

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 Public Charter School Authority; prescribing the membership, duties and powers of the State Public Charter School Authority; imposing certain restrictions on contracts between a charter school or proposed charter school and a contractor or educational management organization; repealing the Subcommittee on Charter Schools of the State Board of Education; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

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

Existing administrative regulations of the Department of Education set forth certain restrictions on contracts and proposed contracts between a charter school or



proposed charter school and a contractor or an educational management organization. (NAC 386.403) **Section 35.7** of this bill codifies into statute the provisions of this regulation. **Section 35.7** also defines educational management organization for purposes of that section.

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

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

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

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

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

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

3. Increase the opportunities for learning for all pupils;

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

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

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

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

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



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 Public Charter School Authority*, 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~~ *sponsored by* the school district. The board of trustees of each school district shall report the information required by subsection 2 for each charter school ~~[that is located within the school district, regardless of the sponsor of the charter school.]~~ *sponsored by the school district.* The information for charter schools must be reported separately . ~~[and must denote the charter schools sponsored by the school district, the charter schools sponsored by the State Board and the charter schools sponsored by a college or university within the Nevada System of Higher Education.]~~



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

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

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

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

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

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

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

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

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

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

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

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

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

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

(8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in



1 charter schools ~~fin~~ sponsored by the district, with the results of
2 pupils throughout this State. The information required by this
3 subparagraph must be provided in consultation with the Department
4 to ensure the accuracy of the comparison.

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

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

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

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

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

34 (1) The percentage of teachers who are:

35 (I) Providing instruction pursuant to NRS 391.125;

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

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

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



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

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

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

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

(5) For each elementary school:

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

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

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

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

(1) Any special programs for pupils at an individual school; and

(2) The curriculum used by each charter school ~~fin~~ **sponsored by** the district.



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

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

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

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

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

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

(3) Withdraw from school to attend another school.

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

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

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

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

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

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



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(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 ~~fin~~ **sponsored by** the district.

(o) The number of pupils in each grade who are retained in the same grade pursuant to NRS 392.033 or 392.125, for each school in the district and the district as a whole, including, without limitation, each charter school ~~fin~~ **sponsored by** 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 ~~fin~~ **sponsored by** the district. For the purposes of this paragraph, a pupil is not transient if the pupil is transferred to a different school within the school district as a result of a change in the zone of attendance by the board of trustees of the school district pursuant to NRS 388.040.

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

(r) A compilation of the programs of remedial study that are purchased in whole or in part with money received from this State, for each school in the district and the district as a whole, 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 ~~fin~~ **sponsored by** the district.

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

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

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

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

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



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(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 ~~fin~~ *sponsored by* the district, the number and percentage of pupils who failed to pass the high school proficiency examination.

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



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1 Title I money and to paraprofessionals who are not employed in
2 positions supported with Title I money.

3 (bb) For each high school in the district, including, without
4 limitation, each charter school *sponsored by the district* that
5 operates as a high school, information that provides a comparison of
6 the rate of graduation of pupils enrolled in the high school with the
7 rate of graduation of pupils throughout the district and throughout
8 this State. The information required by this paragraph must be
9 provided in consultation with the Department to ensure the accuracy
10 of the comparison.

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

15 (dd) For each school in the district and the district as a whole,
16 including, without limitation, each charter school ~~in~~ *sponsored by*
17 the district, information on pupils enrolled in career and technical
18 education, including, without limitation:

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

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

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

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

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

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

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

38 3. *The State Public Charter School Authority and each*
39 *college or university within the Nevada System of Higher*
40 *Education that sponsors a charter school shall, on or before*
41 *August 15 of each year, prepare an annual report of*
42 *accountability of the charter schools sponsored by the State Public*
43 *Charter School Authority or institution, as applicable, concerning*
44 *the accountability information prescribed by the Department*
45 *pursuant to this section. The Department, in consultation with the*



1 *State Public Charter School Authority and each college or*
2 *university within the Nevada System of Higher Education that*
3 *sponsors a charter school, shall prescribe by regulation the*
4 *information that must be prepared by the State Public Charter*
5 *School Authority and institution, as applicable, which must*
6 *include, without limitation, the information contained in*
7 *paragraphs (a) to (ee), inclusive, of subsection 2, as applicable to*
8 *charter schools. The Department shall provide for public*
9 *dissemination of the annual report of accountability prepared*
10 *pursuant to this section in the manner set forth in 20 U.S.C. §*
11 *6311(h)(2)(E) by posting a copy of the report on the Internet*
12 *website maintained by the Department.*

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

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

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

25 ~~{4-}~~ 5. The annual report of accountability prepared pursuant
26 to subsection 2 *or 3, as applicable*, must:

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

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

32 ~~{5-}~~ 6. The Superintendent of Public Instruction shall:

33 (a) Prescribe forms for the reports required pursuant to
34 ~~{subsection 2}~~ *subsections 2 and 3* and provide the forms to the
35 respective school districts ~~{ }~~ , *the State Public Charter School*
36 *Authority and each college or university within the Nevada System*
37 *of Higher Education that sponsors a charter school.*

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

45 (c) Consult with a representative of the:



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- (1) Nevada State Education Association;
- (2) Nevada Association of School Boards;
- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Department of Administration;

~~{and}~~

(6) Legislative Counsel Bureau ~~{}~~; *and*

(7) Charter School Association of Nevada,

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

~~{6-}~~ 7. The Superintendent of Public Instruction may consult with representatives of parent groups other than the Nevada Parent Teacher Association concerning the program and consider any advice or recommendations submitted by the representatives with respect to the program.

~~{7-}~~ 8. On or before August 15 of each year ~~{, the}~~ :

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

~~{8-}~~ (b) *The State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall submit to each advisory board to review school attendance created in a county pursuant to NRS 392.126 the information regarding the records of the attendance and truancy of pupils enrolled in the charter school located in that county, if any, in accordance with the regulations prescribed by the Department pursuant to subsection 3.*

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

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

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

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



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

~~9.1~~ *If the State Public Charter School Authority or the institution does not maintain a website, the State Public Charter School Authority or the institution, as applicable, shall otherwise provide for public dissemination of the annual report by providing a copy of the report to each charter school it sponsors and the parents and guardians of pupils enrolled in each charter school it sponsors.*

10. Upon the request of the Governor, an entity described in paragraph (a) of subsection ~~8.1~~ 9 or a member of the general public, the board of trustees of a school district, *the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school, as applicable*, shall provide a portion or portions of the report required pursuant to subsection 2 ~~1~~.

~~10.1~~ *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, *the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school* shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.347 on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:



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(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 Public Charter School Authority or a college or university within the Nevada System of Higher Education, the information set forth in subsection 1 of NRS 385.34692, reported for the charter schools sponsored by the State Public Charter School Authority or the institution, as applicable.*

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

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

2. The summary prepared pursuant to subsection 1 must:

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

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

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

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

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

(1) Governor;

(2) State Board;

(3) Department;

(4) Committee;

(5) Bureau; and

(6) Schools within the school district ~~H~~ *or charter schools, as applicable.*

(b) Provide for the public dissemination of the summary *of the school district, the State Public Charter School Authority or the college or university, as applicable*, by posting a copy of the summary on the Internet website maintained by the school district, *the State Public Charter School Authority or institution*, if any. If



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

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

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

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

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

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

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

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

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



1 and meet the minimum level of proficiency prescribed by the State
2 Board.

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

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

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

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

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

24 (I) The curriculum appropriate to improve achievement;

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

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

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

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

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

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

42 (i) An identification, by category, of the employees of the school
43 who are responsible for ensuring that the plan is carried out
44 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 ~~H~~ *or, if the school is a charter school, the sponsor of the*
8 *charter school and the governing body of the 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, *the State Public Charter School*
30 *Authority and each college or university within the Nevada System*
31 *of Higher Education that sponsors a charter school*, prescribe a
32 form that contains the basic information required by subsection 1.
33 The principal of a school may use an expanded form that contains
34 additions to the form prescribed by the Department if the basic
35 information contained in the expanded form complies with the form
36 prescribed by the Department.

