive, of this act.

Sec. 26. *As used in NRS 386.500 to 386.610, inclusive, and sections 26 to 35, 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.*

Sec. 27. *“Director” means the Director of the State Board of Charter Schools appointed pursuant to section 31 of this act.*

Sec. 28. *“State Board of Charter Schools” means the State Board of Charter Schools created by section 29 of this act.*

Sec. 29. 1. *The State Board of Charter Schools, consisting of seven members, is hereby created. The membership of the State Board of Charter Schools consists of:*



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

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

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

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

10 2. The Governor, the Majority Leader of the Senate and the
11 Speaker of the Assembly shall ensure that the membership of the
12 State Board of Charter Schools:

13 (a) Includes persons with specific knowledge of:

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

15 (2) School finance;

16 (3) Management practices;

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

19 (5) Educational technology; and

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

22 (b) Insofar as practicable, reflects the ethnic and geographical
23 diversity of this State.

24 3. The State Board of Charter Schools shall establish a list of
25 associations of charter schools that operate within this State and
26 designate the order in which such associations may appoint a
27 member to the State Board of Charter Schools. Except as
28 otherwise provided in subsection 5, an association may not appoint
29 more than one member to the State Board of Charter Schools
30 unless each association designated pursuant to this subsection has
31 had an opportunity to make an appointment.

32 4. Each member of the State Board of Charter Schools must
33 be a resident of this State.

34 5. After the initial terms, the term of each member of the
35 State Board of Charter Schools is 3 years, commencing on July 1
36 of the year he or she is appointed. A vacancy in the membership of
37 the State Board of Charter Schools must be filled for the
38 remainder of the unexpired term in the same manner as the
39 original appointment. A member shall continue to serve on
40 the State Board of Charter Schools until his or her successor is
41 appointed.

42 6. The members of the State Board of Charter Schools shall
43 select a Chair and Vice Chair from among its members. After the
44 initial selection of those officers, each of those officers holds the
45 position for a term of 2 years commencing on July 1 of each



1 *odd-numbered year. If a vacancy occurs in the Chair or Vice*
2 *Chair, the vacancy must be filled in the same manner as the*
3 *original selection for the remainder of the unexpired term.*

4 *7. Each member of the State Board of Charter Schools is*
5 *entitled to receive:*

6 *(a) For each day or portion of a day during which he or she*
7 *attends a meeting of the State Board of Charter Schools, a salary*
8 *of not more than \$80, as fixed by the State Board of Charter*
9 *Schools; and*

10 *(b) For each day or portion of a day during which he or she*
11 *attends a meeting of the State Board of Charter Schools or is*
12 *otherwise engaged in the business of the State Board of Charter*
13 *Schools, the per diem allowance and travel expenses provided for*
14 *state officers and employees generally.*

15 **Sec. 30.** *1. The members of the State Board of Charter*
16 *Schools shall meet throughout the year at the times and places*
17 *specified by a call of the Chair or a majority of the members.*

18 *2. Four members of the State Board of Charter Schools*
19 *constitute a quorum, and a quorum may exercise all the power*
20 *and authority conferred on the State Board of Charter Schools.*

21 **Sec. 31.** *1. The State Board of Charter Schools shall*
22 *appoint a Director of the State Board of Charter Schools for a*
23 *term of 3 years. The State Board of Charter Schools may remove*
24 *the Director from office for inefficiency, neglect of duty,*
25 *malfeasance in office or for other just cause.*

26 *2. A vacancy in the position of Director must be filled by the*
27 *State Board of Charter Schools for the remainder of the unexpired*
28 *term.*

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

30 **Sec. 32.** *The Director shall not pursue any other business or*
31 *occupation or hold any other office of profit without the approval*
32 *of the State Board of Charter Schools.*

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

34 *1. Execute, direct and supervise all administrative, technical*
35 *and procedural activities of the State Board of Charter Schools in*
36 *accordance with the policies prescribed by the State Board of*
37 *Charter Schools;*

38 *2. Organize the State Board of Charter Schools in a manner*
39 *which will assure efficient operation and service of the State*
40 *Board of Charter Schools;*

41 *3. Serve as the Executive Secretary of the State Board of*
42 *Charter Schools; and*

43 *4. Perform such other duties as are prescribed by law or the*
44 *State Board of Charter Schools.*



1 **Sec. 34.** *The State Board of Charter Schools may employ*
2 *such persons as it deems necessary to carry out the provisions of*
3 *NRS 386.500 to 386.610, inclusive, and sections 26 to 35,*
4 *inclusive, of this act.*

