

SENATE BILL NO. 195—SENATOR ROBERSON

FEBRUARY 27, 2013

Referred to Committee on Education

SUMMARY—Revises provisions governing underperforming public schools. (BDR 34-149)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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; authorizing parents and legal guardians of certain pupils to submit to the board of trustees of a school district a petition requesting the board of trustees to implement an intervention action at an underperforming public school; prescribing the intervention actions which may be implemented; requiring the board of trustees of a school district that receives a sufficient petition to implement the intervention action within a prescribed time; prescribing the requirements of the intervention actions; authorizing the parent or legal guardian of a pupil enrolled in a school for which a certain intervention action is implemented to submit an application to attend a school outside the zone of attendance the pupil would otherwise be required to attend; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires each public school to be designated annually, based upon the achievement of pupils enrolled in the schools, as: (1) demonstrating exemplary achievement; (2) demonstrating high achievement; (3) demonstrating adequate achievement; or (4) demonstrating need for improvement. (NRS 385.3623) **Section 2** of this bill authorizes the parents and legal guardians of certain pupils to submit to the board of trustees of the school district a petition requesting the board of trustees to take one of the following intervention actions concerning the school: (1) implementing a restart model; or (2) converting the school to an empowerment school. **Section 2** also provides that for the purposes of collecting signatures on such a petition, each parent or legal guardian may sign the petition not more than one time for each child of the parent or legal guardian who is enrolled in the school,



\* S B 1 9 5 \*

or who, under certain circumstances, is expected to be enrolled in the school, and each signature counts toward the number of required signatures.

**Section 3** of this bill prescribes the duties of the board of trustees of a school district that receives such a petition. **Section 3** also requires the board of trustees of the school district to implement an intervention action which is different from the intervention action set forth in the petition if the board of trustees determines that the implementation of the intervention action set forth in the petition is not possible. **Section 3** further authorizes the petitioners to appeal the decision of the board of trustees to the Superintendent of Public Instruction and prescribes the Superintendent's duties relating to such an appeal.

**Section 4** of this bill prescribes the requirements of the restart model and for converting to an empowerment school.

**Section 5** of this bill authorizes the parent or legal guardian of a pupil who would otherwise be enrolled in a public school for which a restart model has been implemented to submit an application to the board of trustees for the pupil to attend a public school within the school district but outside the pupil's required zone of attendance.

**Section 7** of this bill requires the Advisory Council on Parental Involvement and Family Engagement to submit recommendations to the State Board of Education concerning the adoption of regulations for carrying out the provisions of this bill and requires the State Board to adopt such regulations, based on the recommendations of the Advisory Council.

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

**Section 1.** Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

**Sec. 2. 1. *The parent or legal guardian of a pupil enrolled in a public school that is designated as demonstrating need for improvement pursuant to NRS 385.3623 may submit a written petition to the board of trustees of the school district requesting the board of trustees to take one of the intervention actions set forth in subsection 2 concerning the school. The written petition must specify the intervention action being requested and:***

***(a) If the school is an elementary school, be signed by not less than 51 percent of the parents and legal guardians of pupils enrolled in the elementary school;***

***(b) If the school is a middle school or junior high school, be signed by not less than 51 percent of the parents and legal guardians of pupils enrolled in the middle school or junior high school or by not less than 51 percent of a combination of the parents and legal guardians of pupils enrolled in the middle school or junior high school and the parents and legal guardians of pupils who, based on the location of their residences, are expected to be enrolled in the middle school or junior high school in the next following school year; or***



(c) If the school is a high school, be signed by not less than 51 percent of the parents and legal guardians of pupils enrolled in the high school or by not less than 51 percent of a combination of the parents and legal guardians of pupils enrolled in the high school and the parents and legal guardians of pupils who, based on the location of their residences, are expected to be enrolled in the high school in the next following school year.

