

ASSEMBLY BILL NO. 78—COMMITTEE ON EDUCATION

(ON BEHALF OF THE STATE PUBLIC
CHARTER SCHOOL AUTHORITY)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Education

SUMMARY—Revises provisions governing charter schools.
(BDR 34-339)

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 the participation of charter schools in the statewide system of accountability; requiring a charter school to release the education records of a pupil to the sponsor of the charter school under certain circumstances; requiring the governing body of a charter school to adopt certain policies relating to English learners, parental involvement and assessments; revising provisions governing the operations of the State Public Charter School Authority; deeming certain records of organizations that provide services relating to the management or governance of charter schools to be public records; requiring certain employees of such organizations to receive background checks and report the abuse or neglect of a child; providing for the monitoring of criminal cases involving such employees who are unlicensed; revising provisions governing the operations and finances of charter schools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the State Public Charter School Authority or a school
2 district or college or university within the Nevada System of Higher Education that
3 is approved by the Department of Education to sponsor a charter school. (NRS
4 388A.220) Existing law also establishes the statewide system of accountability for
5 public schools, which requires: (1) the board of trustees of each school district and



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each sponsor of a charter school to report certain information concerning schools within the district or sponsored by the sponsor, as applicable, to the Department; and (2) the State Board of Education to prepare an annual report of accountability for the State that includes certain information concerning each school district, including each charter school located within the district. (NRS 385A.070-385A.520) **Section 2** of this bill requires a charter school to provide to its sponsor any information necessary to prepare its annual report. **Sections 3-16** of this bill require the annual report of accountability for the state to report information concerning charter schools according to the sponsor of the charter school rather than including those schools within the school district in which the charter school is located. **Sections 17-19** of this bill make conforming changes. **Sections 20 and 21** of this bill require the Authority, each college or university within the Nevada System of Higher Education that sponsors a charter school and each governing body of a charter school to adopt the program for the collection, maintenance and transfer of accountability data prescribed by the Superintendent.

Section 22 of this bill requires a charter school to release the education record of a pupil to the sponsor of the charter school under certain circumstances. **Sections 23, 24 and 75** of this bill require the governing body of a charter school to adopt policies to teach English to pupils who are English learners and encourage effective involvement and engagement by parents and families. **Sections 1 and 13** of this bill make conforming changes.

Section 27 of this bill authorizes the Authority to investigate a violation of law or regulations related to charter schools by any person affiliated with a charter school sponsored by the Authority. **Sections 28 and 78** of this bill require certain organizations that operate or provide services relating to the operation or management of a charter school, including an achievement charter school, to comply with public records laws with regard to records of communications with the staff of a charter school or relating to the business, management or governance of a charter school. **Sections 61, 66, 77 and 79** of this bill require employees of such an organization who interact directly with pupils, have access to data concerning pupils or supervise the staff of a charter school, including an achievement charter school, to: (1) receive background checks; and (2) be responsible for reporting the abuse or neglect of a child.

Sections 31, 33, 34, 37, 38, 41-47, 56 and 58 of this bill replace the term "charter management organization" with the term "network of charter schools." **Section 32** of this bill authorizes a nonprofit organization to act as an educational management organization, which is an entity that provides services relating to the operation and management of charter schools.

Existing law authorizes the governing body of a charter school, including an achievement charter school, to request that the board of trustees of a school district transfer a pupil with a disability for whom the charter school is unable to provide appropriate services. (NRS 388A.453) **Sections 29, 60 and 67** of this bill: (1) authorize such a request to be made only after the charter school has enrolled the pupil and with the approval of the sponsor of the charter school; (2) authorize a governing body to appeal the denial of such a request to the Department; and (3) deem a pupil who is so transferred to be enrolled in the charter school until he or she is disenrolled from the charter school.

Sections 35, 36 and 80 of this bill revise the circumstances under which the Authority, a charter school sponsored by the Authority or a college or university within the Nevada System of Higher Education is deemed to be a local educational agency. **Section 39** of this bill authorizes the Authority to adopt any regulations necessary to carry out its responsibilities under state and federal law.

Existing law authorizes the Executive Director of the Authority to pursue any other business or occupation or hold any other office with the approval of the Authority. (NRS 388A.193) **Section 40** of this bill instead requires the approval of



the Governor for the Executive Director to engage in such activities. **Sections 47, 49, 50, 52 and 54** of this bill authorize or require, depending on the circumstances, the sponsor of a charter school to deny a request to form a charter school, amend a written charter or charter contract or renew a charter contract under certain circumstances relating to the prior performance of an educational management organization with which the governing body contracts or proposes to contract. **Sections 48, 53 and 55** of this bill make conforming changes. **Section 47** also requires a prospective sponsor to inform an applicant to form a charter school dedicated to providing educational services to certain pupils of any federal funding that the charter school may be ineligible to receive because it does not provide educational services to all pupils. **Section 51** of this bill provides that an applicant for the issuance, amendment or renewal of a charter contract or a person who seeks any other affirmative approval of a sponsor is not entitled to the issuance, amendment, renewal or approval. **Sections 57 and 77** of this bill prohibit a charter schools from requiring the parent, guardian or other family member of a pupil to donate money to or volunteer at the school.

Existing law requires a charter school to pay to its sponsor a yearly sponsorship fee in a prescribed amount. (NRS 388A.414) **Section 59** of this bill instead requires a charter school sponsored by the State Public Charter School Authority to pay a sponsorship fee in an amount determined in accordance with the State Budget Act. (NRS 353.150-353.246)

Existing law establishes a procedure for responding to criminal cases involving unlicensed teachers and administrators who are employed by a charter school, other than an achievement charter school. (NRS 388A.5332-388A.5342) **Sections 62-65** of this bill make this procedure applicable to criminal cases involving unlicensed employees of an educational management organization or network of charter schools who directly interact with pupils, have access to data concerning pupils or supervise the staff of a charter school.

Sections 68-74 of this bill require a charter school to take certain actions regarding the administration of examinations and assessments.

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

Section 1. NRS 385.620 is hereby amended to read as follows:
385.620 The Advisory Council shall:

1. Review the policy of parental involvement adopted by the State Board and the policy of parental involvement and family engagement adopted by the board of trustees of each school district *and the governing body of each charter school* pursuant to NRS 392.457;

2. Review the information relating to communication with and participation, involvement and engagement of parents and families that is included in the annual report of accountability for each school district pursuant to NRS 385A.320 and similar information in the annual report of accountability prepared by the State Public Charter School Authority, the Achievement School District and a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.070;



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

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

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

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

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

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

9. Work in collaboration with the Office of Parental Involvement and Family Engagement created by NRS 385.630 to carry out the duties prescribed in NRS 385.635; and

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

Sec. 2. NRS 385A.070 is hereby amended to read as follows:

385A.070 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 sponsored by the school district. The board of trustees of each school district shall report the information required by NRS 385A.070 to 385A.320, inclusive, for each charter school sponsored by the school district. The information for charter schools must be reported separately.

2. The board of trustees of each school district shall, on or before December 31 of each year, prepare for the immediately



preceding school year a single annual report of accountability concerning the educational goals and objectives of the school district, the information prescribed by NRS 385A.070 to 385A.320, inclusive, and such other information as is directed by the Superintendent of Public Instruction. A separate reporting for a group of pupils must not be made pursuant to NRS 385A.070 to 385A.320, inclusive, if the number of pupils in that group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The Department shall use the mechanism approved by the United States Department of Education for the statewide system of accountability for public schools for determining the minimum number of pupils that must be in a group for that group to yield statistically reliable information.

3. The State Public Charter School Authority, the Achievement School District and each college or university within the Nevada System of Higher Education that sponsors a charter school shall, on or before December 31 of each year, prepare for the immediately preceding school year an annual report of accountability of the charter schools sponsored by the State Public Charter School Authority, Achievement School District or institution, as applicable, concerning the accountability information prescribed by the Department pursuant to this section. The Department, in consultation with the State Public Charter School Authority, the Achievement School District and each college or university within the Nevada System of Higher Education that sponsors a charter school, shall prescribe by regulation the information that must be prepared by the State Public Charter School Authority, Achievement School District and institution, as applicable, which must include, without limitation, the information contained in subsection 2 and NRS 385A.070 to 385A.320, inclusive, as applicable to charter schools. The Department shall provide for public dissemination of the annual report of accountability prepared pursuant to this section by posting a copy of the report on the Internet website maintained by the Department.

4. *For the purpose of preparing and reporting information pursuant to subsection 3, each charter school sponsored by the State Public Charter School Authority, the Achievement School District or a college or university within the Nevada System of Higher Education shall provide any information requested by the sponsor of the charter school that is necessary for the sponsor to complete the annual report of accountability pursuant to subsection 3 within the time requested by the sponsor.*

5. The annual report of accountability prepared pursuant to this section must be presented in an understandable and uniform format



1 and, to the extent practicable, provided in a language that parents
2 can understand.