5 **Sec. 35. 1.** *The Account for the State Board of Charter*
6 *Schools is hereby created in the State General Fund, to be*
7 *administered by the Director.*

8 2. *The interest and income earned on the money in the*
9 *Account must be credited to the Account.*

10 3. *The money in the Account may be used only for the*
11 *establishment and maintenance of the State Board of Charter*
12 *Schools.*

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

16 5. *The Director may accept gifts, grants and bequests to carry*
17 *out the provisions of NRS 386.500 to 386.610, inclusive, and*
18 *sections 26 to 35, inclusive, of this act. Any money from gifts,*
19 *grants and bequests must be deposited in the Account and may be*
20 *expended in accordance with the terms and conditions of the gift,*
21 *grant or bequest, or in accordance with this section.*

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

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

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

34 386.508 There is hereby created a school district to be
35 designated as the Charter School District for State ~~[Board-~~
36 ~~Sponsored]~~ **Board of Charter Schools-Sponsored** Charter Schools
37 and Nevada System of Higher Education-Sponsored Charter
38 Schools. The School District comprises only those charter schools
39 that are sponsored by the State Board *of Charter Schools* or
40 sponsored by a college or university within the Nevada System of
41 Higher Education. The State Board *of Charter Schools* is hereby
42 deemed the Board of Trustees of the School District. The School
43 District is created for the sole purpose of providing local educational
44 agency status to the School District for purposes of federal law
45 governing charter schools.



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

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

2. The State Board *of Charter Schools* shall sponsor charter schools whose applications have been approved by the State Board *of Charter Schools* pursuant to NRS 386.525. Except as otherwise provided by specific statute, if the State Board *of Charter Schools* sponsors a charter school, the State Board ~~for the Department~~ *of Charter Schools* is responsible for the evaluation, monitoring and oversight of the charter school.

3. A college or university within the Nevada System of Higher Education may 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 application must include all information prescribed by the ~~Department~~ *State Board of Charter Schools* by regulation and:

(a) A written description of how the charter school will carry out the provisions of NRS 386.500 to 386.610, inclusive ~~§~~ , and *sections 26 to 35, inclusive, of this act.*

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

(1) Improving the opportunities for pupils to learn;



- 1 (2) Encouraging the use of effective methods of teaching;
- 2 (3) Providing an accurate measurement of the educational
- 3 achievement of pupils;
- 4 (4) Establishing accountability of public schools;
- 5 (5) Providing a method for public schools to measure
- 6 achievement based upon the performance of the schools; or
- 7 (6) Creating new professional opportunities for teachers.
- 8 (c) The projected enrollment of pupils in the charter school.
- 9 (d) The proposed dates of enrollment for the charter school.
- 10 (e) The proposed system of governance for the charter school,
- 11 including, without limitation, the number of persons who will
- 12 govern, the method of selecting the persons who will govern and the
- 13 term of office for each person.
- 14 (f) The method by which disputes will be resolved between the
- 15 governing body of the charter school and the sponsor of the charter
- 16 school.
- 17 (g) The proposed curriculum for the charter school and, if
- 18 applicable to the grade level of pupils who are enrolled in the
- 19 charter school, the requirements for the pupils to receive a high
- 20 school diploma, including, without limitation, whether those pupils
- 21 will satisfy the requirements of the school district in which the
- 22 charter school is located for receipt of a high school diploma.
- 23 (h) The textbooks that will be used at the charter school.
- 24 (i) The qualifications of the persons who will provide instruction
- 25 at the charter school.
- 26 (j) Except as otherwise required by NRS 386.595, the process by
- 27 which the governing body of the charter school will negotiate
- 28 employment contracts with the employees of the charter school.
- 29 (k) A financial plan for the operation of the charter school. The
- 30 plan must include, without limitation, procedures for the audit of the
- 31 programs and finances of the charter school and guidelines for
- 32 determining the financial liability if the charter school is
- 33 unsuccessful.
- 34 (l) A statement of whether the charter school will provide for the
- 35 transportation of pupils to and from the charter school. If the charter
- 36 school will provide transportation, the application must include the
- 37 proposed plan for the transportation of pupils. If the charter school
- 38 will not provide transportation, the application must include a
- 39 statement that the charter school will work with the parents and
- 40 guardians of pupils enrolled in the charter school to develop a plan
- 41 for transportation to ensure that pupils have access to transportation
- 42 to and from the charter school.
- 43 (m) The procedure for the evaluation of teachers of the charter
- 44 school, if different from the procedure prescribed in NRS 391.3125.
- 45 If the procedure is different from the procedure prescribed in



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

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

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

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

16 3. The Department shall review an application to form a charter
17 school to determine whether it is complete. If an application
18 proposes to convert an existing public school, homeschool or other
19 program of home study into a charter school, the Department shall
20 deny the application. The Department shall provide written notice to
21 the applicant of its approval or denial of the application. If the
22 Department denies an application, the Department shall include in
23 the written notice the reason for the denial and the deficiencies in
24 the application. The applicant must be granted 30 days after receipt
25 of the written notice to correct any deficiencies identified in the
26 written notice and resubmit the application.