2. A petition submitted pursuant to subsection 1 must be on a form prescribed by the Advisory Council on Parental Involvement and Family Engagement established pursuant to NRS 385.610 and must request the board of trustees of the school district to take one of the following intervention actions:

(a) Implement a restart model; or

(b) Convert the school to an empowerment school.

3. For the purposes of collecting signatures on a petition submitted pursuant to subsection 1, each parent or legal guardian may sign the petition not more than one time for each child of the parent or legal guardian who is enrolled in the school, or who, as described in paragraph (b) or (c) of subsection 1, is expected to be enrolled in the school, and each signature counts toward the required number of signatures.

4. The board of trustees of a school district and any person employed by the school for which the petition is being submitted shall not directly interfere with the collection of the required number of signatures for a petition pursuant to this section.

5. As used in this section, "empowerment school" has the meaning ascribed to it in NRS 386.700.

**Sec. 3.** 1. Upon receipt of a petition submitted pursuant to section 2 of this act, the board of trustees of a school district shall:

(a) Notify the Superintendent of Public Instruction and the State Board of the petition; and

(b) Not later than 45 days after receipt of the petition, verify the signatures on the petition in accordance with the procedures prescribed by the State Board pursuant to section 7 of this act.

2. The board of trustees of the school district shall make a written determination concerning the sufficiency of the petition. A petition that contains the required number of verified signatures must be determined to be sufficient.

3. If the board of trustees of the school district determines that the petition is not sufficient, the petition shall be deemed withdrawn unless the petitioners, not later than 30 days after the date of the determination, correct any deficiencies in the signatures or collect the number of required signatures and resubmit the signatures to the board of trustees for review in accordance with subsections 1 and 2.



1     4. *If the board of trustees of the school district determines*  
2 *that the petition is sufficient, the board of trustees shall:*

3     (a) *Act upon the petition at a public hearing held not later*  
4 *than 30 days after the date of the determination;*

5     (b) *Except as otherwise provided in subsection 6 and subject to*  
6 *the requirements of subsection 5, implement the intervention*  
7 *action set forth in the petition not later than 180 days after receipt*  
8 *of the petition or, if the petition is received on or after March 1 of*  
9 *a school year, not later than the first day of school of the school*  
10 *year that begins in the immediately following calendar year; and*

11     (c) *Submit written notice of the actions taken by the board of*  
12 *trustees on the petition to the Superintendent of Public Instruction*  
13 *and the State Board.*

14     5. *If corrective action or restructuring for a Title I school is*  
15 *required pursuant to 20 U.S.C. § 6316(b)(7) or 20 U.S.C. §*  
16 *6316(b)(8), the intervention action approved for that school must*  
17 *be consistent with the requirements of federal law.*

18     6. *If the board of trustees of a school district, upon written*  
19 *findings at the public hearing held pursuant to subsection 4,*  
20 *determines that the implementation of the intervention action set*  
21 *forth in the petition is not possible, the board of trustees shall,*  
22 *notwithstanding the provisions of NRS 386.720, implement the*  
23 *intervention action set forth in subsection 2 of section 2 of this act*  
24 *which was not indicated on the petition.*

25     7. *If the board of trustees determines that the implementation*  
26 *of the intervention action set forth in the petition is not possible*  
27 *and implements a different intervention action pursuant to*  
28 *subsection 6, the petitioners may appeal the decision of the board*  
29 *of trustees to the Superintendent of Public Instruction. If the*  
30 *Superintendent of Public Instruction receives such an appeal, he*  
31 *or she shall:*

32     (a) *Provide for the appointment of an attorney to represent the*  
33 *petitioners at the hearing held pursuant to paragraph (b);*

34     (b) *Hold a hearing in accordance with the procedures*  
35 *prescribed by the State Board pursuant to section 7 of this act; and*

36     (c) *Provide written notice to the petitioners and the board of*  
37 *trustees of the school district of his or her decision.*

38     8. *If the board of trustees implements an intervention action*  
39 *for a school pursuant to this section, the parents and legal*  
40 *guardians of pupils enrolled in the school may not submit another*  
41 *petition pursuant to section 2 of this act for at least 2 years after*  
42 *the implementation of the intervention action pursuant to this*  
43 *section.*



1       9. The total number of schools in this State for which an  
2       intervention action may be implemented pursuant to this section in  
3       a school year must not exceed 75 schools.