3 **Sec. 3.** NRS 385A.280 is hereby amended to read as follows:

4 385A.280 The annual report of accountability prepared
5 pursuant to NRS 385A.070 must include, for each school in the
6 district and the district as a whole, including, without limitation,
7 each charter school sponsored by the district, information regarding
8 the progression of pupils who are English learners in attaining
9 proficiency in the English language, including, without limitation:

10 1. The number and percentage of pupils who were identified as
11 English learners at the beginning of the school year, were
12 continually enrolled throughout the school year and were identified
13 as proficient in English by the completion of the school year;

14 2. The achievement and proficiency of pupils who are English
15 learners in comparison to the pupils who are proficient in English;

16 3. A comparison of pupils who are English learners and pupils
17 who are proficient in the English language in the following areas:

18 (a) Retention rates;

19 (b) Graduation rates;

20 (c) Dropout rates;

21 (d) Grade point averages; and

22 (e) Scores on the examinations administered pursuant to NRS
23 390.105 and the college and career readiness assessment
24 administered pursuant to NRS 390.610; and

25 4. Results of the assessments and reassessments of pupils who
26 are English learners, reported separately by the primary language of
27 the pupils, pursuant to the policy developed by the board of trustees
28 of the school district *or governing body of the charter school, as*
29 *applicable*, pursuant to NRS 388.407.

30 **Sec. 4.** NRS 385A.400 is hereby amended to read as follows:

31 385A.400 1. The State Board shall, on or before January 15
32 of each year, prepare for the immediately preceding school year a
33 single annual report of accountability that includes, without
34 limitation, the information prescribed by NRS 385A.400 to
35 385A.520, inclusive.

36 2. A separate reporting for a group of pupils must not be made
37 pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of
38 pupils in that group is insufficient to yield statistically reliable
39 information or the results would reveal personally identifiable
40 information about an individual pupil. The Department shall use the
41 mechanism approved by the United States Department of Education
42 for the statewide system of accountability for public schools for
43 determining the minimum number of pupils that must be in a group
44 for that group to yield statistically reliable information.

45 3. The annual report of accountability must:



- 1 (a) Be prepared in a concise manner; and
- 2 (b) Be presented in an understandable and uniform format and,
- 3 to the extent practicable, provided in a language that parents can
- 4 understand.

5 4. On or before January 15 of each year, the State Board shall
6 provide for public dissemination of the annual report of
7 accountability by posting a copy of the report on the Internet
8 website maintained by the Department.

9 5. Upon the request of the Governor, the Attorney General, the
10 Committee, the Bureau, the Board of Regents of the University of
11 Nevada, the board of trustees of a school district, *the State Public*
12 *Charter School Authority, a college or university within the*
13 *Nevada System of Higher Education*, the governing body of a
14 charter school, the Executive Director of the Achievement School
15 District or a member of the general public, the State Board shall
16 provide a portion or portions of the annual report of accountability.

17 **Sec. 5.** NRS 385A.410 is hereby amended to read as follows:

18 385A.410 The annual report of accountability prepared by the
19 State Board pursuant to NRS 385A.400 must include information on
20 pupil achievement and school performance, including, without
21 limitation:

22 1. Information on the achievement of all pupils based upon the
23 results of the examinations administered pursuant to NRS 390.105
24 and the college and career readiness assessment administered
25 pursuant to NRS 390.610, reported for ~~each~~ :

26 (a) *Each* school district ~~[, including, without limitation, each]~~ ;

27 (b) *Each sponsor of a* charter school ~~[in the]~~ , *including,*
28 *without limitation, a school* district ; ~~[]~~ and ~~[for this]~~

29 (c) *This* State as a whole.

30 2. Except as otherwise provided in subsection 2 of NRS
31 385A.400, pupil achievement, reported separately by gender and
32 reported separately for the groups of pupils identified in the
33 statewide system of accountability for public schools.

34 3. A comparison of the achievement of pupils in each group
35 identified in the statewide system of accountability for public
36 schools with the performance targets established for that group.

37 4. The percentage of all pupils who were not tested, reported
38 for ~~each~~ :

39 (a) *Each* school district ~~[, including, without limitation, each]~~ ;

40 (b) *Each sponsor of a* charter school ~~[in the]~~ , *including,*
41 *without limitation, a school* district ; ~~[]~~ and ~~[for this]~~

42 (c) *This* State as a whole.

43 5. Except as otherwise provided in subsection 2 of NRS
44 385A.400, the percentage of pupils who were not tested, reported
45 separately by gender and reported separately for the groups



identified in the statewide system of accountability for public schools.

6. The most recent 3-year trend in the achievement of pupils in each subject area tested and each grade level tested pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610, reported for each school district, ~~including, without limitation,~~ each *sponsor of a* charter school ~~in the~~, *including, without limitation, a school* district, and for this State as a whole, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

7. The rating of each public school, including, without limitation, each charter school, pursuant to the statewide system of accountability for public schools.

8. Information on whether each public school, including, without limitation, each charter school, has made progress based upon the model adopted by the Department pursuant to NRS 390.125, if applicable for the grade level of pupils enrolled at the school.

9. Information on the results of pupils who participated in the examinations of the National Assessment of Educational Progress required pursuant to NRS 390.830.

Sec. 6. NRS 385A.420 is hereby amended to read as follows:

385A.420 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on class sizes, including, without limitation:

1. The ratio of pupils to teachers in kindergarten and at each grade level for all elementary schools, reported for ~~each~~ :

(a) *Each* school district ~~including, without limitation, each~~ ;

(b) *Each sponsor of a* charter school ~~in the~~ *that operates as an elementary school, including, without limitation, a school* district ; ~~and~~ ~~for this~~

(c) *This* State as a whole; and

2. The average class size for each core academic subject, as set forth in NRS 389.018, for each secondary school, reported for ~~each~~ :

(a) *Each* school district ;

(b) *Each sponsor of a charter school that operates as a secondary school, including, without limitation, a school* district; and ~~for this~~

(c) *This* State as a whole.

Sec. 7. NRS 385A.430 is hereby amended to read as follows:

385A.430 1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on personnel, including, without limitation:



(a) The total number of persons employed by each school district in this State ~~[]~~ *and by all of the charter schools sponsored by each sponsor of a charter school*, including, without limitation, ~~[each charter]~~ a school ~~[in the]~~ district. Each such person must be reported as either an administrator, a teacher or other staff and must not be reported in more than one category.

(b) In addition to the total number of persons employed ~~[by each school district]~~ in each category, the number of employees in each of the three categories expressed as a percentage of the total number of persons employed by the school district ~~[]~~ *or all of the charter schools sponsored the sponsor, as applicable.*

2. As used in this section:

(a) "Administrator" means a person who spends at least 50 percent of his or her work year supervising other staff or licensed personnel, or both, and who is not classified by the board of trustees of a school district *or the governing body of a charter school* as a professional-technical employee.

(b) "Other staff" means all persons who are not reported as administrators or teachers, including, without limitation:

(1) School counselors, school nurses and other employees who spend at least 50 percent of their work year providing emotional support, noninstructional guidance or medical support to pupils;

(2) Noninstructional support staff, including, without limitation, janitors, school police officers and maintenance staff; and

(3) Persons classified by the board of trustees of a school district *or the governing body of a charter school* as professional-technical employees, including, without limitation, technical employees and employees on the professional-technical pay scale.

(c) "Teacher" means a person licensed pursuant to chapter 391 of NRS who is classified by the board of trustees of a school district ~~[]~~ *or the governing body of a charter school:*

(1) As a teacher and who spends at least 50 percent of his or her work year providing instruction or discipline to pupils; or

(2) As instructional support staff, who does not hold a supervisory position and who spends not more than 50 percent of his or her work year providing instruction to pupils. Such instructional support staff includes, without limitation, librarians and persons who provide instructional support.