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

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

- 40 (1) Department;
 - 41 (2) Bureau; and
 - 42 (3) Board of trustees of the school district in which the
- 43 school is located ~~H~~ *or, if the school is a charter school, to*
44 *the sponsor of the charter school and the governing body of the*
45 *charter school.*



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

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

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

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

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

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

(1) Annual report of accountability prepared by:

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

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

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

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

(I) The State Board pursuant to NRS 385.34691;

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

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



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

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

(d) If requested by the Bureau, submit a written report to and consult with individual schools identified by the Bureau regarding any methods by which the school may improve the accuracy of the information required to be reported for the school pursuant to subsection 2 *or 3* of NRS 385.347 , *as applicable*, and the:

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

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

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

↳ whichever is applicable for the school.

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

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

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

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

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



1 **Sec. 7.** NRS 385.36127 is hereby amended to read as follows:
2 385.36127 1. If a school support team is established pursuant
3 to the regulations adopted by the State Board pursuant to NRS
4 385.361, the support team shall:
5 (a) Review and analyze the operation of the school, including,
6 without limitation, the design and operation of the instructional
7 program of the school.
8 (b) Review and analyze the data pertaining to the school upon
9 which the report required pursuant to subsection 2 **or 3** of NRS
10 385.347 , **as applicable**, is based and review and analyze any data
11 that is more recent than the data upon which the report is based.
12 (c) Review the most recent plan to improve the achievement of
13 the school's pupils.
14 (d) Review the information concerning the educational
15 involvement accords provided to the support team pursuant to NRS
16 392.4575 and the information concerning the reports provided to the
17 support team pursuant to NRS 392.456.
18 (e) Identify and investigate the problems and factors at the
19 school that contributed to the designation of the school as
20 demonstrating need for improvement.
21 (f) Assist the school in developing recommendations for
22 improving the performance of pupils who are enrolled in the school.
23 (g) Except as otherwise provided in this paragraph, make
24 recommendations to the board of trustees of the school district, the
25 State Board and the Department concerning additional assistance for
26 the school in carrying out the plan for improvement of the school,
27 the turnaround plan for the school or the plan for restructuring the
28 school, whichever is applicable for the school. For a charter school
29 sponsored by the State ~~{Board,}~~ **Public Charter School Authority**,
30 the support team shall make the recommendations to the State
31 ~~{Board}~~ **Public Charter School Authority** and the Department. For a
32 charter school sponsored by a college or university within the
33 Nevada System of Higher Education, the support team shall make
34 the recommendations to the sponsor ~~{, the State Board}~~ and the
35 Department.
36 (h) In accordance with its findings pursuant to this section and
37 NRS 385.36129, submit, on or before November 1, written revisions
38 to the most recent plan to improve the achievement of the school's
39 pupils for approval pursuant to NRS 385.357, or submit, on or
40 before May 1, written recommendations for revisions to the
41 turnaround plan for the school implemented pursuant to NRS
42 385.37603 or the plan for restructuring the school implemented
43 pursuant to NRS 385.37607, whichever is applicable for the school.
44 The written revisions or recommendations, as applicable, must:



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

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

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

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

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

(II) Specific;

(III) Measurable; and

(IV) Conducive to reliable evaluation;

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

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

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

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

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

(1) Submit the progress report to the Department.

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

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



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

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

Sec. 8. NRS 385.36129 is hereby amended to read as follows:

385.36129 1. In addition to the duties prescribed in NRS 385.36127, a support team established for a school shall prepare an annual written report that includes:

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

(1) The appropriateness of the plan for the school; and

(2) Whether the school has achieved the goals and objectives set forth in the plan;

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

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

(1) The name of the program;

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

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

(4) The satisfaction of the personnel at the school with the program; and

(5) An evaluation of whether the program has improved the academic achievement of the pupils enrolled in the school who participated in the program;

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

(1) The financial resources of the school;

(2) The administrative and educational personnel of the school;



- 1 (3) The curriculum of the school;
- 2 (4) The facilities available at the school, including the
- 3 availability and accessibility of educational technology; and
- 4 (5) Any other factors that the support team believes
- 5 contributed to the designation of the school as demonstrating need
- 6 for improvement; and
- 7 (e) Other information concerning the school, including, without
- 8 limitation:
- 9 (1) The results of the pupils who are enrolled in the school
- 10 on the examinations that are administered pursuant to NRS 389.550
- 11 or the high school proficiency examination, as applicable;
- 12 (2) Records of the attendance and truancy of pupils who are
- 13 enrolled in the school;
- 14 (3) The transiency rate of pupils who are enrolled in the
- 15 school;
- 16 (4) A description of the number of years that each teacher
- 17 has provided instruction at the school and the rate of turnover of
- 18 teachers and other educational personnel employed at the school;
- 19 (5) A description of the participation of parents and legal
- 20 guardians in the educational process and other activities relating to
- 21 the school;
- 22 (6) A description of each source of money for the
- 23 remediation of pupils who are enrolled in the school; ~~and~~
- 24 (7) ~~A~~ *Except as otherwise provided in subparagraph (8), a*
- 25 *description of the disciplinary problems of the pupils who are*
- 26 *enrolled in the school, including, without limitation, the information*
- 27 *contained in paragraphs (k) to (n), inclusive, of subsection 2 of NRS*
- 28 *385.347* ~~H~~ *; and*
- 29 *(8) For a charter school, a description of the disciplinary*
- 30 *problems of the pupils enrolled in the charter school as reported in*
- 31 *the annual report of accountability prepared by the State Public*
- 32 *Charter School Authority or the college or university within the*
- 33 *Nevada System of Higher Education that sponsors the charter*
- 34 *school, as applicable, pursuant to subsection 3 of NRS 385.347.*
- 35 2. On or before November 1, the support team *of a school*
- 36 *other than a charter school* shall submit a copy of the final written
- 37 report to the:
- 38 (a) Principal of the school;
- 39 (b) Board of trustees of the school district in which the school is
- 40 located;
- 41 (c) Superintendent of schools of the school district in which the
- 42 school is located;
- 43 (d) Department; and
- 44 (e) Bureau.



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

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

- 6 **(a) Principal of the charter school;**
7 **(b) Sponsor of the charter school;**
8 **(c) Governing body of the charter school;**
9 **(d) Department; and**
10 **(e) Bureau.**

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

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

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

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

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

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

41 (b) To the State ~~{Board}~~ **Public Charter School Authority** the
42 determination made for each charter school that is sponsored by the
43 State ~~{Board}~~ **Public Charter School Authority.**

44 (c) The determination made for the charter school to the
45 institution that sponsors the charter school if a charter school is



1 sponsored by a college or university within the Nevada System of
2 Higher Education.

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

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

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

22 (b) Except as otherwise provided in subsection 6, for each group
23 of pupils identified in paragraph (b) of subsection 1 of NRS
24 385.361, the number of pupils in the group enrolled in the school
25 who took the examinations administered pursuant to NRS 389.550
26 or the high school proficiency examination, as applicable, is less
27 than 95 percent of all pupils in that group enrolled in the school who
28 were required to take the examinations.

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

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

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

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

40 7. If an irregularity in testing administration or an irregularity
41 in testing security occurs at a school and the irregularity invalidates
42 the test scores of pupils, those test scores must be included in the
43 scores of pupils reported for the school, the attendance of those
44 pupils must be counted towards the total number of pupils who took



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1 the examinations and the pupils must be included in the total
2 number of pupils who were required to take the examinations.

3 8. As used in this section:

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

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

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

9 385.362 1. If a public school fails to make adequate yearly
10 progress for 1 year:

11 (a) Except as otherwise provided in ~~paragraph (b),~~ *paragraphs*
12 *(b) and (c),* the board of trustees of the school district in which the
13 school is located shall ensure that the school receives technical
14 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
15 regulations adopted pursuant thereto. For a charter school sponsored
16 by the school district, the board of trustees shall provide the
17 technical assistance to the charter school in conjunction with the
18 governing body of the charter school.

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

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

31 2. If a public school fails to make adequate yearly progress for
32 1 year, the principal of the school shall ensure that the plan to
33 improve the achievement of pupils enrolled in the school is
34 reviewed, revised and approved in accordance with NRS 385.357.