4       10. As used in this section, "Title I school" has the meaning  
5       ascribed to it in NRS 385.3467.

6       **Sec. 4. 1.** If a petition submitted pursuant to section 2 of  
7       this act requests the board of trustees of the school district:

8       (a) To implement a restart model, the board of trustees shall  
9       close the school and, pursuant to the provisions of NRS 386.490 to  
10      386.610, inclusive, reopen the school as a charter school. The  
11      charter school must enroll pupils in each grade level in which  
12      pupils were enrolled in the school for which the restart model was  
13      implemented.

14      (b) To convert the school to an empowerment school, the  
15      board of trustees shall, notwithstanding the provisions of NRS  
16      386.720, convert the school to an empowerment school pursuant  
17      to the provisions of NRS 386.700 to 386.780, inclusive.

18      2. A petition which requests the board of trustees to  
19      implement a restart model may include:

20      (a) The name of the educational management organization,  
21      which must have demonstrated competence and ability to operate  
22      a successful charter school, that will assist with the operation,  
23      management or provision and implementation of educational  
24      services and programs of the charter school; and

25      (b) The application to form the charter school.

26      3. If the petition to implement a restart model does not  
27      include the name of an educational management organization  
28      described in subsection 2, the board of trustees shall select an  
29      educational management organization which has demonstrated  
30      competence and ability to operate a successful charter school to  
31      assist with the operation, management or provision and  
32      implementation of educational services and programs of the  
33      charter school at the public hearing held pursuant to subsection 4  
34      of section 3 of this act.

35      4. As used in this section, "educational management  
36      organization" has the meaning ascribed to it in NRS 386.562,  
37      except that the term does not include a for-profit corporation,  
38      business, organization or other entity.

39      **Sec. 5. 1.** The parent or legal guardian of a pupil who  
40      would otherwise be enrolled in a public school for which a restart  
41      model has been implemented pursuant to a petition submitted  
42      pursuant to section 2 of this act may submit to the board of  
43      trustees of the school district an application, on a form prescribed  
44      by the board of trustees, to attend another public school within the  
45      school district but outside the zone of attendance for that school.



1 *The application must be approved if space for the pupil is*  
2 *available at the other school.*

3 2. *Upon approval of an application, the board of trustees*  
4 *shall provide a written statement of approval to:*

5 (a) *The parent or legal guardian of the pupil;*

6 (b) *The public school which the pupil is otherwise required to*  
7 *attend; and*

8 (c) *The other public school that the pupil will attend.*

9 3. *A pupil may remain in the other public school for*  
10 *succeeding school years if space for the pupil is available. If space*  
11 *for the pupil is not available in that public school, the pupil may*  
12 *return to the public school that he or she is otherwise zoned to*  
13 *attend or his or her parent or legal guardian may submit an*  
14 *application pursuant to subsection 1 to attend another public*  
15 *school.*

16 4. *If a pupil attends another public school within the school*  
17 *district pursuant to this section:*

18 (a) *The pupil may return to the public school that he or she*  
19 *otherwise zoned to attend if the parent or legal guardian of the*  
20 *pupil provides written notice of that desire to the board of trustees.*

21 (b) *The board of trustees is not required to provide*  
22 *transportation for the pupil to attend the other public school.*

23 **Sec. 6.** *A school for which an intervention action has been*  
24 *implemented pursuant to a petition submitted pursuant to section*  
25 *2 of this act must continue to enroll pupils from the zone of*  
26 *attendance for that school.*