Sec. 8. NRS 385A.440 is hereby amended to read as follows:

385A.440 1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on teachers, other licensed personnel and paraprofessionals, including, without limitation:



(a) For each school district, ~~including, without limitation,~~ each *sponsor of a* charter school ~~in the~~ , *including, without limitation, a school* district, and for this State as a whole, information on the professional qualifications of teachers and other licensed educational personnel employed by the school districts and charter schools, including, without limitation:

(1) The total number of:

(I) Teachers and other licensed educational personnel employed by each school district, ~~including, without limitation, each~~ *by all of the charter schools sponsored by each sponsor of a* charter school ~~in the~~ , *including, without limitation, a school* district, and for this State as a whole;

(II) Vacancies at each school district ~~including, without limitation,~~ *and at all of the charter schools sponsored by each sponsor of a* charter school ~~in the~~ *including, without limitation, a school* district, which are not filled by a teacher who has a contract to teach on a full-time basis, as determined by the Commission on Professional Standards in Education and for this State as a whole;

(III) Teachers and other licensed educational personnel employed by each school district ~~including, without limitation,~~ *and by all of the charter schools sponsored by each sponsor of a* charter school ~~in the~~ , *including, without limitation, a school* district, who provide instruction in a grade level or subject area for which they do not meet the requirements for licensure or do not hold a required endorsement, and for this State as a whole;

(IV) Teachers or other licensed educational personnel who are inexperienced, as defined by the Commission on Professional Standards in Education, employed by each school district, ~~including, without limitation,~~ *by all of the charter schools sponsored by each sponsor of a* charter school ~~in the~~ , *including, without limitation, a school* district, and for this State as a whole; and

(V) Employees at each school district ~~including, without limitation,~~ *and at all of the charter schools sponsored by each sponsor of a* charter school ~~in the~~ , *including, without limitation, a school* district, whose overall performance was determined to be highly effective, effective, developing or ineffective under the statewide performance evaluation system, and for this State as a whole.

(2) The percentage of:

(I) Teachers and other licensed educational personnel employed in this State who are employed by each school district, ~~including, without limitation,~~ *by all of the charter schools sponsored by each sponsor of a* charter school ~~in the~~ , *including, without limitation, a school* district, and for this State as a whole;



(II) Vacancies at each school district ~~[including, without limitation,]~~ *and at all of the charter schools sponsored by each sponsor of a* charter school ~~[in-the]~~ *, including, without limitation, a school* district, which are not filled by a teacher who has a contract to teach on a full-time basis, as determined by the Commission on Professional Standards in Education, and for this State as a whole;

(III) Teachers and other licensed educational personnel employed by each school district ~~[including, without limitation,]~~ *and by all of the charter schools sponsored by each sponsor of a* charter school ~~[in-the]~~ *, including, without limitation, a school* district, who provide instruction in a grade level or subject area in which they do not meet the requirements for licensure or do not hold a required endorsement, and for this State as a whole;

(IV) Teachers and other licensed educational personnel employed by each school district ~~[including, without limitation,]~~ *and by all of the charter schools sponsored by each sponsor of a* charter school ~~[in-the]~~ *, including, without limitation, a school* district, who are inexperienced, as defined by the Commission on Professional Standards in Education, and for this State as a whole; and

(V) Employees at each school district ~~[including, without limitation,]~~ *and at all of the charter schools sponsored by each sponsor of a* charter school ~~[in-the]~~ *, including, without limitation, a school* district, whose overall performance was determined to be highly effective, effective, developing or ineffective under the statewide performance evaluation system, and for this State as a whole.

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

(I) 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) 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.

(4) For each elementary school:

(I) 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) 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.

(b) The attendance of teachers who provide instruction, reported for ~~each~~ :

(1) *Each* school district ~~[, including, without limitation, each]~~ ;

(2) *Each sponsor of a* charter school ~~[in the]~~ , *including, without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

(3) *This* State as a whole.

(c) Information on the paraprofessionals employed at public schools in this State, including, without limitation, the charter schools in this State. The information must include:

(1) The number of paraprofessionals employed, reported for ~~each~~ :

(I) *Each* school district ~~[, including, without limitation, each]~~ ;

(II) *Each sponsor of a* charter school ~~[in the]~~ , *including, without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

(III) *This* State as a whole;

(2) The number of paraprofessional employed by each school district ~~[, including, without limitation, each]~~ and by all of the charter schools sponsored by each sponsor of a charter school ~~[in the]~~ , *including, without limitation, a school* district, who do not satisfy the requirements prescribed by the Department to comply with 20 U.S.C. § 6311(g)(2)(M), and for this State as a whole;

(3) The percentage of paraprofessionals employed by each school district ~~[, including, without limitation,]~~ and by all of the charter schools sponsored by each sponsor of a charter school ~~[in the]~~ , *including, without limitation, a school* district, who do not satisfy the requirements prescribed by the Department to comply with 20 U.S.C. § 6311(g)(2)(M), and for this State as a whole; and

(4) Any other information required by regulation of the State Board.

2. As used in this section, "paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 9. NRS 385A.450 is hereby amended to read as follows:

385A.450 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on the attendance, truancy and transiency of pupils, including, without limitation:



1 1. For all elementary schools, junior high schools and middle
2 schools, the rate of attendance, reported for ~~each~~ :

- 3 (a) *Each* school district ~~[, including, without limitation, each]~~ ;
4 (b) *Each sponsor of a* charter school ~~[in-the]~~ , *including,*
5 *without limitation, each school* district ; ~~[,]~~ and ~~[for this]~~
6 (c) *This* State as a whole.

7 2. The number of pupils in each grade who are retained in the
8 same grade pursuant to NRS 392.033, 392.125 or 392.760, reported
9 for ~~each~~ :

- 10 (a) *Each* school district ~~[, including, without limitation, each]~~ ;
11 (b) *Each sponsor of a* charter school ~~[in-the]~~ , *including,*
12 *without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~
13 (c) *This* State as a whole.

14 3. The transiency rate of pupils, reported for each school
15 district, ~~[including, without limitation,]~~ each *sponsor of a* charter
16 school ~~[in-the]~~ , *including, without limitation, a school* district, and
17 for this State as a whole. For the purposes of this subsection, a pupil
18 is not a transient if the pupil is transferred to a different school
19 within the school district as a result of a change in the zone of
20 attendance by the board of trustees of the school district pursuant to
21 NRS 388.040.

22 4. The number of habitual truants reported for each school
23 district, including, without limitation, each *sponsor of a* charter
24 school ~~[in-the]~~ , *including, without limitation, a school* district, and
25 for this State as a whole, including, without limitation, the number
26 who are:

27 (a) Reported to an attendance officer, a school police officer or a
28 local law enforcement agency pursuant to paragraph (a) of
29 subsection 2 of NRS 392.144;

30 (b) Referred to an advisory board to review school attendance
31 pursuant to paragraph (b) of subsection 2 of NRS 392.144; and

32 (c) Referred for the imposition of administrative sanctions
33 pursuant to paragraph (c) of subsection 2 of NRS 392.144.

34 **Sec. 10.** NRS 385A.460 is hereby amended to read as follows:

35 385A.460 1. The annual report of accountability prepared by
36 the State Board pursuant to NRS 385A.400 must include
37 information on the discipline of pupils, including, without
38 limitation:

39 (a) Incidents involving weapons or violence, reported for
40 ~~each~~ :

41 (1) *Each* school district ~~[, including, without limitation,~~
42 ~~each]~~ ;

43 (2) *Each sponsor of a* charter school ~~[in-the]~~ , *including,*
44 *without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

45 (3) *This* State as a whole.



(b) Incidents involving the use or possession of alcoholic beverages or controlled substances, reported for ~~each~~ :

(1) *Each* school district ~~[, including, without limitation, each]~~ ;

(2) *Each sponsor of a* charter school ~~[in the]~~ , *including, without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

(3) *This* State as a whole.

(c) The suspension and expulsion of pupils required or authorized pursuant to NRS 392.466 and 392.467, reported for ~~each~~ :

(1) *Each* school district ~~[, including, without limitation, each]~~ ;

(2) *Each sponsor of a* charter school ~~[in the]~~ , *including, without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

(3) *This* State as a whole.

(d) The number of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655, reported for ~~each~~ :

(1) *Each* school district ~~[, including, without limitation, each]~~ ;

(2) *Each sponsor of a* charter school ~~[in the]~~ , *including, without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

(3) *This* State as a whole.

(e) For each school district, ~~[including, without limitation,]~~ each *sponsor of a* charter school ~~[in the]~~ , *including, without limitation, a school* district, and for this State as a whole:

(1) The number of reported violations of NRS 388.135 occurring at a school or otherwise involving a pupil enrolled at a school, regardless of the outcome of the investigation conducted pursuant to NRS 388.1351;

(2) The number of incidents determined to be bullying or cyber-bullying after an investigation is conducted pursuant to NRS 388.1351;

(3) The number of incidents resulting in suspension or expulsion for bullying or cyber-bullying; and

(4) Any actions taken to reduce the number of incidents of bullying or cyber-bullying, including, without limitation, training that was offered or other policies, practices and programs that were implemented.

(f) For each high school ~~[in]~~ *that is part of* each school district, ~~[including, without limitation,]~~ *for* each charter school that operates as a high school ~~[,]~~ *and is sponsored by the same sponsor, including, without limitation, a school district,* and for the high schools in this State as a whole:

(1) The number and percentage of pupils whose violations of the code of honor relating to cheating prescribed pursuant to



1 NRS 392.461 or any other code of honor applicable to pupils
2 enrolled in high school were reported to the principal of the high
3 school, reported by the type of violation;

4 (2) The consequences, if any, to the pupil whose violation is
5 reported pursuant to subparagraph (1), reported by the type of
6 consequence;

7 (3) The number of any such violations of a code of honor in a
8 previous school year by a pupil whose violation is reported pursuant
9 to subparagraph (1), reported by the type of violation; and

10 (4) The process used by the high school to address violations
11 of a code of honor which are reported to the principal.