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

36 385.366 1. Based upon the information received from the
37 Department pursuant to NRS 385.3613, the board of trustees of each
38 school district shall, on or before July 1 of each year, issue a
39 preliminary designation for each public school in the school district
40 in accordance with the criteria set forth in NRS 385.3623, excluding
41 charter schools sponsored by the State ~~Board~~ *Public Charter*
42 *School Authority* or by a college or university within the Nevada
43 System of Higher Education. The board of trustees shall make
44 preliminary designations for all charter schools that are sponsored
45 by the board of trustees. The Department shall make preliminary



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designations for all charter schools that are sponsored by the State ~~{Board}~~ **Public Charter School Authority** and all charter schools sponsored by a college or university within the Nevada System of Higher Education. The initial designation of a school as demonstrating need for improvement must be based upon 2 consecutive years of data and information for that school.

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

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

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

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

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

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

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

(d) The determination and final designation made for each charter school to the sponsor of the charter school.

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

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



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

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

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

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

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

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

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

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

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

(b) *For a charter school sponsored by the State Public Charter School Authority, the State Public Charter School Authority shall work cooperatively with the board of trustees of the school district*



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in which the pupil resides to provide school choice to the parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

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

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

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

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

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

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

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

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

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

(d) For a charter school sponsored by ~~{the State Board or by}~~ a college or university within the Nevada System of Higher Education, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives



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

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

4 385.372 1. In addition to the requirements of NRS 385.3693,
5 if a Title I school is designated as demonstrating need for
6 improvement pursuant to NRS 385.3623 for 2 consecutive years for
7 failing to make adequate yearly progress:

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

10 (1) Provide school choice to the parents and guardians of
11 pupils enrolled in the school in accordance with 20 U.S.C. §
12 6316(b)(1) and the regulations adopted pursuant thereto.

13 (2) Except as otherwise provided in subsection 2, provide
14 supplemental educational services in accordance with 20 U.S.C. §
15 6316(e) and the regulations adopted pursuant thereto from a
16 provider approved pursuant to NRS 385.384, unless a waiver is
17 granted pursuant to that provision of federal law.

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

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

23 (2) *Sponsored by the State Public Charter School*
24 *Authority, the State Public Charter School Authority shall work*
25 *cooperatively with the board of trustees of the school district in*
26 *which the pupil resides to provide school choice to the parent or*
27 *guardian of each pupil enrolled in the charter school in*
28 *accordance with 20 U.S.C. § 6316(b)(1) and the regulations*
29 *adopted pursuant thereto.*

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

38 ~~{(3)}~~ (4) Except as otherwise provided in subsection 3, the
39 governing body of the charter school shall provide supplemental
40 educational services in accordance with 20 U.S.C. § 6316(e) and the
41 regulations adopted pursuant thereto from a provider approved
42 pursuant to NRS 385.384, unless a waiver is granted pursuant to that
43 provision of federal law.

44 2. The board of trustees of a school district shall grant a delay
45 from the imposition of supplemental educational services for a



1 school for a period not to exceed 1 year if the school qualifies for a
2 delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the school fails to
3 make adequate yearly progress during the period of the delay, the
4 provisions of NRS 385.3721 apply to the school as if the delay
5 never occurred.

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

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

14 385.3721 1. Except as otherwise provided in subsection 2, if
15 a public school is designated as demonstrating need for
16 improvement pursuant to NRS 385.3623 for 3 consecutive years:

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

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

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

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

29 2. If a charter school is designated as demonstrating need for
30 improvement pursuant to NRS 385.3623 for 3 consecutive years:

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

35 (b) For a charter school sponsored by the board of trustees of a
36 school district, the board of trustees shall, in conjunction with the
37 governing body of the charter school, ensure that the charter school
38 receives technical assistance in the manner set forth in 20 U.S.C. §
39 6316(b)(4) and the regulations adopted pursuant thereto.

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



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(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:

(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 Public Charter School Authority, the State Public Charter School Authority shall:*

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



(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}~~ *pupil resides* to provide school choice to the ~~{parents and guardians of pupils}~~ *parent or guardian of each pupil* enrolled in the *charter* school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto; and

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

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

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

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

385.3744 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 3 consecutive years for failing to make adequate yearly progress, *the State Public Charter School Authority may, for a charter school sponsored by the State Public Charter School Authority,* the Department may, for a charter school sponsored by ~~{the State Board or by}~~ a college or university within the Nevada System of Higher Education, and the board of trustees of a school district may, for a school of the school district or a charter school sponsored by the



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board of trustees, take one or more of the following corrective actions for the school:

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

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

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

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

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

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

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

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

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

(b) The State Board shall prescribe by regulation:

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

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

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

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

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

(2) The actions the Department may take to monitor the development of the turnaround plan developed pursuant to this



1 section and the implementation of any corrective action at the
2 school.

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

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

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

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

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

19 (c) *For a charter school sponsored by the State Public Charter
20 School Authority, the State Public Charter School Authority shall,
21 in conjunction with the governing body of the charter school:*

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

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

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

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

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

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

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

43 (I) A requirement that the plan is based on the results of
44 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 ~~is~~ *or, if the school is a charter school, the sponsor of the charter school and the governing body of the charter school;* and

(e) Principal of the school.

Sec. 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



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thereto from a provider approved pursuant to NRS 385.384, unless a waiver is granted pursuant to that provision of federal law; and

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

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

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

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

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

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

(2) *Sponsored by the State Public Charter School Authority, the State Public Charter School Authority shall:*

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

- (a) Superintendent of Public Instruction;
- (b) Department;
- (c) Bureau;
- (d) Board of trustees of the school district in which the school is located ~~or~~ *or, if the school is a charter school, the sponsor of the charter school and the governing body of the charter school;* and
- (e) Principal of the school.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

3. The *State Public Charter School Authority*, the Department or the board of trustees of a school district, as applicable, shall grant



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

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

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

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

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

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

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

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

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

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

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



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

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

(b) If the school is a charter school:

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

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

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

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

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

(2) Sponsored by the State Public Charter School Authority, the State Public Charter School Authority shall:

(I) Except as otherwise provided in subsection 3, repeal the plan to improve the academic achievement of pupils developed pursuant to NRS 385.357 and, not later than September 30, implement the plan for restructuring the 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 pupil resides to provide school choice to the parent or guardian of each pupil enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.



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(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}~~ *pupil resides* to provide school choice to the ~~{parents and guardians of pupils}~~ *parent or guardian of each pupil* enrolled in the *charter* school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

~~{(3)}~~ (4) 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.

(c) 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 or charter school.

2. The board of trustees of a school district shall grant a delay from the imposition of a plan for restructuring for a school, including, without limitation, the development and implementation of a plan for restructuring, 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 delay, the board of trustees shall proceed with a plan for restructuring the school as if the delay never occurred.

3. The sponsor of a charter school shall grant a delay from the imposition of a plan for restructuring for a school, including, without limitation, the development and implementation of a plan for restructuring, 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 charter school fails to make adequate yearly progress during the



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1 period of delay, the Department shall proceed with a plan for
2 restructuring the charter school as if the delay never occurred.

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

10 (a) Notice that the board of trustees , *the State Public Charter*
11 *School Authority* or the Department, as applicable, will develop a
12 plan for restructuring the school;

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

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

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

18 385.620 The Advisory Council shall:

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

22 2. Review the information relating to communication with and
23 participation of parents that is included in the annual report of
24 accountability for each school district pursuant to paragraph (j) of
25 subsection 2 of NRS 385.347 ~~§~~ *and similar information in the*
26 *annual report of accountability prepared by the State Public*
27 *Charter School Authority and a college or university within the*
28 *Nevada System of Higher Education that sponsors a charter*
29 *school pursuant to subsection 3 of NRS 385.347;*

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

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

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

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



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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 35.7, inclusive, of this act.

Sec. 26. *As used in NRS 386.500 to 386.610, inclusive, and sections 26 to 35.7, 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 Public Charter School Authority appointed pursuant to section 31 of this act.*

Sec. 28. *“State Public Charter School Authority” means the State Public Charter School Authority created by section 28.5 of this act.*

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

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

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

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

Sec. 29. *1. The State Public Charter School Authority consists of seven members. The membership of the State Public Charter School Authority consists of:*

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



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

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

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

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

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

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

(c) Includes persons with specific knowledge of:

(1) Issues relating to elementary and secondary education;

(2) School finance or accounting, or both;

(3) Management practices;

(4) Assessments required in elementary and secondary education;

(5) Educational technology; and

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

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

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

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

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

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



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

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

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

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

Sec. 31. 1. The State Public Charter School Authority shall appoint a Director of the State Public Charter School Authority for a term of 3 years. The State Public Charter School Authority shall ensure that the Director has a demonstrated understanding of charter schools and a commitment to using charter schools as a way to strengthen public education in this State.