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

28 (a) Holds a current license to teach issued pursuant to chapter
29 391 of NRS; and

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

31 ➔ The term does not include a person who is employed as a
32 substitute teacher.

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

34 386.525 1. Upon approval of an application by the
35 Department, a committee to form a charter school may submit the
36 application to the board of trustees of the school district in which
37 the proposed charter school will be located, a college or university
38 within the Nevada System of Higher Education or ~~directly to the~~
39 ~~Subcommittee on~~ *the State Board of* Charter Schools. If the board
40 of trustees of a school district, a college or a university, as
41 applicable, receives an application to form a charter school, the
42 board of trustees or the institution, as applicable, shall consider the
43 application at a meeting that must be held not later than 45 days
44 after the receipt of the application, or a period mutually agreed upon
45 by the committee to form the charter school and the board of



1 trustees of the school district or the institution, as applicable, and
2 ensure that notice of the meeting has been provided pursuant to
3 chapter 241 of NRS. The board of trustees, the college, the
4 university or the ~~[Subcommittee on]~~ *State Board of* Charter
5 Schools, as applicable, shall review an application to determine
6 whether the application:

7 (a) Complies with NRS 386.500 to 386.610, inclusive, *and*
8 *sections 26 to 35, inclusive, of this act* and the regulations
9 applicable to charter schools; and

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

12 2. The Department shall assist the board of trustees of a school
13 district, *the State Board of Charter Schools*, the college or the
14 university, as applicable, in the review of an application. The board
15 of trustees, the college or the university, as applicable, may approve
16 an application if it satisfies the requirements of paragraphs (a) and
17 (b) of subsection 1. The board of trustees, the college or the
18 university, as applicable, shall provide written notice to the
19 applicant of its approval or denial of the application.

20 3. If the board of trustees, the college or the university, as
21 applicable, denies an application, it shall include in the written
22 notice the reasons for the denial and the deficiencies in the
23 application. The applicant must be granted 30 days after receipt of
24 the written notice to correct any deficiencies identified in the written
25 notice and resubmit the application.

26 4. If the board of trustees, the college or the university, as
27 applicable, denies an application after it has been resubmitted
28 pursuant to subsection 3, the applicant may submit a written request
29 for sponsorship by the State Board ~~[to the Subcommittee on]~~ *of*
30 Charter Schools created pursuant to ~~[NRS 386.507]~~ *section 29 of*
31 *this act* not more than 30 days after receipt of the written notice of
32 denial. Any request that is submitted pursuant to this subsection
33 must be accompanied by the application to form the charter school.

34 5. If the ~~[Subcommittee on]~~ *State Board of* Charter Schools
35 receives an application pursuant to subsection 1 or 4, it shall hold a
36 meeting to consider the application. The meeting must be held not
37 later than 45 days after receipt of the application. Notice of the
38 meeting must be posted in accordance with chapter 241 of NRS.
39 The ~~[Subcommittee]~~ *State Board of Charter Schools* shall review
40 the application in accordance with the factors set forth in paragraphs
41 (a) and (b) of subsection 1. ~~[The Subcommittee may approve an~~
42 ~~application if it satisfies the requirements of paragraphs (a) and (b)~~
43 ~~of subsection 1.~~

44 ~~—6. The Subcommittee on Charter Schools shall transmit the~~
45 ~~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.]~~ The State Board *of Charter Schools* may approve an application if it satisfies the requirements of paragraphs (a) and (b) of subsection 1. Not more than 30 days after the meeting, the State Board *of Charter Schools* shall provide written notice of its determination to the applicant.

~~[7.]~~ 6. If the State Board *of Charter Schools* 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.

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

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

(a) A list of each application to form a charter school that was submitted to the board of trustees of a school district, the State Board ~~[.]~~ *of Charter Schools*, a college or a university during the immediately preceding biennium;

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

(c) The current status of the application; and

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

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

386.527 1. If the State Board ~~[.]~~ *of Charter Schools*, the board of trustees of a school district or a college or university within the Nevada System of Higher Education approves an application to form a charter school, it shall grant a written charter to the applicant. The State Board ~~[.]~~ *of Charter Schools*, the board of trustees, the college or the university, as applicable, shall, not later than 10 days after the approval of the application, provide written notice to the Department of the approval and the date of the approval. If the



1 board of trustees approves the application, the board of trustees shall
2 be deemed the sponsor of the charter school.