12 2. As used in this section:

13 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

14 (b) "Cyber-bullying" has the meaning ascribed to it in
15 NRS 388.123.

16 **Sec. 11.** NRS 385A.470 is hereby amended to read as follows:

17 385A.470 The annual report of accountability prepared by the
18 State Board pursuant to NRS 385A.400 must include information on
19 the graduation and drop-out rates of pupils and the enrollment of
20 pupils in remedial courses in college, including, without limitation:

21 1. For each school district, ~~including, without limitation,~~ each
22 *sponsor of a* charter school ~~in the~~, *including, without limitation,*
23 *a school* district, and for this State as a whole, the number and
24 percentage of pupils who received:

25 (a) A standard high school diploma.

26 (b) An adult diploma.

27 (c) An adjusted diploma.

28 (d) An alternative diploma.

29 2. The annual rate of pupils who drop out of school in grade 8
30 and a separate reporting of the annual rate of pupils who drop out of
31 school in grades 9 to 12, inclusive, reported for each school district,
32 ~~including, without limitation,~~ each *sponsor of a* charter school ~~in~~
33 *the*, *including, without limitation, a school* district, and for this
34 State as a whole. The reporting for pupils in grades 9 to 12,
35 inclusive, excludes pupils who:

36 (a) Provide proof to the school district *or the governing body of*
37 *a charter school* of successful completion of the high school
38 equivalency assessment selected by the State Board pursuant to
39 NRS 390.055.

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

42 (c) Withdraw from school to attend another school.

43 3. The percentage of pupils who graduated from a high school
44 or charter school in the immediately preceding year and enrolled in
45 remedial courses in reading, writing or mathematics at a university,



1 state college or community college within the Nevada System of
2 Higher Education, reported for ~~each~~ :

3 (a) *Each* school district ~~[, including, without limitation, each];~~

4 (b) *Each sponsor of a* charter school ~~[in-the]~~ , *including,*
5 *without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~

6 (c) *This* State as a whole.

7 **Sec. 12.** NRS 385A.480 is hereby amended to read as follows:

8 385A.480 The annual report of accountability prepared by the
9 State Board pursuant to NRS 385A.400 must include for each
10 school district, ~~[including, without limitation,]~~ each *sponsor of a*
11 charter school ~~[in-the]~~ , *including, without limitation, a school*
12 district, and for this State as a whole, information concerning pupils
13 who are eligible for free or reduced-price breakfasts pursuant to 42
14 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or
15 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.,
16 including, without limitation:

17 1. The number and percentage of pupils who are eligible for
18 free or reduced-price breakfasts;

19 2. The number and percentage of pupils who receive free and
20 reduced-price breakfasts;

21 3. The number and percentage of pupils who are eligible for
22 free or reduced-price lunches;

23 4. The number and percentage of pupils who receive free and
24 reduced-price lunches;

25 5. A comparison of the achievement and proficiency of pupils,
26 reported separately by race and ethnicity, who are eligible for free or
27 reduced-price breakfasts, pupils who receive free and reduced-price
28 breakfasts, pupils who are eligible for free or reduced-price lunches,
29 pupils who receive free and reduced-price lunches and pupils who
30 are not eligible for free or reduced-price breakfasts or lunches;

31 6. A comparison of pupils, reported separately by race and
32 ethnicity, who are eligible for free or reduced-price breakfasts,
33 pupils who receive free and reduced-price breakfasts, pupils who are
34 eligible for free or reduced-price lunches and pupils who receive
35 free and reduced-price lunches for which data is required to be
36 collected in the following areas:

37 (a) Retention rates;

38 (b) Graduation rates;

39 (c) Dropout rates;

40 (d) Grade point averages; and

41 (e) Scores on the examinations administered pursuant to NRS
42 390.105 and the college and career readiness assessment
43 administered pursuant to NRS 390.610.



Sec. 13. NRS 385A.490 is hereby amended to read as follows:

385A.490 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include for each school district, ~~[including, without limitation,]~~ each *sponsor of a charter school [in-the]*, *including, without limitation, a school district*, and for this State as a whole, information regarding the progression of pupils who are English learners in attaining proficiency in the English language, including, without limitation:

1. The number and percentage of pupils who were identified as English learners at the beginning of the school year, were continually enrolled throughout the school year and were identified as proficient in English by the completion of the school year;

2. The achievement and proficiency of pupils who are English learners in comparison to the pupils who are proficient in English;

3. A comparison of pupils who are English learners and pupils who are proficient in the English language in the following areas:

(a) Retention rates;

(b) Graduation rates;

(c) Dropout rates;

(d) Grade point averages; and

(e) Scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610; and

4. Results of the assessments and reassessments of pupils who are English learners, reported separately by the primary language of the pupils, pursuant to the policies developed by the boards of trustees of school districts *and governing bodies of charter schools* pursuant to NRS 388.407.

Sec. 14. NRS 385A.500 is hereby amended to read as follows:

385A.500 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include for each school district, ~~[including, without limitation,]~~ each *sponsor of a charter school [in-the]*, *including, without limitation, a school district*, and for this State as a whole, information on pupils enrolled in career and technical education, including, without limitation:

1. The number of pupils enrolled in a course of career and technical education;

2. The number of pupils who completed a course of career and technical education;

3. The average daily attendance of pupils who are enrolled in a program of career and technical education;

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



5. The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma, an adjusted diploma or an alternative diploma; and

6. The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to satisfy the requirements of subsection 3 or 4 of NRS 390.600 or the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600.

Sec. 15. NRS 385A.510 is hereby amended to read as follows:

385A.510 *1.* The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on remedial and special programs, including, without limitation:

~~[(1)]~~ (a) A compilation of the programs of remedial study purchased in whole or in part with money received from this State that are used in ~~[each]~~ :

(1) Each school district ~~[, including, without limitation, each]; and~~

(2) The charter ~~[school in the]~~ schools sponsored by each sponsor of a charter school, including, without limitation, a school district. ~~[The compilation must include:~~

~~—(a) The amount and sources of money received for programs of remedial study.~~

~~—(b) An identification of each program of remedial study, listed by subject area.~~

~~—2.]~~

(b) A compilation of the special programs available for pupils at individual schools, listed by school and by school district ~~[, including, without limitation, each] or by charter school and by sponsor of a charter school [in the district.]~~, as applicable.

2. The compilation described in paragraph (a) of subsection 1 must include, without limitation:

(a) The amount and sources of money received for programs of remedial study.

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

Sec. 16. NRS 385A.520 is hereby amended to read as follows:

385A.520 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include fiscal information and information relating to technological facilities and equipment, including, without limitation:

1. The total expenditure per pupil for each school district in this State ~~[, including, without limitation,]~~ *and for each sponsor of a*



1 charter school ~~[in-the]~~ , *including, without limitation, a school*
2 district. If this State has a financial analysis program that is designed
3 to track educational expenditures and revenues to individual
4 schools, the State Board shall use that statewide program in
5 complying with this subsection. If a statewide program is not
6 available, the State Board shall use the Department's own financial
7 analysis program in complying with this subsection.

8 2. The total statewide expenditure per pupil. If this State has a
9 financial analysis program that is designed to track educational
10 expenditures and revenues to individual schools, the State Board
11 shall use that statewide program in complying with this subsection.
12 If a statewide program is not available, the State Board shall use the
13 Department's own financial analysis program in complying with
14 this subsection.

15 3. Each source of funding for this State to be used for the
16 system of public education.

17 4. An identification of appropriations made by the Legislature
18 to improve the academic achievement of pupils and programs
19 approved by the Legislature to improve the academic achievement
20 of pupils.

21 5. The technological facilities and equipment available for
22 educational purposes, reported for ~~[each]~~ :

- 23 (a) *Each* school district ~~[, including, without limitation, each]~~ ;
24 (b) *Each sponsor of a* charter school ~~[in-the]~~ , *including,*
25 *without limitation, a school* district ; ~~[,]~~ and ~~[for this]~~
26 (c) *This* State as a whole.

27 **Sec. 17.** NRS 385A.600 is hereby amended to read as follows:
28 385A.600 1. The Department shall make every effort to
29 obtain the approval necessary from the United States Department of
30 Education to ensure that the statewide system of accountability for
31 public schools complies with all requirements for the receipt of
32 federal money under the Elementary and Secondary Education Act
33 of 1965, 20 U.S.C. §§ 6301 et seq., as amended.