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

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

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

Sec. 33. The Director shall:

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

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

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

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

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

Sec. 34. The State Public Charter School Authority may employ such persons as it deems necessary to carry out the



1 *provisions of NRS 386.500 to 386.610, inclusive, and sections 26*
2 *to 35.7, inclusive, of this act. The staff employed by the State*
3 *Public Charter School Authority must be qualified to carry out the*
4 *daily responsibilities of sponsoring charter schools in accordance*
5 *with the provisions of NRS 386.500 to 386.610, inclusive, and*
6 *sections 26 to 35.7, inclusive, of this act.*

7 **Sec. 35. 1.** *The Account for the State Public Charter*
8 *School Authority is hereby created in the State General Fund, to*
9 *be administered by the Director.*

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

12 *3. The money in the Account may be used only for the*
13 *establishment and maintenance of the State Public Charter School*
14 *Authority.*

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

18 *5. The Director and the State Public Charter School*
19 *Authority may accept gifts, grants and bequests to carry out the*
20 *provisions of NRS 386.500 to 386.610, inclusive, and sections 26*
21 *to 35.7, inclusive, of this act. Any money from gifts, grants and*
22 *bequests must be deposited in the Account and may be expended*
23 *in accordance with the terms and conditions of the gift, grant or*
24 *bequest, or in accordance with this section.*

25 **Sec. 35.3. 1.** *The governing body of a charter school may*
26 *contract with the sponsor of the charter school for the purchase of*
27 *services, excluding those services which are covered by the*
28 *sponsorship fee paid to the sponsor pursuant to NRS 386.570. If*
29 *the governing body of a charter school elects to purchase such*
30 *services, the governing body and the sponsor shall enter into an*
31 *annual service agreement which is separate from the written*
32 *charter of the charter school.*

33 *2. If a service agreement is entered into pursuant to this*
34 *section, the sponsor of the charter school shall, not later than*
35 *August 1 after the completion of the school year, provide to the*
36 *governing body of the charter school an itemized accounting of*
37 *the actual costs of those services purchased by the charter school.*
38 *Any difference between the amount paid by the charter school*
39 *pursuant to the service agreement and the actual cost for those*
40 *services must be reconciled and paid to the party to whom it is due.*
41 *If the governing body or the sponsor disputes the amount due, the*
42 *party making the dispute may request an independent review by*
43 *the Department, whose determination is final.*

44 *3. The governing body of a charter school may not be*
45 *required to enter into a service agreement pursuant to this section*



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1 as a condition to approval of its written charter by the sponsor of
2 the charter school or as a condition to renewal of the written
3 charter.

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

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

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

19 **Sec. 35.7. 1.** A contract or a proposed contract between a
20 charter school or a proposed charter school and a contractor or an
21 educational management organization must not:

22 (a) Give to the contractor or educational management
23 organization direct control of educational services, financial
24 decisions, the appointment of members of the governing body, or
25 the hiring and dismissal of an administrator or financial officer of
26 the charter school or proposed charter school;

27 (b) Authorize the payment of loans, advances or other
28 monetary charges from the contractor or educational management
29 organization which are greater than 15 percent of the total
30 expected funding received by the charter school or proposed
31 charter school from the State Distributive School Account;

32 (c) Require the charter school or proposed charter school to
33 prepay any fees to the contractor or educational management
34 organization;

35 (d) Require the charter school or proposed charter school to
36 pay the contractor or educational management organization
37 before the payment of other obligations of the charter school or
38 proposed charter school during a period of financial distress;

39 (e) Allow a contractor or educational management
40 organization to cause a delay in the repayment of a loan or other
41 money advanced by the contractor or educational management
42 organization to the charter school or proposed charter school,
43 which delay would increase the cost to the charter school or
44 proposed charter school of repaying the loan or advance;



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(f) Require the charter school or proposed charter school to enroll a minimum number of pupils for the continuation of the contract between the charter school or proposed charter school and the contractor or educational management organization;

(g) Require the charter school or proposed charter school to request or borrow money from this State to pay the contractor or educational management organization if the contractor or educational management organization will provide financial management to the charter school or proposed charter school;

(h) Contain a provision which restricts the ability of the charter school or proposed charter school to borrow money from a person or entity other than the contractor or educational management organization;

(i) Provide for the allocation to the charter school or proposed charter school of any indirect cost incurred by the contractor or educational management organization;

(j) Authorize the payment of fees to the contractor or educational management organization which are not attributable to the actual services provided by the contractor or educational management organization;

(k) Allow any money received by the charter school or proposed charter school from this State or from the board of trustees of a school district to be transferred to or deposited in a bank, credit union or other financial institution outside this State, including money controlled by the contractor or educational management organization; or

(l) Except as otherwise provided in this paragraph, provide incentive fees to the contractor or educational management organization. A contract or a proposed contract may provide to the contractor or educational management organization incentive fees that are based on the academic improvement of pupils enrolled in the charter school.

2. As used in this section, "educational management organization" means a corporation, business, organization or other entity, whether or not conducted for profit, with whom a committee to form a charter school or the governing body of a charter school, as applicable, contracts to assist with the operation, management or provision and implementation of educational services and programs of the charter school or proposed charter school. The term includes a corporation, business, organization or other entity that directly employs and provides personnel to a charter school or proposed charter school.

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

386.500 ~~For the purposes of NRS 386.500 to 386.610, inclusive, a~~ A pupil is "at risk" if the pupil has an economic or



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1 academic disadvantage such that he or she requires special services
2 and assistance to enable him or her to succeed in educational
3 programs. The term includes, without limitation, pupils who are
4 members of economically disadvantaged families, pupils who are
5 limited English proficient, pupils who are at risk of dropping out of
6 high school and pupils who do not meet minimum standards of
7 academic proficiency. The term does not include a pupil with a
8 disability.

9 **Sec. 37.** (Deleted by amendment.)

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

11 386.515 1. The board of trustees of a school district may
12 apply to the Department for authorization to sponsor charter schools
13 within the school district. An application must be approved by the
14 Department before the board of trustees may sponsor a charter
15 school. Not more than 180 days after receiving approval to sponsor
16 charter schools, the board of trustees shall provide public notice of
17 its ability to sponsor charter schools and solicit applications for
18 charter schools.

19 2. The State ~~{Board}~~ *Public Charter School Authority* shall
20 sponsor charter schools whose applications have been approved by
21 the State ~~{Board}~~ *Public Charter School Authority* pursuant to NRS
22 386.525. Except as otherwise provided by specific statute, if the
23 State ~~{Board}~~ *Public Charter School Authority* sponsors a charter
24 school, the State ~~{Board or the Department}~~ *Public Charter School*
25 *Authority* is responsible for the evaluation, monitoring and
26 oversight of the charter school.

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

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

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

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

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

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

41 *(e) Monitoring, in accordance with NRS 386.500 to 386.610,*
42 *inclusive, and sections 26 to 35.7, inclusive, of this act, and in*
43 *accordance with the terms and conditions of the applicable written*
44 *charter, the performance and compliance of each charter school*
45 *sponsored by the entity; and*



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

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

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

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

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

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

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

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

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

(a) Members of the general public;

(b) Representatives of nonprofit organizations and businesses;

or

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

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

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



1 **form a charter school** must include all information prescribed by
2 the Department by regulation and:

3 (a) A written description of how the charter school will carry out
4 the provisions of NRS 386.500 to 386.610, inclusive ~~H~~ , and
5 **sections 26 to 35.7, inclusive, of this act.**

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

9 (1) Improving the ~~opportunities for pupils to learn;~~
10 **academic achievement of pupils;**

11 (2) Encouraging the use of effective **and innovative** methods
12 of teaching;

13 (3) Providing an accurate measurement of the educational
14 achievement of pupils;

15 (4) Establishing accountability **and transparency** of public
16 schools;

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

19 (6) Creating new professional opportunities for teachers.

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

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

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

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

29 (g) The proposed curriculum for the charter school and, if
30 applicable to the grade level of pupils who are enrolled in the
31 charter school, the requirements for the pupils to receive a high
32 school diploma, including, without limitation, whether those pupils
33 will satisfy the requirements of the school district in which the
34 charter school is located for receipt of a high school diploma.