3 2. If the State Board *of Charter Schools* approves the
4 application:

5 (a) The State Board *of Charter Schools* shall be deemed the
6 sponsor of the charter school.

7 (b) Neither the State of Nevada, the State Board *of Education,*
8 *the State Board of Charter Schools* nor the Department is an
9 employer of the members of the governing body of the charter
10 school or any of the employees of the charter school.

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

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

15 (b) Neither the State of Nevada, the State Board *of Education,*
16 *the State Board of Charter Schools* nor the Department is an
17 employer of the members of the governing body of the charter
18 school or any of the employees of the charter school.

19 4. The governing body of a charter school may request, at any
20 time, a change in the sponsorship of the charter school to an entity
21 that is authorized to sponsor charter schools pursuant to NRS
22 386.515. The State Board *of Charter Schools* shall adopt ~~the~~

23 ~~—(a) An application~~ a process for a charter school that requests a
24 change in the sponsorship of the charter school, which must not
25 require the ~~[applicant]~~ *charter school* to undergo the requirements
26 of an initial application to form a charter school . ~~the; and~~

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

33 5. Except as otherwise provided in subsection 7, a written
34 charter must be for a term of 6 years unless the governing body of a
35 charter school renews its initial charter after 3 years of operation
36 pursuant to subsection 2 of NRS 386.530. A written charter must
37 include all conditions of operation set forth in subsection 2 of NRS
38 386.520 and include the kind of school, as defined in subsections 1
39 to 4, inclusive, of NRS 388.020 for which the charter school is
40 authorized to operate. If the State Board *of Charter Schools* or a
41 college or university within the Nevada System of Higher Education
42 is the sponsor of the charter school, the written charter must set forth
43 the responsibilities of the sponsor and the charter school with regard
44 to the provision of services and programs to pupils with disabilities
45 who are enrolled in the charter school in accordance with the



1 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
2 seq., and NRS 388.440 to 388.520, inclusive. As a condition of the
3 issuance of a written charter pursuant to this subsection, the charter
4 school must agree to comply with all conditions of operation set
5 forth in NRS 386.550.

6 6. The governing body of a charter school may submit to the
7 sponsor of the charter school a written request for an amendment of
8 the written charter of the charter school. Such an amendment may
9 include, without limitation, the expansion of instruction and other
10 educational services to pupils who are enrolled in grade levels other
11 than the grade levels of pupils currently approved for enrollment in
12 the charter school if the expansion of grade levels does not change
13 the kind of school, as defined in NRS 388.020, for which the charter
14 school is authorized to operate. If the proposed amendment
15 complies with the provisions of ~~[this section,]~~ NRS 386.500 to
16 386.610, inclusive, *and sections 26 to 35, inclusive, of this act*, and
17 any other statute or regulation applicable to charter schools, the
18 sponsor may amend the written charter in accordance with the
19 proposed amendment. If a charter school wishes to expand
20 the instruction and other educational services offered by the charter
21 school to pupils who are enrolled in grade levels other than the
22 grade levels of pupils currently approved for enrollment in the
23 charter school and the expansion of grade levels changes the kind of
24 school, as defined in NRS 388.020, for which the charter school is
25 authorized to operate, the governing body of the charter school must
26 submit a new application to form a charter school. If such an
27 application is approved, the charter school may continue to operate
28 under the same governing body and an additional governing body
29 does not need to be selected to operate the charter school with the
30 expanded grade levels.

31 7. The State Board *of Charter Schools* shall adopt objective
32 criteria for the issuance of a written charter to an applicant who is
33 not prepared to commence operation on the date of issuance of the
34 written charter. The criteria must include, without limitation, the:

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

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

39 ➤ A holder of such a written charter may apply for grants of money
40 to prepare the charter school for operation. A written charter issued
41 pursuant to this subsection must not be designated as a conditional
42 charter or a provisional charter or otherwise contain any other
43 designation that would indicate the charter is issued for a temporary
44 period.



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

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

(b) Charter school,

↳ whichever date the sponsor selects. The sponsor shall not require a charter school to demonstrate compliance with the requirements of this subsection more than 30 days before the date selected. However, it may authorize a charter school to demonstrate compliance less than 30 days before the date selected.