34 2. The statewide system of accountability applies to all public
35 schools, regardless of Title I status, and must:

36 (a) Include a method to, on an annual basis, rate each public
37 school based upon the performance of the school and based upon
38 whether each public school meets the school achievement targets
39 and performance targets established pursuant to the statewide
40 system of accountability;

41 (b) Include a method to implement consequences, rewards and
42 supports for public schools based upon the ratings;

43 (c) Include a method to provide grants and other financial
44 support, to the extent that money is available from legislative
45 appropriation, to public schools receiving one of the two lowest



1 ratings of performance pursuant to the statewide system of
2 accountability for public schools; and

3 (d) Establish school achievement targets and performance
4 targets for public schools and performance targets for specific
5 groups of pupils, including, without limitation, pupils who are
6 economically disadvantaged, pupils from major racial and ethnic
7 groups, pupils with disabilities and pupils who are English learners.
8 The school achievement targets and performance targets must:

9 (1) Be based primarily upon the measurement of the progress
10 and proficiency of pupils on the examinations administered pursuant
11 to NRS 390.105; and

12 (2) For high schools, include the rate of graduation and the
13 rate of attendance.

14 3. The statewide system of accountability for public schools
15 may include a method to:

16 (a) On an annual basis, rate ~~{school}~~ :

17 (1) *School* districts based upon the performance of the public
18 schools ~~{within}~~ *that are part of* the school district and whether
19 those public schools meet the school achievement targets and
20 performance targets established pursuant to the statewide system of
21 accountability; and

22 (2) *Sponsors of charter schools based on the performance*
23 *of the charter schools sponsored by those sponsors and whether*
24 *those charter schools meet the school achievement targets and*
25 *performance targets established pursuant to the statewide system*
26 *of accountability; and*

27 (b) Implement consequences, rewards and supports for school
28 districts *and sponsors and governing bodies of charter schools*
29 based upon the ratings.

30 **Sec. 18.** NRS 385A.610 is hereby amended to read as follows:

31 385A.610 1. The Department shall establish a monitoring
32 system for the statewide system of accountability. The monitoring
33 system must identify significant levels of achievement of pupils on
34 the examinations that are administered pursuant to NRS 390.105
35 and the college and career readiness assessment administered
36 pursuant to NRS 390.610, identified by school and by school
37 district.

38 2. On or before October 1 of each year, the Department shall
39 prepare a written summary of the findings made pursuant to
40 subsection 1. The written summary must be provided to:

41 (a) The Committee; and

42 (b) If the findings show inconsistencies applicable to ~~{a}~~ :

43 (1) *A* particular school district or school ~~{within}~~ *that is part*
44 *of* a school district, the board of trustees of that school district.



(2) A charter school, the sponsor and the governing body of that charter school.

3. The Committee shall review the report submitted pursuant to subsection 2 and take such action as it deems appropriate.

Sec. 19. NRS 385A.800 is hereby amended to read as follows:
385A.800 1. The Department shall establish and maintain an automated system of accountability information for Nevada. The system must:

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

(1) In the manner required by 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, and NRS 385A.070 and 385A.400; and

(2) In a separate reporting for each group of pupils identified in the statewide system of accountability for public schools;

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

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

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

(3) Which must, to the extent money is available for this purpose, include, without limitation, a unique identifier for each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard in a manner that will allow for the disaggregation of each category;

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

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

(e) Have the capacity to identify which teachers are assigned to individual pupils;

(f) Have the capacity to provide other information concerning schools, ~~and~~ school districts *and sponsors of charter schools* that is not linked to individual pupils, including, without limitation, the ratings of schools and, if available, school districts *and sponsors of charter schools* pursuant to the statewide system of accountability for public schools 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.

2. 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.

3. On or before December 31 of each year, the Department shall share with the Interagency Council on Veterans Affairs aggregate data collected pursuant to subsection 1 concerning each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard.

4. 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. 20. NRS 385A.810 is hereby amended to read as follows:

385A.810 *1. The board of trustees of each school district , each sponsor of a charter school and the governing body of each charter school shall* ~~f:~~

~~1. Adopt~~ *adopt* and maintain the program prescribed by the Superintendent of Public Instruction pursuant to NRS 385A.820 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 .

~~13~~

2. ~~Provide~~ *Each school district and each sponsor of a charter school shall:*

(a) *Provide* to the Department electronic data concerning pupils as required by the Superintendent of Public Instruction pursuant to NRS 385A.820; and

~~13~~ (b) Ensure that an electronic record is maintained in accordance with subsection 3 of NRS 385A.830.

3. *The governing body of each charter school shall provide such electronic data concerning pupils as required by the sponsor of the charter school to the sponsor to satisfy the requirements of subsection 2.*

Sec. 21. NRS 385A.820 is hereby amended to read as follows:

385A.820 The Superintendent of Public Instruction shall:

1. Prescribe a uniform program throughout this State for the collection, maintenance and transfer of data that each school district *or sponsor of a charter school and the governing body of each charter school* must adopt, which must include standardized software;

2. Prescribe the data to be collected and reported to the Department by each school district and each sponsor of a charter school pursuant to NRS 385A.810 and by each university school for profoundly gifted pupils;

3. Prescribe the format for the data;

4. Prescribe the date by which each school district *and each sponsor of a charter school* shall report the data to the Department;

5. Prescribe the date by which each charter school shall report the data to the sponsor of the charter school ~~13~~, *which must be at least 15 days before the date prescribed pursuant to subsection 4;*

6. Prescribe the date by which each university school for profoundly gifted pupils shall report the data to the Department;

7. 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:

(a) Individual pupils;

(b) Individual teachers;

(c) Individual schools , ~~and~~ school districts ~~13~~ and *sponsors of charter schools; and*

(d) Programs and financial information;

8. Provide technical assistance to each school district , *each sponsor of a charter school and each university school for profoundly gifted pupils* to ensure that the data from each public school in the school district, ~~including, without limitation,~~ each charter school ~~and~~ *sponsored by the sponsor or each* university



1 school for profoundly gifted pupils ~~located within the school~~
2 ~~district,~~, *as applicable*, is compatible with the automated system of
3 information and comparable to the data reported by other school
4 districts ~~;~~, *sponsors and university schools for profoundly gifted*
5 *pupils*; and

6 9. Provide for the analysis and reporting of the data in the
7 automated system of information.

8 **Sec. 22.** NRS 385A.830 is hereby amended to read as follows:

9 385A.830 1. The Department, the school districts , *the*
10 *sponsors of charter schools* and the public schools, including,
11 without limitation, charter schools, shall, in operating the automated
12 system of information established pursuant to NRS 385A.800,
13 comply with the provisions of:

14 (a) For all pupils, the Family Educational Rights and Privacy
15 Act, 20 U.S.C. § 1232g, and any regulations adopted pursuant
16 thereto; and

17 (b) For pupils with disabilities who are enrolled in programs of
18 special education, the provisions governing access to education
19 records and confidentiality of information prescribed in the
20 Individuals with Disabilities Education Act, 20 U.S.C. § 1417(c),
21 and the regulations adopted pursuant thereto.

22 2. Except as otherwise provided in 20 U.S.C. § 1232g(b) and
23 any other applicable federal law, a public school, including, without
24 limitation, a charter school, shall not release the education records
25 of a pupil to a person or an agency of a federal, state or local
26 government without the written consent of the parent or legal
27 guardian of the pupil. *If authorized by 20 U.S.C. § 1232g(b), a*
28 *charter school shall release the education record of a pupil to the*
29 *sponsor of the charter school without the written consent of the*
30 *parent or legal guardian of the pupil when requested or required*
31 *by the sponsor.*

32 3. In addition to the record required pursuant to 20 U.S.C. §
33 1232g(b)(4)(A), each school district and each *governing body and*
34 *sponsor* of a charter school shall maintain within the automated
35 system of information an electronic record of all persons and
36 agencies who have requested the education record of a pupil or
37 obtained access to the education record of a pupil, or both, pursuant
38 to 20 U.S.C. § 1232g. The electronic record must be maintained and
39 may only be disclosed in accordance with the provisions of 20
40 U.S.C. § 1232g. A charter school shall provide to the sponsor of the
41 charter school such information as is necessary for the sponsor to
42 carry out the provisions of this subsection.

43 4. The right accorded to a parent or legal guardian of a pupil
44 pursuant to subsection 2 devolves upon the pupil on the date on
45 which the pupil attains the age of 18 years.



5. As used in this section, unless the context otherwise requires, "education records" has the meaning ascribed to it in 20 U.S.C. § 1232g(a)(4).

Sec. 23. NRS 388.405 is hereby amended to read as follows:

388.405 1. The Legislature finds and declares that:

(a) It is the public policy of this State to provide every child enrolled in a public school with high-quality instruction.