27 **Sec. 7.** 1. *The Advisory Council on Parental Involvement*  
28 *and Family Engagement established pursuant to NRS 385.610*  
29 *shall submit recommendations to the State Board concerning the*  
30 *adoption of regulations for carrying out the provisions of*  
31 *sections 2 to 7, inclusive, of this act, including, without limitation:*

32 (a) *The procedures by which the board of trustees of a school*  
33 *district shall, as required by section 3 of this act, verify the*  
34 *signatures on a petition submitted pursuant to section 2 of this act;*  
35 *and*

36 (b) *The procedures by which the Superintendent of Public*  
37 *Instruction shall hold a hearing on an appeal submitted pursuant*  
38 *to subsection 7 of section 3 of this act.*

39 2. *The State Board shall, based on the recommendations of*  
40 *the Advisory Council on Parental Involvement and Family*  
41 *Engagement submitted pursuant to subsection 1, adopt regulations*  
42 *as necessary to carry out the provisions of sections 2 to 7,*  
43 *inclusive, of this act and establishing the procedures described in*  
44 *paragraphs (a) and (b) of subsection 1.*



**Sec. 8.** NRS 386.505 is hereby amended to read as follows:

386.505 The Legislature declares that by authorizing the formation of charter schools it is not authorizing:

1. The conversion of an existing public school, homeschool or other program of home study to a charter school. *The provisions of this subsection do not apply to a public school that closes and reopens as a charter school under a restart model set forth in a petition pursuant to section 2 of this act.*

2. A means for providing financial assistance for private schools or programs of home study. The provisions of this subsection do not preclude:

(a) A private school from ceasing to operate as a private school and reopening as a charter school in compliance with the provisions of NRS 386.490 to 386.610, inclusive.

(b) The payment of money to a charter school for the enrollment of children in classes at the charter school pursuant to subsection 5 of NRS 386.580 who are enrolled in a public school of a school district or a private school or who are homeschooled.

3. The formation of charter schools on the basis of a single race, religion or ethnicity.

**Sec. 9.** NRS 386.506 is hereby amended to read as follows:

386.506 The provisions of NRS 386.490 to 386.610, inclusive, do not authorize an existing public school, homeschool or other program of home study to convert to a charter school. *The provisions of this section do not apply to a public school that closes and reopens as a charter school under a restart model set forth in a petition pursuant to section 2 of this act.*

**Sec. 10.** NRS 386.520 is hereby amended to read as follows:

386.520 1. A committee to form a charter school must consist of:

(a) One member who is a teacher or other person licensed pursuant to chapter 391 of NRS or who previously held such a license and is retired, as long as his or her license was held in good standing;

(b) One member who:

(1) Satisfies the qualifications of paragraph (a); or

(2) Is a school administrator with a license issued by another state or who previously held such a license and is retired, as long as his or her license was held in good standing;

(c) One parent or legal guardian who is not a teacher or employee of the proposed charter school; and

(d) Two members who possess knowledge and expertise in one or more of the following areas:

(1) Accounting;

(2) Financial services;



- 1 (3) Law; or
- 2 (4) Human resources.

3 2. In addition to the members who serve pursuant to  
4 subsection 1, the committee to form a charter school may include,  
5 without limitation, not more than four additional members as  
6 follows:

- 7 (a) Members of the general public;
- 8 (b) Representatives of nonprofit organizations and businesses;
- 9 or
- 10 (c) Representatives of a college or university within the Nevada  
11 System of Higher Education.

12 3. A majority of the persons who serve on the committee to  
13 form a charter school must be residents of this State at the time that  
14 the application to form the charter school is submitted to the  
15 Department.

16 4. An application to form a charter school must include all  
17 information prescribed by the Department by regulation and:

18 (a) A written description of how the charter school will carry out  
19 the provisions of NRS 386.490 to 386.610, inclusive.

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

23 (1) Improving the academic achievement of pupils;

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

26 (3) Providing an accurate measurement of the educational  
27 achievement of pupils;

28 (4) Establishing accountability and transparency of public  
29 schools;

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

32 (6) Creating new professional opportunities for teachers.