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

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

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

41 (k) A financial plan for the operation of the charter school. The
42 plan must include, without limitation, procedures for the audit of the
43 programs and finances of the charter school and guidelines for
44 determining the financial liability if the charter school is
45 unsuccessful.



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

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

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

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

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

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



1 *application to the proposed sponsor for review pursuant to*
2 *NRS 386.525.*

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

4 (a) Holds a current license to teach issued pursuant to chapter
5 391 of NRS; and

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

7 ➔ The term does not include a person who is employed as a
8 substitute teacher.

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

10 386.525 1. ~~{Upon approval of an application by the~~
11 ~~Department, a}~~ *Except as otherwise provided in this subsection, a*
12 committee to form a charter school may submit the application to
13 the ~~{board of trustees of the school district in which the}~~ proposed
14 *sponsor of the* charter school . ~~{will be located, a college or~~
15 ~~university within the Nevada System of Higher Education or~~
16 ~~directly to the Subcommittee on Charter Schools.}~~ *If the proposed*
17 *sponsor of a charter school requested that the Department review*
18 *the application pursuant to NRS 386.520 and the Department*
19 *determined that the application was not complete pursuant to that*
20 *section, the application may not be submitted to the proposed*
21 *sponsor for review pursuant to this section. If an application*
22 *proposes to convert an existing public school, homeschool or other*
23 *program of home study into a charter school, the proposed*
24 *sponsor shall deny the application.*

25 2. If the board of trustees of a school district ~~{}~~ *or* a college or
26 a university ~~{}~~ *within the Nevada System of Higher Education*, as
27 applicable, receives an application to form a charter school, the
28 board of trustees or the institution, as applicable, shall consider the
29 application at a meeting that must be held not later than 45 days
30 after the receipt of the application, or a period mutually agreed upon
31 by the committee to form the charter school and the board of
32 trustees of the school district or the institution, as applicable, and
33 ensure that notice of the meeting has been provided pursuant to
34 chapter 241 of NRS. *If the proposed sponsor requested that the*
35 *Department review the application pursuant to NRS 386.520, the*
36 *proposed sponsor shall be deemed to receive the application*
37 *pursuant to this subsection upon transmittal of the application*
38 *from the Department.* The board of trustees, the college ~~{}~~ *or* the
39 university , ~~{for the Subcommittee on Charter Schools,}~~ as
40 applicable, shall review an application to determine whether the
41 application:

42 (a) Complies with NRS 386.500 to 386.610, inclusive, *and*
43 *sections 26 to 35.7, inclusive, of this act* and the regulations
44 applicable to charter schools; and



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(b) Is complete in accordance with the regulations of the Department.

~~[2-]~~ 3. The Department shall assist the board of trustees of a school district, the college or the university, as applicable, in the review of an application. The board of trustees, the college or the university, as applicable, may approve an application if it satisfies the requirements of paragraphs (a) and (b) of subsection ~~[4-]~~ 2. The board of trustees, the college or the university, as applicable, shall provide written notice to the applicant of its approval or denial of the application.

~~[3-]~~ 4. If the board of trustees, the college or the university, as applicable, denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application.

~~[4-]~~ 5. If the board of trustees, the college or the university, as applicable, denies an application after it has been resubmitted pursuant to subsection ~~[3-]~~ 4, the applicant may submit a written request for sponsorship by the State ~~[Board to the Subcommittee on Charter Schools created pursuant to NRS 386.507]~~ **Public Charter School Authority** not more than 30 days after receipt of the written notice of denial. Any request that is submitted pursuant to this subsection must be accompanied by the application to form the charter school.

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

~~—6. The Subcommittee on Charter Schools shall transmit the application and the recommendation of the Subcommittee for approval or denial of the application to the State Board. Not more than 14 days after the date of the meeting of the Subcommittee pursuant to subsection 5, the State Board shall hold a meeting to~~



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~~consider the recommendation of the Subcommittee. Notice of the meeting must be posted in accordance with chapter 241 of NRS. The State Board shall review the application in accordance with the factors set forth in paragraphs (a) and (b) of subsection 1.]~~ **2. The Department shall assist the State Public Charter School Authority in the review of an application.** The State ~~{Board}~~ **Public Charter School Authority** may approve an application if it satisfies the requirements of paragraphs (a) and (b) of subsection ~~{1.}~~ **2.** Not more than 30 days after the meeting, the State ~~{Board}~~ **Public Charter School Authority** shall provide written notice of its determination to the applicant.

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

9. 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}~~ **Public Charter School Authority**, 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}~~ **Public Charter School Authority**, 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}~~ **Public Charter School Authority**, 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 board of trustees



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

3 2. If the State ~~{Board}~~ *Public Charter School Authority*
4 approves the application:

5 (a) The State ~~{Board}~~ *Public Charter School Authority* shall be
6 deemed the sponsor of the charter school.

7 (b) Neither the State of Nevada, the State Board , *the State*
8 *Public Charter School Authority* 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 nor the
16 Department is an employer of the members of the governing body of
17 the charter school or any of the employees of the charter school.

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

22 (a) ~~{An application}~~ *A* process for a charter school that requests
23 a change in the sponsorship of the charter school, which must not
24 require the ~~{applicant}~~ *charter school* to undergo *all* the
25 requirements of an initial application to form a charter school; and

26 (b) Objective criteria for the conditions under which such a
27 request may be granted.

28 5. Except as otherwise provided in subsection 7, a written
29 charter must be for a term of 6 years unless the governing body of a
30 charter school renews its initial charter after 3 years of operation
31 pursuant to subsection 2 of NRS 386.530. A written charter must
32 include all conditions of operation set forth in subsection 2 of NRS
33 386.520 and include the kind of school, as defined in subsections 1
34 to 4, inclusive, of NRS 388.020 for which the charter school is
35 authorized to operate. If the State ~~{Board}~~ *Public Charter School*
36 *Authority* or a college or university within the Nevada System of
37 Higher Education is the sponsor of the charter school, the written
38 charter must set forth the responsibilities of the sponsor and the
39 charter school with regard to the provision of services and programs
40 to pupils with disabilities who are enrolled in the charter school in
41 accordance with the Individuals with Disabilities Education Act, 20
42 U.S.C. §§ 1400 et seq., and NRS 388.440 to 388.520, inclusive. As
43 a condition of the issuance of a written charter pursuant to this
44 subsection, the charter school must agree to comply with all
45 conditions of operation set forth in NRS 386.550.



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

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

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

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

➔ A holder of such a written charter may apply for grants of money to prepare the charter school for operation. A written charter issued pursuant to this subsection must not be designated as a conditional charter or a provisional charter or otherwise contain any other designation that would indicate the charter is issued for a temporary 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 pursuant to subsection 7 have been satisfied and that the facility the charter school will occupy has been inspected and



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1 meets the requirements of any applicable building codes, codes for
2 the prevention of fire, and codes pertaining to safety, health and
3 sanitation. Except as otherwise provided in this subsection, the
4 sponsor shall make such a determination 30 days before the first day
5 of school for the:

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

9 (b) Charter school,

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

15 **Sec. 42.** (Deleted by amendment.)

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

17 386.540 1. The Department shall adopt regulations that
18 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 {Charter Schools} Public**
25 **Charter School Authority** and a college or university within the
26 Nevada System of Higher Education, and the contents of the
27 application;

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

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

36 2. The Department may adopt regulations as it determines are
37 necessary to carry out the provisions of NRS 386.500 to 386.610,
38 inclusive, **and sections 26 to 35.7, inclusive, of this act**, including,
39 without limitation, regulations that prescribe the:

40 (a) Procedures for accounting and budgeting;

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



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(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.

Sec. 44. (Deleted by amendment.)

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 the charter school, as indicated by annual measurable objectives determined by the State Board, for the majority of the years of its operation; *and*

(d) ~~{The charter school offers instruction on a daily basis during the school week of the charter school on the campus of the charter school; and~~

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

2. A charter school that satisfies the requirements of subsection 1 shall submit to a performance audit as required by the Department one time every 3 years. The sponsor of the charter school and the Department shall not request a performance audit of the charter school more frequently than every 3 years without reasonable evidence of noncompliance in achieving the educational goals and objectives of the charter school based upon the annual report submitted to the ~~{State Board}~~ *Department* pursuant to NRS 386.610. If the charter school no longer satisfies the requirements of subsection 1 or if reasonable evidence of noncompliance in achieving the educational goals and objectives of the charter school exists based upon the annual report, the charter school shall, upon written notice from the sponsor, submit to an annual performance audit. Notwithstanding the provisions of paragraph (b) of subsection 1, such a charter school:

(a) May, after undergoing the annual performance audit, reapply to the sponsor to determine whether the charter school satisfies the



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1 requirements of paragraphs (a), (c) ~~H~~ and (d) ~~and (e)~~ of
2 subsection 1.