(b) Children who are English learners benefit from instruction that is designed to address the academic and linguistic needs of those children.

(c) It is the intent of the Legislature that children who are English learners be provided with services and instruction which is designed to address the academic needs of such children so that those children attain proficiency in the English language and improve their overall academic and linguistic achievement and proficiency.

2. The State Board shall:

(a) Adopt regulations prescribing criteria for a policy for the instruction to teach English to pupils who are English learners which is developed by the board of trustees of each school district *and the governing body of each charter school* pursuant to NRS 388.407. The Superintendent of Public Instruction shall monitor each school district's *and governing body's* compliance with the criteria prescribed by the State Board pursuant to this paragraph.

(b) Submit all evaluations required pursuant to 20 U.S.C. §§ 6801 et seq. and the regulations adopted pursuant thereto regarding the programs for pupils who are English learners carried out pursuant to that provision of federal law to the:

(1) Governor;

(2) Legislative Committee on Education;

(3) Director of the Legislative Counsel Bureau for transmittal to the Senate and Assembly Standing Committees on Education; ~~{and}~~

(4) Board of trustees of each school district ~~{ }~~; *and*

(5) Governing body of each charter school.

Sec. 24. NRS 388.407 is hereby amended to read as follows:

388.407 1. The board of trustees of each school district *and the governing body of each charter school* shall develop a policy for the instruction to teach English to pupils who are English learners. The policy must be designed to provide pupils enrolled in each public school ~~{located in}~~ *that is part of* the school district *or the charter school, as applicable*, who are English learners with instruction that enables those pupils to attain proficiency in the English language and improve their overall academic achievement and proficiency.



2. The policy developed pursuant to subsection 1 must:

(a) Provide for the identification of pupils who are English learners through the use of an appropriate assessment;

(b) Provide for the periodic reassessment of each pupil who is classified as an English learner;

(c) Be designed to eliminate any gaps in achievement, including, without limitation, in the core academic subjects and in high school graduation rates, between those pupils who are English learners and pupils who are proficient in English;

(d) Provide opportunities for the parents or legal guardians of pupils who are English learners to participate in the program; and

(e) Provide the parents and legal guardians of pupils who are English learners with information regarding other programs that are designed to improve the language acquisition and academic achievement and proficiency of pupils who are English learners and assist those parents and legal guardians in enrolling those pupils in such programs.

Sec. 25. Chapter 388A of NRS is hereby amended by adding thereto the provisions set forth as sections 26 to 29, inclusive, of this act.

Sec. 26. *“Local educational agency” has the meaning ascribed to it in 20 U.S.C. § 7801(30)(A).*

Sec. 27. 1. *If the State Public Charter School Authority has reason to believe that any member of the governing body of or person employed by, under contract with or otherwise affiliated with a charter school sponsored by the State Public Charter School Authority has violated a provision of law or regulation related to charter schools, the State Public Charter School Authority may investigate the matter to the extent it deems appropriate.*

2. *If the State Public Charter School Authority investigates a matter pursuant to subsection 1, the State Public Charter School Authority may issue a subpoena to compel the attendance or testimony of a witness or the production of any relevant materials, including, without limitation, books, papers, documents, records, photographs, recordings, reports and tangible objects.*

3. *If a witness refuses to attend, testify or produce materials as required by the subpoena, the State Public Charter School Authority may report to the district court by petition:*

(a) Setting forth that:

(1) Due notice has been given of the time and place of attendance or testimony of the witness or the production of materials;

(2) The witness has been subpoenaed by the State Public Charter School Authority pursuant to this section; and



(3) *The witness has failed or refused to attend, testify or produce materials before the State Public Charter School Authority as required by the subpoena, or has refused to answer questions propounded to him or her; and*

(b) *Asking for an order of the court compelling the witness to attend, testify or produce materials before the State Public Charter School Authority.*

4. *Upon receipt of a petition pursuant to subsection 3, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and then and there show cause why the witness has not attended, testified or produced materials before the State Public Charter School Authority. A certified copy of the order must be served upon the witness.*

5. *If it appears to the court that the subpoena was regularly issued by the State Public Charter School Authority, the court shall enter an order that the witness appear before the State Public Charter School Authority at a time and place fixed in the order and testify or produce materials, and that upon failure to obey the order the witness must be dealt with as for contempt of court.*

Sec. 28. *An educational management organization or network of charter schools that operates or provides services relating to the operation or management of a charter school in this State shall be deemed to be a governmental entity for the purposes of chapter 239 of NRS with regard to any records:*

1. *Of communications with members of the staff of the charter school; or*

2. *Relating to the business, management or governance of the charter school.*

Sec. 29. 1. *If, after enrolling a pupil with a disability, the governing body of a charter school determines that the charter school is unable to provide an appropriate special education program and related services for the pupil, the governing body may ask the sponsor of the charter school for permission to transfer the pupil to another public school. Upon approval, the governing body may request the board of trustees of the school district of the county in which the pupil resides to transfer that pupil to an appropriate school in the school district.*

2. *If the board of trustees of a school district denies a request pursuant to subsection 1, the governing body of the charter school may appeal the denial to the Department. The decision of the Department concerning such an appeal is final for purposes of judicial review.*



3. *A pupil who is transferred to another public school pursuant to this section shall be deemed to be enrolled in the transferring charter school for all purposes, including, without limitation, the allocation of money and the payment of costs associated with educating the pupil until the pupil is enrolled in another school or is otherwise disenrolled from the charter school.*

Sec. 30. NRS 388A.010 is hereby amended to read as follows:

388A.010 As used in this chapter, the words and terms defined in NRS 388A.015 to 388A.050, inclusive, *and section 26 of this act* have the meanings ascribed to them in those sections.

Sec. 31. NRS 388A.020 is hereby amended to read as follows:

388A.020 ~~["Charter management organization"]~~ *"Network of charter schools"* means:

1. A nonprofit organization that holds a written charter, charter contract or other equivalent agreement to operate more than one charter school in this State or another state; or

2. A nonprofit organization incorporated in this State for the purpose of operating a charter school in cooperation with a ~~[charter management organization]~~ *network of charter schools* that holds a written charter, charter contract or other equivalent agreement to operate more than one charter school in another state.

Sec. 32. NRS 388A.030 is hereby amended to read as follows:

388A.030 "Educational management organization" means a ~~[for-profit]~~ corporation, business, organization or other entity that provides services relating to the operation and management of charter schools. ~~[and achievement charter schools.]~~

Sec. 33. NRS 388A.110 is hereby amended to read as follows:

388A.110 The Department may adopt regulations as it determines are necessary to carry out the provisions of this chapter, including, without limitation, regulations that prescribe the:

1. Procedures for accounting and budgeting;

2. Requirements for performance audits and financial audits of charter schools on an annual basis for charter schools that do not satisfy the requirements of subsection 1 of NRS 388A.405;

3. 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 388A.405; and

4. Qualifications, in addition to those prescribed pursuant to NRS 388A.240, of a *network of* charter ~~[management organization]~~ *schools* or committee to form a charter school that is authorized to file an application to form a charter school.

Sec. 34. NRS 388A.153 is hereby amended to read as follows:

388A.153 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;

(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;

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

(e) Insofar as practicable, consists of persons who are experts on best practices for authorizing charter schools and developing and operating high-quality charter schools and *networks of* charter ~~management organizations~~ *schools*.

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

4. Except as otherwise provided in subsection 5, a member of the State Public Charter School Authority must not be actively engaged in business with or hold a direct pecuniary interest relating to charter schools, including, without limitation, serving as a vendor, contractor, employee, officer, director or member of the governing body of a charter school, educational management organization or *network of* charter ~~management organization~~ *schools*.

5. Not more than two members of the State Public Charter School Authority may be teachers or administrators who are employed by a charter school or *network of* charter ~~management organization~~ *schools* in this State. For a teacher or administrator employed by a charter school or *network of* charter ~~management organization~~ *schools* to be eligible to serve as a member of the



1 State Public Charter School Authority, the charter school or *network*
2 *of* charter ~~[management-organization]~~ *schools* which employs the
3 teacher or administrator must not have ever received an annual
4 rating established as one of the three lowest ratings of performance
5 pursuant to the statewide system of accountability for public
6 schools.

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

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

22 8. Each member of the State Public Charter School Authority
23 is entitled to receive:

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

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

33 **Sec. 35.** NRS 388A.159 is hereby amended to read as follows:

34 388A.159 1. Except as otherwise provided in *subsection 2*
35 *and* NRS 388A.161, the State Public Charter School Authority is
36 hereby deemed a local educational agency for ~~[the purpose of~~
37 ~~directing the proportionate share of any money available from~~
38 ~~federal and state categorical grant programs to]~~ charter schools
39 which are sponsored by the State Public Charter School Authority or
40 a college or university within the Nevada System of Higher
41 Education that are eligible to receive such money. A college or
42 university within the Nevada System of Higher Education that
43 sponsors a charter school shall enter into an agreement with the
44 State Public Charter School Authority for the provision of any
45 necessary functions of a local educational authority. A charter



1 school that receives money pursuant to such a grant program shall
2 comply with any applicable reporting requirements to receive the
3 grant.