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

34 (d) The proposed dates for accepting applications for enrollment  
35 in the initial year of operation of the charter school.

36 (e) The proposed system of governance for the charter school,  
37 including, without limitation, the number of persons who will  
38 govern, the method for nominating and electing the persons who  
39 will govern and the term of office for each person.

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

43 (g) The proposed curriculum for the charter school and, if  
44 applicable to the grade level of pupils who are enrolled in the  
45 charter school, the requirements for the pupils to receive a high





1 school diploma, including, without limitation, whether those pupils  
2 will satisfy the requirements of the school district in which the  
3 charter school is located for receipt of a high school diploma.

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

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

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

10 (k) A financial plan for the operation of the charter school. The  
11 plan must include, without limitation, procedures for the audit of the  
12 programs and finances of the charter school and guidelines for  
13 determining the financial liability if the charter school is  
14 unsuccessful.

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

24 (m) The procedure for the evaluation of teachers of the charter  
25 school, if different from the procedure prescribed in NRS 391.3125  
26 and 391.3128. If the procedure is different from the procedure  
27 prescribed in NRS 391.3125 and 391.3128, the procedure for the  
28 evaluation of teachers of the charter school must provide the same  
29 level of protection and otherwise comply with the standards for  
30 evaluation set forth in NRS 391.3125 and 391.3128.

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

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

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

42 5. The proposed sponsor of a charter school may request that  
43 the Department review an application before review by the proposed  
44 sponsor to determine whether the application is substantially  
45 complete and compliant. Upon such a request, the Department shall



1 review an application to form a charter school to determine whether  
2 it is substantially complete and compliant. If an application proposes  
3 to convert an existing public school, homeschool or other program  
4 of home study into a charter school, the Department shall provide  
5 written notice to the applicant that the application is ineligible for  
6 consideration by the proposed sponsor **H**, *unless the application*  
7 *proposes to close a public school and reopen the school as a*  
8 *charter school under a restart model set forth in a petition*  
9 *pursuant to section 2 of this act.*

10 6. The Department shall provide written notice to the applicant  
11 and the proposed sponsor of the charter school of its determination  
12 whether the application is substantially complete and compliant. If  
13 the Department determines that an application is not substantially  
14 complete and compliant, the Department shall include in the written  
15 notice the basis for that determination and the deficiencies in the  
16 application. The staff designated by the Department shall meet with  
17 the applicant to confer on the method to correct the identified  
18 deficiencies. The applicant must be granted 30 days after receipt of  
19 the written notice to correct any deficiencies identified in the written  
20 notice and resubmit the application. If the Department determines an  
21 application is substantially complete and compliant, the Department  
22 shall transmit the application to the proposed sponsor for review  
23 pursuant to NRS 386.525.

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

25 (a) Holds a current license to teach issued pursuant to chapter  
26 391 of NRS or who previously held such a license and is retired, as  
27 long as his or her license was held in good standing; and

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

29 ➔ The term does not include a person who is employed as a  
30 substitute teacher.

31 **Sec. 11.** NRS 386.525 is hereby amended to read as follows:

32 386.525 1. Except as otherwise provided in this subsection, a  
33 committee to form a charter school may submit the application to  
34 the proposed sponsor of the charter school. If the proposed sponsor  
35 of a charter school requested that the Department review the  
36 application pursuant to NRS 386.520 and the Department  
37 determined that the application was not substantially complete and  
38 compliant pursuant to that section, the application may not be  
39 submitted to the proposed sponsor for review pursuant to this  
40 section. If an application proposes to convert an existing public  
41 school, homeschool or other program of home study into a charter  
42 school, the proposed sponsor shall deny the application **H**, *unless*  
43 *the application proposes to close a public school and reopen the*  
44 *school as a charter school under a restart model set forth in a*  
45 *petition pursuant to section 2 of this act.*



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

(a) Complies with NRS 386.490 to 386.610, inclusive, and the regulations applicable to charter schools; and

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

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 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.