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

386.530 1. Except as otherwise provided in subsection 2, an application for renewal of a written charter may be submitted to the sponsor of the charter school not less than 120 days before the expiration of the charter. The application must include the information prescribed by the regulations of the ~~[Department.]~~ *State Board of Charter Schools*. The sponsor shall conduct an intensive review and evaluation of the charter school in accordance with the regulations of the ~~[Department.]~~ *State Board of Charter Schools*. The sponsor shall renew the charter unless it finds the existence of any ground for revocation set forth in NRS 386.535. The sponsor shall provide written notice of its determination not fewer than 30 days before the expiration of the charter. If the sponsor intends not to renew the charter, the written notice must:

(a) Include a statement of the deficiencies or reasons upon which the action of 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.

2. A charter school may submit an application for renewal of its initial charter after 3 years of operation of the charter school. The application must include the information prescribed by the regulations of the ~~[Department.]~~ *State Board of Charter Schools*.



1 The sponsor shall conduct an intensive review and evaluation of the
2 charter school in accordance with the regulations of the
3 ~~[Department.]~~ *State Board of Charter Schools*. The sponsor shall
4 renew the charter unless it finds the existence of any ground for
5 revocation set forth in NRS 386.535. The sponsor shall provide
6 written notice of its determination. If the sponsor intends not to
7 renew the charter, the written notice must:

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

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

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

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

16 386.540 1. ~~[The Department]~~ *Subject to the provisions of*
17 *subsections 3 and 4, the State Board of Charter Schools* shall
18 adopt regulations that prescribe:

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

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

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

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

35 2. *Subject to the provisions of subsections 3 and 4, the State*
36 *Board of Charter Schools may adopt regulations as it determines*
37 *are necessary to carry out the provisions of NRS 386.500 to*
38 *386.610, inclusive, and sections 26 to 35, inclusive, of this act,*
39 *including, without limitation, regulations that prescribe the:*

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

43 (b) *Requirements for performance audits every 3 years for*
44 *charter schools that satisfy the requirements of subsection 1 of*
45 *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, 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 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.*

Sec. 44. NRS 386.547 is hereby amended to read as follows:

386.547 The State Board *of Charter Schools* shall:

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

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

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

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

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

(b) Each financial audit and each performance audit of the charter school required ~~by the Department~~ *pursuant to NRS 386.540* contains no major notations, corrections or errors concerning the charter school for at least 5 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



1 the charter school, as indicated by annual measurable objectives
2 determined by the State Board ~~of~~ *of Charter Schools*, for the
3 majority of the years of its operation;

4 (d) The charter school offers instruction on a daily basis during
5 the school week of the charter school on the campus of the charter
6 school; and

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

11 2. A charter school that satisfies the requirements of subsection
12 1 shall submit to a performance audit as required by the
13 ~~Department~~ *State Board of Charter Schools* one time every 3
14 years. The sponsor of the charter school and the ~~Department~~ *State*
15 *Board of Charter Schools* shall not request a performance audit of
16 the charter school more frequently than every 3 years without
17 reasonable evidence of noncompliance in achieving the educational
18 goals and objectives of the charter school based upon the annual
19 report submitted to the State Board *of Charter Schools* pursuant to
20 NRS 386.610. If the charter school no longer satisfies the
21 requirements of subsection 1 or if reasonable evidence of
22 noncompliance in achieving the educational goals and objectives of
23 the charter school exists based upon the annual report, the charter
24 school shall, upon written notice from the sponsor, submit to an
25 annual performance audit. Notwithstanding the provisions of
26 paragraph (b) of subsection 1, such a charter school:

27 (a) May, after undergoing the annual performance audit, reapply
28 to the sponsor to determine whether the charter school satisfies the
29 requirements of paragraphs (a), (c), (d) and (e) of subsection 1.

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

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

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

37 386.570 1. Each pupil who is enrolled in a charter school,
38 including, without limitation, a pupil who is enrolled in a program
39 of special education in a charter school, must be included in the
40 count of pupils in the school district for the purposes of
41 apportionments and allowances from the State Distributive School
42 Account pursuant to NRS 387.121 to 387.126, inclusive, unless the
43 pupil is exempt from compulsory attendance pursuant to NRS
44 392.070. A charter school is entitled to receive its proportionate
45 share of any other money available from federal, state or local



1 sources that the school or the pupils who are enrolled in the school
2 are eligible to receive. If a charter school receives special education
3 program units directly from this State, the amount of money for
4 special education that the school district pays to the charter school
5 may be reduced proportionately by the amount of money the charter
6 school received from this State for that purpose.

7 2. All money received by the charter school from this State or
8 from the board of trustees of a school district must be deposited in
9 an account with a bank, credit union or other financial institution in
10 this State. The governing body of a charter school may negotiate
11 with the board of trustees of the school district and the State Board
12 for additional money to pay for services which the governing body
13 wishes to offer.