4 2. ~~[As used in this section, "local educational agency" has the~~
5 ~~meaning ascribed to it in 20 U.S.C. § 7801(30)(A).]~~ *Each charter*
6 *school:*

7 (a) *Sponsored by the State Public Charter School Authority is*
8 *hereby deemed a local educational agency for the purpose of*
9 *complying with any requirement of federal law or regulations that*
10 *applies to local educational agencies.*

11 (b) *Sponsored by a college or university within the Nevada*
12 *System of Higher Education is hereby deemed to be a local*
13 *educational agency for the purpose of reporting information*
14 *pertaining to a local educational agency.*

15 **Sec. 36.** NRS 388A.161 is hereby amended to read as follows:

16 388A.161 1. The State Public Charter School Authority may
17 select ~~[not more than two]~~ *any* charter ~~[schools]~~ *school* sponsored
18 by the State Public Charter School Authority to act as a local
19 educational agency for the purposes described in subsection 2.

20 2. A charter school selected pursuant to subsection 1 is hereby
21 deemed a local educational agency for the purpose of receiving any
22 money available from federal and state categorical grant programs.
23 A charter school that receives money pursuant to such a program
24 shall comply with any applicable reporting requirements to receive
25 the grant.

26 3. If a charter school selected pursuant to subsection 1 is
27 eligible to receive special education program units, the Department
28 shall pay the special education program units directly to the charter
29 school.

30 ~~[4.—As used in this section, "local educational agency" has the~~
31 ~~meaning ascribed to it in 20 U.S.C. § 7801(30)(A).]~~

32 **Sec. 37.** NRS 388A.162 is hereby amended to read as follows:

33 388A.162 1. The Account for the State Public Charter School
34 Authority is hereby created in the State General Fund, to be
35 administered by the Executive Director.

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

38 3. The money in the Account may be used only for the
39 establishment and maintenance of the State Public Charter School
40 Authority.

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

44 5. Except as otherwise provided in this subsection, the
45 Executive Director and the State Public Charter School Authority



1 may accept gifts, grants and bequests to carry out the provisions of
2 this chapter. The Executive Director and the State Public Charter
3 School Authority shall not accept any gift or donation from
4 a *network of* charter ~~{management—organization,}~~ *schools*, a
5 committee to form a charter school or the governing body of a
6 charter school. Any money from gifts, grants and bequests must be
7 deposited in the Account and may be expended in accordance with
8 the terms and conditions of the gift, grant or bequest, or in
9 accordance with this section.

10 **Sec. 38.** NRS 388A.165 is hereby amended to read as follows:

11 388A.165 1. The State Public Charter School Authority may
12 enter into a contract with any qualified person to:

13 (a) Foster the development of high-quality *networks of* charter
14 ~~{management—organizations,}~~ *schools*, educational management
15 organizations and other persons to operate charter schools in this
16 State;

17 (b) Solicit applications to form charter schools from high-quality
18 applicants;

19 (c) Provide training concerning the governance and management
20 of charter schools to governing bodies of charter schools and
21 applicants to form charter schools; or

22 (d) Provide professional development and support services to
23 the administration and other employees of charter schools.

24 2. The State Public Charter School Authority may provide
25 compensation pursuant to a contract entered into pursuant to
26 subsection 1 using any money raised by the State Public Charter
27 School Authority from private donors for that purpose or any money
28 received from fees paid to the State Public Charter School
29 Authority.

30 **Sec. 39.** NRS 388A.168 is hereby amended to read as follows:

31 388A.168 *1.* The State Public Charter School Authority shall
32 adopt regulations that prescribe:

33 ~~{1-}~~ (a) The process for submission to the State Public Charter
34 School Authority of an application to form a charter school, and the
35 contents of such an application;

36 ~~{2-}~~ (b) The process for submission to the State Public Charter
37 School Authority of an application to renew a charter contract, and
38 the contents of such an application;

39 ~~{3-}~~ (c) The process for submission to the State Public Charter
40 School Authority of an amendment to a written charter or charter
41 contract pursuant to NRS 388A.276 and the contents of the
42 application;

43 ~~{4-}~~ (d) The procedure for the investigation that the State Public
44 Charter School Authority will conduct of an application to form a
45 charter school, an application to renew a charter contract or an



1 application to request an amendment of a written charter or charter
2 contract, and the criteria that the State Public Charter School
3 Authority will use to evaluate such applications;

4 ~~{5-}~~ (e) The process for evaluating the overall performance of a
5 teacher, which must include, without limitation, the criteria for
6 determining whether the overall performance of a teacher is
7 ineffective, developing, effective or highly effective; and

8 ~~{6-}~~ (f) The qualifications for employment as a paraprofessional
9 by a charter school.

10 *2. The State Public Charter School Authority may adopt any*
11 *other regulations necessary to carry out its responsibilities under*
12 *the provisions of this chapter or any other state or federal law or*
13 *regulation, including, without limitation, provisions relating to its*
14 *duties as a sponsor of charter schools or a local educational*
15 *agency. Such regulations may provide for the State Public Charter*
16 *School Authority to appoint a hearing officer to conduct a hearing*
17 *on any matter before the State Public Charter School Authority.*

18 **Sec. 40.** NRS 388A.193 is hereby amended to read as follows:

19 388A.193 With the approval of the ~~{State Public Charter~~
20 ~~School Authority,}~~ **Governor**, the Executive Director may pursue
21 any other business or occupation or hold any other office, including,
22 without limitation, serving as a member on a committee, board or
23 task force of an organization relating to charter schools, serving as a
24 reviewer of applications to form a charter school for organizations
25 other than the State Public Charter School Authority and holding an
26 office of profit, and may accept reimbursement for travel costs
27 relating to such activities. The Executive Director shall not pursue
28 any other business or occupation or hold any other office of profit
29 without the approval of the ~~{State Public Charter School Authority,}~~
30 **Governor.**

31 **Sec. 41.** NRS 388A.199 is hereby amended to read as follows:

32 388A.199 1. The State Public Charter School Authority may
33 employ such persons as it deems necessary to carry out the
34 provisions of this chapter. The staff employed by the State Public
35 Charter School Authority must be qualified to carry out the daily
36 responsibilities of sponsoring charter schools, including, without
37 limitation, oversight of written charters and charter contracts, in
38 accordance with the provisions of this chapter.

39 2. The staff must include:

40 (a) Attorneys with experience with laws concerning education,
41 special education and nonprofit organizations;

42 (b) Persons with experience overseeing the annual audits and
43 financial operations of school districts, nonprofit organizations or
44 corporations;



(c) Persons with experience conducting assessments and evaluations for a school district;

(d) Administrators with significant experience overseeing special education programs and programs while employed by a school district, *network of* charter ~~[management—organization,]~~ *schools*, educational management organization or other operator of charter schools;

(e) Policy analysts with significant experience in the areas of charter schools and education policy; and

(f) Any other persons that the State Public Charter School Authority determines are necessary.

3. The State Public Charter School Authority shall periodically evaluate and make decisions concerning the number of persons employed by the State Public Charter School Authority and the qualifications and compensation of such persons based on guidance from the National Association of Charter School Authorizers, or its successor organization, an assessment of the strategic plan for recruiting operators of charter schools prepared pursuant to NRS 388A.223 and the needs of the charter schools sponsored by the State Public Charter School Authority.

Sec. 42. NRS 388A.223 is hereby amended to read as follows:

388A.223 1. Each sponsor of a charter school shall carry out the following duties and powers:

(a) Evaluating applications to form charter schools as prescribed by NRS 388A.249;

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

(c) Declining to approve applications to form charter schools that do not satisfy the requirements of NRS 388A.249;

(d) Negotiating, developing and executing charter contracts pursuant to NRS 388A.270;

(e) Monitoring, in accordance with this chapter and in accordance with the terms and conditions of the applicable charter contract, the performance and compliance of each charter school sponsored by the entity;

(f) Determining whether the charter contract of a charter school that the entity sponsors merits renewal or whether the renewal of the charter contract should be denied or whether the written charter should be revoked or the charter contract terminated or restarted, as applicable, in accordance with NRS 388A.285, 388A.300 or 388A.330, as applicable;

(g) Determining whether the governing body of a charter school should be reconstituted in accordance with NRS 388A.330; and



(h) Adopting a policy for appointing a new governing body of a charter school for which the governing body is reconstituted in accordance with NRS 388A.330.