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

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

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

10 386.560 1. The governing body of a charter school may
11 contract with the board of trustees of the school district in which the
12 charter school is located or the Nevada System of Higher Education
13 for the provision of facilities to operate the charter school or to
14 perform any service relating to the operation of the charter school,
15 including, without limitation, transportation, the provision of health
16 services for the pupils who are enrolled in the charter school and the
17 provision of school police officers. *If the board of trustees of a*
18 *school district or a college or university within the Nevada System*
19 *of Higher Education is the sponsor of the charter school, the*
20 *governing body and the sponsor must enter into a service*
21 *agreement pursuant to section 35.3 of this act before the provision*
22 *of such services.*

23 2. A charter school may use any public facility located within
24 the school district in which the charter school is located. A charter
25 school may use school buildings owned by the school district only
26 upon approval of the board of trustees of the school district and
27 during times that are not regular school hours.

28 3. The board of trustees of a school district may donate surplus
29 personal property of the school district to a charter school that is
30 located within the school district.

31 4. Except as otherwise provided in this subsection, upon the
32 request of a parent or legal guardian of a pupil who is enrolled in a
33 charter school, the board of trustees of the school district in which
34 the pupil resides shall authorize the pupil to participate in a class
35 that is not available to the pupil at the charter school or participate in
36 an extracurricular activity, excluding sports, at a public school
37 within the school district if:

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

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

43 ➤ If the board of trustees of a school district authorizes a pupil to
44 participate in a class or extracurricular activity, excluding sports,
45 pursuant to this subsection, the board of trustees is not required to



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1 provide transportation for the pupil to attend the class or activity.
2 The provisions of this subsection do not apply to a pupil who is
3 enrolled in a charter school and who desires to participate on a part-
4 time basis in a program of distance education provided by the board
5 of trustees of a school district pursuant to NRS 388.820 to 388.874,
6 inclusive. Such a pupil must comply with NRS 388.858.

7 5. Upon the request of a parent or legal guardian of a pupil who
8 is enrolled in a charter school, the board of trustees of the school
9 district in which the pupil resides shall authorize the pupil to
10 participate in sports at the public school that he or she would
11 otherwise be required to attend within the school district, or upon
12 approval of the board of trustees, any public school within the same
13 zone of attendance as the charter school if:

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

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

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

20 6. The board of trustees of a school district may revoke its
21 approval for a pupil to participate in a class, extracurricular activity
22 or sports at a public school pursuant to subsections 4 and 5 if the
23 board of trustees or the public school determines that the pupil has
24 failed to comply with applicable statutes, or applicable rules and
25 regulations of the board of trustees, the public school or the Nevada
26 Interscholastic Activities Association. If the board of trustees so
27 revokes its approval, neither the board of trustees nor the public
28 school is liable for any damages relating to the denial of services to
29 the pupil.

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

31 386.570 1. Each pupil who is enrolled in a charter school,
32 including, without limitation, a pupil who is enrolled in a program
33 of special education in a charter school, must be included in the
34 count of pupils in the school district for the purposes of
35 apportionments and allowances from the State Distributive School
36 Account pursuant to NRS 387.121 to 387.126, inclusive, unless the
37 pupil is exempt from compulsory attendance pursuant to NRS
38 392.070. A charter school is entitled to receive its proportionate
39 share of any other money available from federal, state or local
40 sources that the school or the pupils who are enrolled in the school
41 are eligible to receive. If a charter school receives special education
42 program units directly from this State, the amount of money for
43 special education that the school district pays to the charter school
44 may be reduced proportionately by the amount of money the charter
45 school received from this State for that purpose.



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

3. Upon completion of each school quarter, the ~~the sponsor of a charter school may request reimbursement from the governing body of the charter school~~ **Superintendent of Public Instruction shall pay to the sponsor of a charter school one-quarter of the yearly sponsorship fee** for the administrative costs associated with sponsorship for that school quarter ~~if the sponsor provided administrative services during that school quarter. The request must include an itemized list of those costs. Unless a delay is granted pursuant to subsection 9, upon receipt of such a request, the governing body shall pay the reimbursement to the board of trustees of the school district if the board of trustees sponsors the charter school, to the Department if the State Board sponsors the charter school or to the college or university within the Nevada System of Higher Education if that institution sponsors the charter school. If a governing body fails to pay the reimbursement pursuant to this subsection or pursuant to a plan approved by the Superintendent of Public Instruction in accordance with subsection 9, the charter school shall be deemed to have violated its written charter and the sponsor may take such action to revoke the written charter pursuant to NRS 386.535 as it deems necessary. If the board of trustees of a school district is the sponsor of a charter school, the amount of money that may be paid to the sponsor pursuant to this subsection 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 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.~~

~~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.~~

~~—5.1, which must be deducted from the quarterly apportionment to the charter school made pursuant to NRS 387.124. Except as otherwise provided in subsection 4, the yearly sponsorship fee for the sponsor of a charter school must be in an amount of money not to exceed 2 percent of the total amount of money apportioned to the charter school during the school year pursuant to NRS 387.124.~~

4. If the governing body of a charter school satisfies the requirements of this subsection, the governing body may submit a request to the sponsor of the charter school for approval of a sponsorship fee in an amount that is less than 2 percent but at least 1 percent of the total amount of money apportioned to the charter school during the school year pursuant to NRS 387.124. The sponsor of the charter school shall approve such a request if the sponsor of the charter school determines that the charter school satisfies the requirements of this subsection. If the sponsor of the charter school approves such a request, the sponsor shall provide notice of the decision to the governing body of the charter school and the Superintendent of Public Instruction. If the sponsor of the charter school denies such a request, the governing body of the charter school may appeal the decision of the sponsor to the Superintendent of Public Instruction. Upon appeal, the sponsor of the charter school and the governing body of the charter school are entitled to present evidence. The decision of the Superintendent of Public Instruction on the appeal is final and is not subject to judicial review. The governing body of a charter school may submit a request for a reduction of the sponsorship fee pursuant to this subsection if:

(a) The charter school satisfies the requirements of subsection 1 of NRS 386.5515; and

(b) There has been a decrease in the duties of the sponsor of the charter school that justifies a decrease in the sponsorship fee.

5. 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



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1 days before the beginning of the school year of the school district,
2 based on the number of pupils whose applications for enrollment
3 have been approved by the charter school. The count of pupils who
4 are enrolled in the charter school must be revised on the last day of
5 the first school month of the school district in which the charter
6 school is located for the school year, based on the actual number of
7 pupils who are enrolled in the charter school. Pursuant to subsection
8 5 of NRS 387.124, the governing body of a charter school may
9 request that the apportionments made to the charter school in its first
10 year of operation be paid to the charter school 30 days before the
11 apportionments are otherwise required to be made.

12 6. If a charter school ceases to operate as a charter school
13 during a school year, the remaining apportionments that would have
14 been made to the charter school pursuant to NRS 387.124 for that
15 year must be paid on a proportionate basis to the school districts
16 where the pupils who were enrolled in the charter school reside.

17 7. The governing body of a charter school may solicit and
18 accept donations, money, grants, property, loans, personal services
19 or other assistance for purposes relating to education from members
20 of the general public, corporations or agencies. The governing body
21 may comply with applicable federal laws and regulations governing
22 the provision of federal grants for charter schools. The State ~~[Board]~~
23 **Public Charter School Authority** may assist a charter school that
24 operates exclusively for the enrollment of pupils who receive special
25 education in identifying sources of money that may be available
26 from the Federal Government or this State for the provision of
27 educational programs and services to such pupils.

28 8. If a charter school uses money received from this State to
29 purchase real property, buildings, equipment or facilities, the
30 governing body of the charter school shall assign a security interest
31 in the property, buildings, equipment and facilities to the State of
32 Nevada.