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

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

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



~~4. If the State Board or a college or university within the Nevada System of 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.~~

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

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

~~{7-} 6.~~ The governing body of a charter school may solicit and accept donations, money, grants, property, loans, personal services or other assistance for purposes relating to education from members of the general public, corporations or agencies. The governing body may comply with applicable federal laws and regulations governing the provision of federal grants for charter schools. The State Board *of Charter Schools* may assist a charter school that operates exclusively for the enrollment of pupils who receive special education in identifying sources of money that may be available



1 from the Federal Government or this State for the provision of
2 educational programs and services to such pupils.

3 ~~[8.]~~ 7. If a charter school uses money received from this State
4 to purchase real property, buildings, equipment or facilities, the
5 governing body of the charter school shall assign a security interest
6 in the property, buildings, equipment and facilities to the State of
7 Nevada.

8 ~~[9.]~~ 8. The governing body of a charter school may submit to
9 the Superintendent of Public Instruction a written request to delay a
10 quarterly payment of a reimbursement for the administrative costs
11 that a charter school owes pursuant to this section. The written
12 request must be in the form prescribed by the Superintendent and
13 must include, without limitation, documentation that a financial
14 hardship exists for the charter school and a plan for the payment of
15 the reimbursement. The Superintendent may approve or deny the
16 request and shall notify the governing body and the sponsor of the
17 charter school of the approval or denial of the request.

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

19 386.576 1. The Fund for Charter Schools is hereby created in
20 the State Treasury as a revolving loan fund, to be administered by
21 the ~~[Department]~~ *State Board of Charter Schools*.

22 2. The money in the revolving fund must be invested as other
23 state funds are invested. All interest and income earned on the
24 money in the revolving fund must be credited to the revolving fund.
25 Any money remaining in the revolving fund at the end of a fiscal
26 year does not revert to the State General Fund, and the balance in
27 the Fund must be carried forward.

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

31 4. Claims against the revolving fund must be paid as other
32 claims against the State are paid.

33 5. The ~~[Department]~~ *State Board of Charter Schools* may
34 accept gifts, grants, bequests and donations from any source for
35 deposit in the revolving fund.

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

37 386.577 1. After deducting the costs directly related to
38 administering the Fund for Charter Schools, the ~~[Department]~~ *State
39 Board of Charter Schools* may use the money in the Fund for
40 Charter Schools, including repayments of principal and interest on
41 loans made from the Fund, and interest and income earned on
42 money in the Fund, only to make loans at or below market rate to
43 charter schools for the costs incurred:

44 (a) In preparing a charter school to commence its first year of
45 operation; and



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1 (b) To improve a charter school that has been in operation.
2 2. The total amount of a loan that may be made to a charter
3 school in 1 year must not exceed \$25,000.

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

5 386.578 1. If the governing body of a charter school has a
6 written charter issued pursuant to NRS 386.527, the governing body
7 may submit an application to the ~~{Department}~~ *State Board of*
8 *Charter Schools* for a loan from the Fund for Charter Schools. An
9 application must include a written description of the manner in
10 which the loan will be used to prepare the charter school for its first
11 year of operation or to improve a charter school that has been in
12 operation.

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

20 3. ~~{The}~~ *Subject to the provisions of subsection 3 of NRS*
21 *386.540, the State Board { } of Charter Schools:*

22 (a) Shall adopt regulations that prescribe the:

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

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

28 (b) May adopt such other regulations as it deems necessary to
29 carry out the provisions of this section and NRS 386.576 and
30 386.577.

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

32 386.605 1. On or before July 15 of each year, the governing
33 body of a charter school shall submit the information concerning the
34 charter school that is required pursuant to subsection ~~{2}~~ *3* of NRS
35 385.347 to ~~{the board of trustees of the school district in which the~~
36 ~~charter school is located}~~ :

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

42 (b) *If the charter school is sponsored by the State Board of*
43 *Charter Schools, the State Board of Charter Schools,*

44 *↪ for inclusion in the report of the ~~{school district}~~ State Board of*
45 *Charter Schools* 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.*

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 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, shall submit a written report to the State
Board ~~[.]~~ *of Charter Schools.* 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, in achieving its educational goals and
objectives.

(b) A description of all administrative support and services
provided by the ~~[Department, the]~~ school district or the institution,
as applicable, to the charter school.