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.

5. If the board of trustees, the college or the university, as applicable, denies an application after it has been resubmitted pursuant to subsection 4, the applicant may submit a written request for sponsorship by the State 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.

6. If the State Public Charter School Authority receives an application pursuant to subsection 1 or 5, it shall consider the application at a meeting which must be held not later than 45 days after receipt of the application. If the State Public Charter School



1 Authority requested that the Department review the application  
2 pursuant to NRS 386.520, the State Public Charter School Authority  
3 shall be deemed to receive the application pursuant to this  
4 subsection upon transmittal of the application from the Department.  
5 Notice of the meeting must be posted in accordance with chapter  
6 241 of NRS. The State Public Charter School Authority shall review  
7 the application in accordance with the factors set forth in paragraphs  
8 (a) and (b) of subsection 2. The Department shall assist the State  
9 Public Charter School Authority in the review of an application. The  
10 State Public Charter School Authority may approve an application if  
11 it satisfies the requirements of paragraphs (a) and (b) of  
12 subsection 2. Not more than 30 days after the meeting, the State  
13 Public Charter School Authority shall provide written notice of its  
14 determination to the applicant.

15 7. If the State Public Charter School Authority denies or fails  
16 to act upon an application, the denial or failure to act must be based  
17 upon a finding that the applicant failed to adequately address  
18 objective criteria established by regulation of the Department or the  
19 State Board. The State Public Charter School Authority shall  
20 include in the written notice the reasons for the denial or the failure  
21 to act and the deficiencies in the application. The staff designated by  
22 the State Public Charter School Authority shall meet with the  
23 applicant to confer on the method to correct the identified  
24 deficiencies. The applicant must be granted 30 days after receipt of  
25 the written notice to correct any deficiencies identified in the written  
26 notice and resubmit the application.

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

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

37 (a) A list of each application to form a charter school that was  
38 submitted to the board of trustees of a school district, the State  
39 Public Charter School Authority, a college or a university during the  
40 immediately preceding biennium;

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

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

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



**Sec. 12.** NRS 388.040 is hereby amended to read as follows:

388.040 1. Except as otherwise provided in subsection 2, the board of trustees of a school district that includes more than one school which offers instruction in the same grade or grades may zone the school district and determine which pupils must attend each school.

2. The establishment of zones pursuant to subsection 1 does not preclude a pupil from attending a:

(a) Charter school;

(b) University school for profoundly gifted pupils;

(c) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil is enrolled in the Program of School Choice for Children in Foster Care established pursuant to NRS 392B.100; ~~for~~

(d) Public school outside the zone of attendance that the pupil is otherwise required to attend if the pupil has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive, or the parent or legal guardian with whom the pupil resides has been issued a fictitious address pursuant to NRS 217.462 to 217.471, inclusive ~~for~~; or

*(e) Public school outside the zone of attendance that the pupil is otherwise required to attend if the board of trustees of a school district approves an application for the pupil to attend another public school pursuant to section 5 of this act.*

**Sec. 13.** The provisions of sections 2 to 7, inclusive, of this act do not apply during the current term of:

1. Any contract negotiated pursuant to chapter 288 of NRS which is effective before July 1, 2013, to the extent of any conflict between the contract and the provisions of sections 2 to 7, inclusive, of this act, but do apply to any extension or renewal of such a contract or to any contract entered into on or after July 1, 2013.

2. Any written contract or notice of reemployment accepted and signed pursuant to NRS 391.120 before July 1, 2013, to the extent of any conflict between the contract or notice of reemployment and the provisions of sections 2 to 7, inclusive, of this act, but do apply to any extension or renewal of such a contract or notice of reemployment or to any contract or notice entered into on or after July 1, 2013.

**Sec. 14.** This act becomes effective:

1. Upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2013, for all other purposes.