33 ~~[9. The governing body of a charter school may submit to the~~
34 ~~Superintendent of Public Instruction a written request to delay a~~
35 ~~quarterly payment of a reimbursement for the administrative costs~~
36 ~~that a charter school owes pursuant to this section. The written~~
37 ~~request must be in the form prescribed by the Superintendent and~~
38 ~~must include, without limitation, documentation that a financial~~
39 ~~hardship exists for the charter school and a plan for the payment of~~
40 ~~the reimbursement. The Superintendent may approve or deny the~~
41 ~~request and shall notify the governing body and the sponsor of the~~
42 ~~charter school of the approval or denial of the request.]~~

43 **Sec. 47.** (Deleted by amendment.)

44 **Sec. 48.** (Deleted by amendment.)

45 **Sec. 49.** (Deleted by amendment.)



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

386.605 1. On or before July 15 of each year, the governing body of a charter school shall submit the information concerning the charter school that is required pursuant to ~~{subsection 2 of}~~ NRS 385.347 to ~~{the board of trustees of the school district in which the charter school is located}~~ **the sponsor of the charter school** for inclusion in the report ~~{of the school district}~~ **required** pursuant to that section. The information must be submitted ~~{by the charter school}~~ in a format prescribed by the ~~{board of trustees.}~~ **sponsor of the charter school.**

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

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

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

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

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

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

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

(2) Which is open and in operation;

(3) Which has transferred sponsorship;

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

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



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1 ***(6) Which has voluntarily ceased operation.***

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

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

10 2. The governing body of a charter school shall, after 3 years of
11 operation under its initial charter, submit a written report to the
12 sponsor of the charter school. The written report must include a
13 description of the progress of the charter school in achieving its
14 educational goals and objectives. If the charter school submits an
15 application for renewal in accordance with the regulations of the
16 Department, the sponsor may renew the written charter of the school
17 pursuant to subsection 2 of NRS 386.530.

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

19 386.650 1. The Department shall establish and maintain an
20 automated system of accountability information for Nevada. The
21 system must:

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

25 (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and
26 the regulations adopted pursuant thereto, and NRS 385.3469 and
27 385.347; and

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

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

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

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

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

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



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(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 sponsors of charter schools, the* school districts and the public schools in this State, including, without limitation, charter schools, to account for the pupils who are enrolled in the public schools, including, without limitation, charter schools.

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

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

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

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

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

3. The Superintendent of Public Instruction shall:

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

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

(c) Prescribe the format for the data;



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

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

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

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

(1) Individual pupils;

(2) Individual teachers and paraprofessionals;

(3) Individual schools and school districts; and

(4) Programs and financial information;

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

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

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

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

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

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

1. On or before August 1, November 1, February 1 and May 1 of each year, the Superintendent of Public Instruction shall apportion the State Distributive School Account in the State General



1 Fund among the several county school districts, charter schools and
2 university schools for profoundly gifted pupils in amounts
3 approximating one-fourth of their respective yearly apportionments
4 less any amount set aside as a reserve. The apportionment to a
5 school district, computed on a yearly basis, equals the difference
6 between the basic support and the local funds available pursuant to
7 NRS 387.1235, minus all the funds attributable to pupils who reside
8 in the county but attend a charter school, all the funds attributable to
9 pupils who reside in the county and are enrolled full-time or part-
10 time in a program of distance education provided by another school
11 district or a charter school and all the funds attributable to pupils
12 who are enrolled in a university school for profoundly gifted pupils
13 located in the county. No apportionment may be made to a school
14 district if the amount of the local funds exceeds the amount of basic
15 support.

16 2. Except as otherwise provided in subsection 3, the
17 apportionment to a charter school, computed on a yearly basis, is
18 equal to the sum of the basic support per pupil in the county in
19 which the pupil resides plus the amount of local funds available per
20 pupil pursuant to NRS 387.1235 and all other funds available for
21 public schools in the county in which the pupil resides minus *the*
22 *sponsorship fee prescribed by NRS 386.570 and minus* all the
23 funds attributable to pupils who are enrolled in the charter school
24 but are concurrently enrolled part-time in a program of distance
25 education provided by a school district or another charter school. If
26 the apportionment per pupil to a charter school is more than the
27 amount to be apportioned to the school district in which a pupil who
28 is enrolled in the charter school resides, the school district in which
29 the pupil resides shall pay the difference directly to the charter
30 school.

31 3. The apportionment to a charter school that is sponsored by
32 the State ~~Board~~ *Public Charter School Authority* or by a college
33 or university within the Nevada System of Higher Education,
34 computed on a yearly basis, is equal to the sum of the basic support
35 per pupil in the county in which the pupil resides plus the amount of
36 local funds available per pupil pursuant to NRS 387.1235 and all
37 other funds available for public schools in the county in which the
38 pupil resides, minus *the sponsorship fee prescribed by NRS*
39 *386.570 and minus* all funds attributable to pupils who are enrolled
40 in the charter school but are concurrently enrolled part-time in a
41 program of distance education provided by a school district or
42 another charter school.

43 4. In addition to the apportionments made pursuant to this
44 section, an apportionment must be made to a school district or
45 charter school that provides a program of distance education for



1 each pupil who is enrolled part-time in the program. The amount of
2 the apportionment must be equal to the percentage of the total time
3 services are provided to the pupil through the program of distance
4 education per school day in proportion to the total time services are
5 provided during a school day to pupils who are counted pursuant to
6 subparagraph (2) of paragraph (a) of subsection 1 of NRS 387.1233
7 for the school district in which the pupil resides.

8 5. The governing body of a charter school may submit a
9 written request to the Superintendent of Public Instruction to
10 receive, in the first year of operation of the charter school, an
11 apportionment 30 days before the apportionment is required to be
12 made pursuant to subsection 1. Upon receipt of such a request, the
13 Superintendent of Public Instruction may make the apportionment
14 30 days before the apportionment is required to be made. A charter
15 school may receive all four apportionments in advance in its first
16 year of operation.

17 6. The apportionment to a university school for profoundly
18 gifted pupils, computed on a yearly basis, is equal to the sum of the
19 basic support per pupil in the county in which the university school
20 is located plus the amount of local funds available per pupil
21 pursuant to NRS 387.1235 and all other funds available for public
22 schools in the county in which the university school is located. If the
23 apportionment per pupil to a university school for profoundly gifted
24 pupils is more than the amount to be apportioned to the school
25 district in which the university school is located, the school district
26 shall pay the difference directly to the university school. The
27 governing body of a university school for profoundly gifted pupils
28 may submit a written request to the Superintendent of Public
29 Instruction to receive, in the first year of operation of the university
30 school, an apportionment 30 days before the apportionment is
31 required to be made pursuant to subsection 1. Upon receipt of such a
32 request, the Superintendent of Public Instruction may make the
33 apportionment 30 days before the apportionment is required to be
34 made. A university school for profoundly gifted pupils may receive
35 all four apportionments in advance in its first year of operation.

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

44 8. If the State Controller finds that such an action is needed to
45 maintain the balance in the State General Fund at a level sufficient



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1 to pay the other appropriations from it, the State Controller may pay
2 out the apportionments monthly, each approximately one-twelfth of
3 the yearly apportionment less any amount set aside as a reserve. If
4 such action is needed, the State Controller shall submit a report to
5 the Department of Administration and the Fiscal Analysis Division
6 of the Legislative Counsel Bureau documenting reasons for the
7 action.

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

9 388.795 1. The Commission shall establish a plan for the use
10 of educational technology in the public schools of this State. In
11 preparing the plan, the Commission shall consider:

12 (a) Plans that have been adopted by the Department and the
13 school districts in this State;

14 (b) Plans that have been adopted in other states;

15 (c) The information reported pursuant to paragraph (t) of
16 subsection 2 of NRS 385.347 ~~and~~ *and similar information included*
17 *in the annual report of accountability information prepared by the*
18 *State Public Charter School Authority and a college or university*
19 *within the Nevada System of Higher Education that sponsors a*
20 *charter school pursuant to subsection 3 of NRS 385.347;*

21 (d) The results of the assessment of needs conducted pursuant to
22 subsection 6; and

23 (e) Any other information that the Commission or the
24 Committee deems relevant to the preparation of the plan.