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,* 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, 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,



1 without limitation, the development of plans for the educational
2 technology which is necessary to adopt and maintain the program;

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

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

8 3. The Superintendent of Public Instruction shall:

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

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

16 (c) Prescribe the format for the data;

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

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

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

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

26 (1) Individual pupils;

27 (2) Individual teachers and paraprofessionals;

28 (3) Individual schools and school districts; and

29 (4) Programs and financial information;

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

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

38 4. The Department shall establish, to the extent authorized by
39 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
40 1232g, and any regulations adopted pursuant thereto, a mechanism
41 by which persons or entities, including, without limitation, state
42 officers who are members of the Executive or Legislative Branch,
43 administrators of public schools and school districts, teachers and
44 other educational personnel, and parents and guardians, will have
45 different types of access to the accountability information contained



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1 within the automated system to the extent that such information is
2 necessary for the performance of a duty or to the extent that such
3 information may be made available to the general public without
4 posing a threat to the confidentiality of an individual pupil.

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

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

12 387.124 Except as otherwise provided in this section and
13 NRS 387.528:

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

32 2. Except as otherwise provided in subsection 3, the
33 apportionment to a charter school, computed on a yearly basis, is
34 equal to the sum of the basic support per pupil in the county in
35 which the pupil resides plus the amount of local funds available per
36 pupil pursuant to NRS 387.1235 and all other funds available for
37 public schools in the county in which the pupil resides minus all the
38 funds attributable to pupils who are enrolled in the charter school
39 but are concurrently enrolled part-time in a program of distance
40 education provided by a school district or another charter school. If
41 the apportionment per pupil to a charter school is more than the
42 amount to be apportioned to the school district in which a pupil who
43 is enrolled in the charter school resides, the school district in which
44 the pupil resides shall pay the difference directly to the charter
45 school.



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3. The apportionment to a charter school that is sponsored by the State Board *of Charter Schools* or by a college or university within the Nevada System of Higher Education, 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 all 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.

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

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

6. The apportionment to a university school for profoundly gifted pupils, computed on a yearly basis, is equal to the sum of the basic support per pupil in the county in which the university school is located 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 university school is located. If the apportionment per pupil to a university school for profoundly gifted pupils is more than the amount to be apportioned to the school district in which the university school is located, the school district shall pay the difference directly to the university school. The governing body of a university school for profoundly gifted pupils may submit a written request to the Superintendent of Public Instruction to receive, in the first year of operation of the university school, an apportionment 30 days before the apportionment is required to be made pursuant to subsection 1. Upon receipt of such a



request, the Superintendent of Public Instruction may make the apportionment 30 days before the apportionment is required to be made. A university school for profoundly gifted pupils may receive all four apportionments in advance in its first year of operation.

7. The Superintendent of Public Instruction shall apportion, on or before August 1 of each year, the money designated as the "Nutrition State Match" pursuant to NRS 387.105 to those school districts that participate in the National School Lunch Program, 42 U.S.C. §§ 1751 et seq. The apportionment to a school district must be directly related to the district's reimbursements for the Program as compared with the total amount of reimbursements for all school districts in this 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~~ *and similar information included in the annual report of accountability information prepared by the State Board of Charter Schools 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



1 the requirements of continuing education, including, without
2 limitation, the receipt of credit for college courses completed
3 through the use of educational technology;

4 (d) Facilitate the exchange of ideas to improve the achievement
5 of pupils who are enrolled in the public schools of this State; and

6 (e) Address the needs of teachers in incorporating the use of
7 educational technology in the classroom, including, without
8 limitation, the completion of training that is sufficient to enable the
9 teachers to instruct pupils in the use of educational technology.

10 3. The Department shall provide:

11 (a) Administrative support;

12 (b) Equipment; and

13 (c) Office space,

14 ➔ as is necessary for the Commission to carry out the provisions of
15 this section.

16 4. The following entities shall cooperate with the Commission
17 in carrying out the provisions of this section:

18 (a) The State Board.

19 (b) The board of trustees of each school district.

20 (c) The superintendent of schools of each school district.

21 (d) The Department.

22 5. The Commission shall:

23 (a) Develop technical standards for educational technology and
24 any electrical or structural appurtenances necessary thereto,
25 including, without limitation, uniform specifications for computer
26 hardware and wiring, to ensure that such technology is compatible,
27 uniform and can be interconnected throughout the public schools of
28 this State.

29 (b) Allocate money to the school districts from the Trust Fund
30 for Educational Technology created pursuant to NRS 388.800 and
31 any money appropriated by the Legislature for educational
32 technology, subject to any priorities for such allocation established
33 by the Legislature.

34 (c) Establish criteria for the board of trustees of a school district
35 that receives an allocation of money from the Commission to:

36 (1) Repair, replace and maintain computer systems.

37 (2) Upgrade and improve computer hardware and software
38 and other educational technology.

39 (3) Provide training, installation and technical support related
40 to the use of educational technology within the district.

41 (d) Submit to the Governor, the Committee and the Department
42 its plan for the use of educational technology in the public schools
43 of this State and any recommendations for legislation.

44 (e) Review the plan annually and make revisions as it deems
45 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* pursuant to subsection ~~7~~ 8 of NRS 385.347;

(b) Identify factors that contribute to the truancy of pupils in the school district;



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(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;



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(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*, 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.



1 **Sec. 57.** NRS 386.507 is hereby repealed.

2 **Sec. 58.** The Department of Education shall, on or before
3 October 1, 2011, transfer to the Account for the State Board of
4 Charter Schools created by section 35 of this act any unexpended
5 money collected by the Department pursuant to NRS 386.570 for
6 reimbursement of the administrative costs associated with
7 sponsorship of charter schools sponsored by the State Board of
8 Education.

9 **Sec. 59.** Notwithstanding the provisions of section 31 of this
10 act to the contrary, on October 1, 2011, the Governor shall appoint a
11 Director of the State Board of Charter Schools to a term of 3 years.
12 Upon the expiration of the term of the Director or if a vacancy
13 occurs before the expiration of the term, the State Board of Charter
14 Schools shall appoint the Director in accordance with section 31 of
15 this act.

16 **Sec. 60.** 1. To assist the State Board of Charter Schools
17 created by section 29 of this act in carrying out its duties and
18 responsibilities, the Director of the State Board of Charter Schools
19 shall, on January 1, 2012:

20 (a) Hire an administrative assistant and an accounting assistant;
21 and

22 (b) Hire an educational consultant.

23 2. On January 1, 2012, one management analyst position in the
24 Department of Education with job duties and responsibilities that
25 relate to charter schools must be transferred to the State Board of
26 Charter Schools.

27 **Sec. 61.** On or before January 1, 2012, the members of the
28 State Board of Charter Schools created by section 29 of this act shall
29 be appointed to terms commencing on January 1, 2012, as follows:

30 1. One member appointed by the Governor to a term that
31 expires on June 30, 2013.

32 2. One member appointed by the Governor to a term that
33 expires on June 30, 2015.

34 3. One member appointed by the Majority Leader of the Senate
35 to a term that expires on June 30, 2013.

36 4. One member appointed by the Majority Leader of the Senate
37 to a term that expires on June 30, 2015.

38 5. One member appointed by the Speaker of the Assembly to a
39 term that expires on June 30, 2013.

40 6. One member appointed by the Speaker of the Assembly to a
41 term that expires on June 30, 2015.

42 7. One member must be appointed by an association of charter
43 schools to a term that expires on June 30, 2015. For the initial
44 selection pursuant to this subsection, the Superintendent of Public
45 Instruction shall designate the association of charter schools that is



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1 authorized to appoint a member of the State Board of Charter
2 Schools.

3 **Sec. 62.** The Legislative Counsel shall, in preparing the reprint
4 and supplement to the Nevada Revised Statutes with respect to any
5 section which is not amended by this act or is adopted or amended
6 by another act, appropriately change any reference to an officer or
7 agency whose responsibilities have been transferred pursuant to the
8 provisions of this act to refer to the appropriate officer or agency. If
9 any internal reference is made to a section repealed by this act, the
10 Legislative Counsel shall delete the reference and replace it by
11 reference to the superseding section, if any.

12 **Sec. 63.** Any regulations adopted by the Department of
13 Education or the State Board of Education pursuant to NRS 386.500
14 to 386.610, inclusive, before January 1, 2012, remain in effect and
15 may be enforced by the State Board of Charter Schools created by
16 section 29 of this act until the State Board of Charter Schools adopts
17 regulations to repeal or replace those regulations.

18 **Sec. 64.** A charter school that is approved to operate as a
19 charter school sponsored by the State Board of Education before
20 January 1, 2012, shall be deemed to be sponsored by the State Board
21 of Charter Schools commencing on January 1, 2012, and the written
22 charter of the charter school shall remain in effect until the
23 expiration of the written charter, unless the written charter is
24 revoked by the State Board of Charter Schools pursuant to NRS
25 386.535. Before expiration of the written charter, such a charter
26 school may apply to the State Board of Charter Schools for renewal
27 of its written charter pursuant to NRS 386.530.

28 **Sec. 65.** This act becomes effective upon passage and approval
29 for the purpose of adopting regulations and performing any other
30 preparatory administrative tasks that are necessary to carry out the
31 provisions of this act, and on July 1, 2011, for all other purposes.

TEXT OF REPEALED SECTION

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



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expires when his or her membership on the State Board expires. Members of the Subcommittee may be reappointed.

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