25 2. The plan established by the Commission must include
26 recommendations for methods to:

27 (a) Incorporate educational technology into the public schools of
28 this State;

29 (b) Increase the number of pupils in the public schools of this
30 State who have access to educational technology;

31 (c) Increase the availability of educational technology to assist
32 licensed teachers and other educational personnel in complying with
33 the requirements of continuing education, including, without
34 limitation, the receipt of credit for college courses completed
35 through the use of educational technology;

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

38 (e) Address the needs of teachers in incorporating the use of
39 educational technology in the classroom, including, without
40 limitation, the completion of training that is sufficient to enable the
41 teachers to instruct pupils in the use of educational technology.

42 3. The Department shall provide:

43 (a) Administrative support;

44 (b) Equipment; and

45 (c) Office space,



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1 ➡ as is necessary for the Commission to carry out the provisions of
2 this section.

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

5 (a) The State Board.

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

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

8 (d) The Department.

9 5. The Commission shall:

10 (a) Develop technical standards for educational technology and
11 any electrical or structural appurtenances necessary thereto,
12 including, without limitation, uniform specifications for computer
13 hardware and wiring, to ensure that such technology is compatible,
14 uniform and can be interconnected throughout the public schools of
15 this State.

16 (b) Allocate money to the school districts from the Trust Fund
17 for Educational Technology created pursuant to NRS 388.800 and
18 any money appropriated by the Legislature for educational
19 technology, subject to any priorities for such allocation established
20 by the Legislature.

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

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

24 (2) Upgrade and improve computer hardware and software
25 and other educational technology.

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

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

31 (e) Review the plan annually and make revisions as it deems
32 necessary or as directed by the Committee or the Department.

33 (f) In addition to the recommendations set forth in the plan
34 pursuant to subsection 2, make further recommendations to the
35 Committee and the Department as the Commission deems
36 necessary.

37 6. During the spring semester of each even-numbered school
38 year, the Commission shall conduct an assessment of the needs of
39 each school district relating to educational technology. In
40 conducting the assessment, the Commission shall consider:

41 (a) The recommendations set forth in the plan pursuant to
42 subsection 2;

43 (b) The plan for educational technology of each school district,
44 if applicable;



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(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 Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school* pursuant to subsection ~~7~~ 8 of NRS 385.347;

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

(c) Establish programs to reduce the truancy of pupils in the school district, including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;

(d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and



(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the district of the policies and procedures adopted pursuant to the provisions of this section.

2. The chair of an advisory board may divide the advisory board into subcommittees. The advisory board may delegate one or more of the duties of the advisory board to a subcommittee of the advisory board, including, without limitation, holding hearings pursuant to NRS 392.147. If the chair of an advisory board divides the advisory board into subcommittees, the chair shall notify the board of trustees of the school district of this action. Upon receipt of such a notice, the board of trustees shall establish rules and procedures for each such subcommittee. A subcommittee shall abide by the applicable rules and procedures when it takes action or makes decisions.

3. An advisory board to review school attendance may work with a family resource center or other provider of community services to provide assistance to pupils who are truant. The advisory board shall identify areas within the school district in which community services are not available to assist pupils who are truant. As used in this subsection, "family resource center" has the meaning ascribed to it in NRS 430A.040.

4. An advisory board to review school attendance created in a county pursuant to NRS 392.126 may use money appropriated by the Legislature and any other money made available to the advisory board for the use of programs to reduce the truancy of pupils in the school district. The advisory board to review school attendance shall, on a quarterly basis, provide to the board of trustees of the school district an accounting of the money used by the advisory board to review school attendance to reduce the truancy of pupils in the school district.

Sec. 56. NRS 218E.615 is hereby amended to read as follows:

218E.615 1. The Committee may:

(a) Evaluate, review and comment upon issues related to education within this State, including, but not limited to:

(1) Programs to enhance accountability in education;

(2) Legislative measures regarding education;

(3) The progress made by this State, the school districts and the public schools in this State in satisfying the goals and objectives of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and the annual measurable objectives established by the State Board of Education pursuant to NRS 385.361;

(4) Methods of financing public education;

(5) The condition of public education in the elementary and secondary schools;



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(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 Public Charter School Authority*, school districts and public schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

(b) For the purposes set forth in NRS 385.389, recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to NRS 385.384. In recommending providers, the Committee shall consider providers with a demonstrated record of effectiveness in improving the academic achievement of pupils.

(d) For the purposes set forth in NRS 385.3785, recommend to the Commission on Educational Excellence created by NRS 385.3784 programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

Sec. 57. NRS 386.507 and 386.508 are hereby repealed.

Sec. 58. The Department of Education shall, on or before October 1, 2011, transfer to the Account for the State Public Charter School Authority created by section 35 of this act any unexpended money collected by the Department pursuant to NRS 386.570 for reimbursement of the administrative costs associated with sponsorship of charter schools sponsored by the State Board of Education.



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Sec. 59. Notwithstanding the provisions of section 31 of this act to the contrary, on October 1, 2011, the Governor shall appoint a Director of the State Public Charter School Authority to a term of 3 years. The Director appointed by the Governor must have a demonstrated understanding of charter schools and a commitment to using charter schools as a way to strengthen public education in this State. Upon the expiration of the term of the Director or if a vacancy occurs before the expiration of the term, the State Public Charter School Authority shall appoint the Director in accordance with section 31 of this act.

Sec. 60. 1. To assist the State Public Charter School Authority created by section 28.5 of this act in carrying out its duties and responsibilities, the Director of the State Public Charter School Authority shall, on or before January 1, 2012:

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

(b) Hire an educational consultant.

2. On January 1, 2012, one management analyst position in the Department of Education with job duties and responsibilities that relate to charter schools must be transferred to the State Public Charter School Authority.

Sec. 61. On or before January 1, 2012, the members of the State Public Charter School Authority created by section 28.5 of this act shall be appointed to terms commencing on January 1, 2012, as follows:

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

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

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

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

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

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

7. One member must be appointed by the Charter School Association of Nevada or its successor organization to a term that expires on June 30, 2015. For the initial selection pursuant to this subsection, the Superintendent of Public Instruction shall designate the association of charter schools that is authorized to appoint a member of the State Public Charter School Authority.

Sec. 62. The Legislative Counsel shall, in preparing the reprint and supplement to the Nevada Revised Statutes with respect to any



1 section which is not amended by this act or is adopted or amended
2 by another act, appropriately change any reference to an officer or
3 agency whose responsibilities have been transferred pursuant to the
4 provisions of this act to refer to the appropriate officer or agency. If
5 any internal reference is made to a section repealed by this act, the
6 Legislative Counsel shall delete the reference and replace it by
7 reference to the superseding section, if any.

8 **Sec. 63.** (Deleted by amendment.)

9 **Sec. 64.** A charter school that is approved to operate as a
10 charter school sponsored by the State Board of Education before
11 January 1, 2012, shall be deemed to be sponsored by the State
12 Public Charter School Authority created pursuant to section 28.5 of
13 this act commencing on January 1, 2012, and the written charter of
14 the charter school shall remain in effect until the expiration of the
15 written charter, unless the written charter is revoked by the State
16 Public Charter School Authority pursuant to NRS 386.535. Before
17 expiration of the written charter, such a charter school may apply to
18 the State Public Charter School Authority for renewal of its written
19 charter pursuant to NRS 386.530.

20 **Sec. 65.** This act becomes effective upon passage and approval
21 for the purpose of performing any preparatory administrative tasks
22 that are necessary to carry out the provisions of this act, and on
23 July 1, 2011, for all other purposes.

TEXT OF REPEALED SECTIONS

386.507 Subcommittee on Charter Schools: Appointment of members; terms. The Subcommittee on Charter Schools of the State Board is hereby created. The President of the State Board shall appoint three members of the State Board to serve on the Subcommittee. Except as otherwise provided in this section, the members of the Subcommittee serve terms of 2 years. If a member is not reelected to the State Board during his or her service on the Subcommittee, the term of the member on the Subcommittee expires when his or her membership on the State Board expires. Members of the Subcommittee may be reappointed.

386.508 Charter School District for State Board-Sponsored Charter Schools and Nevada System of Higher Education-Sponsored Charter Schools. There is hereby created a school district to be designated as the Charter School District for State Board-Sponsored Charter Schools and Nevada System of Higher Education-Sponsored Charter Schools. The School District



comprises only those charter schools that are sponsored by the State Board or sponsored by a college or university within the Nevada System of Higher Education. The State Board is hereby deemed the Board of Trustees of the School District. The School District is created for the sole purpose of providing local educational agency status to the School District for purposes of federal law governing charter schools.

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