2. 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 and criteria for soliciting and evaluating charter school applications in accordance with NRS 388A.249, which must include, without limitation:

(1) Specific application procedures and timelines for committees to form a charter school that plan to enter into a contract with an educational management organization to operate the charter school, committees to form a charter school that do not plan to enter into such a contract and *networks of* charter ~~{management organizations;} schools~~; and

(2) A description of the manner in which the sponsor will evaluate the previous performance of an educational management organization or other person with whom a committee to form a charter school plans to enter into a contract to operate a charter school or a *network of* charter ~~{management organization} schools~~ that submits an application to form a charter school;

(c) The procedure and criteria for evaluating applications for the renewal of charter contracts pursuant to NRS 388A.285;

(d) The procedure for amending a written charter or charter contract and the criteria for determining whether a request for such an amendment will be approved which must include, without limitation, any manner in which such procedures and criteria will differ if the sponsor determines that the amendment is material or strategically important;

(e) If deemed appropriate by the sponsor, a strategic plan for recruiting *networks of* charter ~~{management organizations;} schools~~, educational management organizations or other persons to operate charter schools based on the priorities of the sponsor and the needs of the pupils that will be served by the charter schools that will be sponsored by the sponsor;

(f) A description of how the sponsor will maintain oversight of the charter schools it sponsors, which must include, without limitation:



(1) An assessment of the needs of the charter schools that are sponsored by the sponsor that is prepared with the input of the governing bodies of such charter schools; and

(2) A strategic plan for the oversight and provision of technical support to charter schools that are sponsored by the sponsor in the areas of academic, fiscal and organizational performance; and

(g) A description of the process of evaluation for the charter schools it sponsors in accordance with NRS 388A.351.

3. 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.

4. The provisions of this section do not establish a private right of action against the sponsor of a charter school.

Sec. 43. NRS 388A.229 is hereby amended to read as follows:

388A.229 1. The sponsor of a charter school shall ensure the collection, analysis and reporting of all data from the results of pupils enrolled in the charter school on statewide examinations to determine whether the charter school is meeting the performance indicators, measures and metrics for the achievement and proficiency of pupils as set forth in the performance framework for the charter school in a manner that complies with all applicable federal and state laws.

2. The sponsor of the charter school may aggregate data reported by the State and collected by the sponsor concerning pupil achievement and school performance at separate facilities operated by the same governing body or *network of* charter ~~[management organization]~~ *schools* and across all grades served by the charter school for the purpose of evaluating and reporting pupil achievement and school performance. Such an aggregation of data may include, without limitation, a weighted average of data concerning pupil achievement and school performance of each elementary school, junior high school, middle school or high school program operated by the charter school. The sponsor may also disaggregate such data by facility and by grade level or group of grade levels to provide greater transparency and accountability. The sponsor may also adopt policies for determining pupil achievement and school performance at a charter school. Any data reported pursuant to this subsection must be reported in a manner that complies with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto.

3. The State Board may adopt regulations to place requirements on the manner in which data is reported by the board



1 of trustees of a school district or a college or university within the
2 Nevada System of Higher Education that sponsors a charter school
3 including, without limitation, the manner in which data must be
4 aggregated or disaggregated in any report.

5 4. The State Public Charter School Authority may adopt
6 regulations establishing requirements concerning the manner in
7 which it reports data, including, without limitation, the manner in
8 which data must be aggregated or disaggregated in any report.

9 **Sec. 44.** NRS 388A.243 is hereby amended to read as follows:

10 388A.243 1. The applicant shall ensure that the completed
11 application:

12 (a) Presents a clear, measurable and high-quality academic,
13 financial and organizational vision and plans for the proposed
14 charter school; and

15 (b) Provides the proposed sponsor of the charter school with a
16 clear basis for assessing the capacity of the applicant to carry out the
17 vision and plans.

18 2. A *network of* charter ~~{management organization}~~ *schools*
19 may, as part of an application to form a charter school, request a
20 waiver of the requirements of subsection 1 or 2 of NRS 388A.320
21 concerning the membership of the governing body. A sponsor shall
22 not grant such a waiver unless the *network of* charter ~~{management~~
23 ~~organization}~~ *schools* provides a compelling reason for the waiver.
24 If approved, the waiver may provide, without limitation, for
25 multiple governing bodies that have the authority to make decisions
26 concerning the governance of the charter school or a facility
27 operated by the charter school. A majority of the members of each
28 such governing body must reside in this State. A request for a
29 waiver to allow for multiple such governing bodies must describe
30 the role, responsibilities and composition of each such proposed
31 governing body.

32 **Sec. 45.** NRS 388A.246 is hereby amended to read as follows:

33 388A.246 An application to form a charter school must include
34 all information prescribed by the Department by regulation and:

35 1. A summary of the plan for the proposed charter school.

36 2. A clear written description of the mission of the charter
37 school and the goals for the charter school. A charter school must
38 have as its stated purpose at least one of the following goals:

39 (a) Improving the academic achievement of pupils;

40 (b) Encouraging the use of effective and innovative methods of
41 teaching;

42 (c) Providing an accurate measurement of the educational
43 achievement of pupils;

44 (d) Establishing accountability and transparency of public
45 schools;



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

(f) Creating new professional opportunities for teachers.

3. A clear description of the indicators, measures and metrics for the categories of academics, finances and organization that the charter school proposes to use, the external assessments that will be used to assess performance in those categories and the objectives that the committee to form a charter school plans to achieve in those categories, which must be expressed in terms of the objectives, measures and metrics. The objectives and the indicators, measures and metrics used by the charter school must be consistent with the performance framework adopted by the sponsor pursuant to NRS 388A.270.

4. A resume and background information for each person who serves on the board of the *network of* charter ~~management organization~~ *schools* or the committee to form a charter school, as applicable, which must include the name, telephone number, electronic mail address, background, qualifications, any past or current affiliation with any charter school in this State or any other state, any potential conflicts of interest and any other information required by the sponsor.

5. The proposed location of, or the geographic area to be served by, the charter school and evidence of a need and community support for the charter school in that area.

6. The minimum, planned and maximum projected enrollment of pupils in each grade in the charter school for each year that the charter school would operate under the proposed charter contract.

7. The procedure for applying for enrollment in the proposed charter school, which must include, without limitation, the proposed dates for accepting applications for enrollment in each year of operation under the proposed charter contract and 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 388A.456 and the method for determining eligibility for enrollment in each such category of at-risk pupils served by the charter school.

8. The academic program that the charter school proposes to use, a description of how the academic program complies with the requirements of NRS 388A.366, the proposed academic calendar for the first year of operation and a sample daily schedule for a pupil in each grade served by the charter school.

9. A description of the proposed instructional design of the charter school and the type of learning environment the charter school will provide, including, without limitation, whether the charter school will provide a program of distance education,



1 the planned class size and structure, the proposed curriculum for the
2 charter school and the teaching methods that will be used at the
3 charter school.

4 10. The manner in which the charter school plans to identify
5 and serve the needs of pupils with disabilities, pupils who are
6 English learners, pupils who are academically behind their peers and
7 gifted pupils.

8 11. A description of any co-curricular or extracurricular
9 activities that the charter school plans to offer and the manner in
10 which these programs will be funded.

11 12. Any uniform or dress code policy that the charter school
12 plans to use.

13 13. Plans and timelines for recruiting and enrolling students,
14 including procedures for any lottery for admission that the charter
15 school plans to conduct.

16 14. The rules of behavior and punishments that the charter
17 school plans to adopt pursuant to NRS 388A.495, including, without
18 limitation, any unique discipline policies for pupils enrolled in a
19 program of special education.

20 15. A chart that clearly presents the proposed organizational
21 structure of the charter school and a clear description of the roles
22 and responsibilities of the governing body, administrators and any
23 other persons included on the chart and a table summarizing the
24 decision-making responsibilities of the staff and governing body of
25 the charter school and, if applicable, the *network of* charter
26 ~~[management-organization]~~ *schools* that operates the charter school.
27 The table must also identify the person responsible for each activity
28 conducted by the charter school, including, without limitation, the
29 person responsible for establishing curriculum and culture,
30 providing professional development to employees of the charter
31 school and making determinations concerning the staff of the charter
32 school.

33 16. The names of any external organizations that will play a
34 role in operating the charter school and the role each such
35 organization will play.

36 17. The manner in which the governing body of the charter
37 school will be chosen.

38 18. A staffing chart for the first year in which the charter
39 school plans to operate and a projected staffing plan for the term of
40 the charter contract.

41 19. Plans for recruiting administrators, teachers and other staff,
42 providing professional development to such staff.

43 20. Proposed bylaws for the governing body, a description of
44 the manner in which the charter school will be governed, including,
45 without limitation, any governance training that will be provided to



1 the governing body, and a code of ethics for members and
2 employees of the governing body. The code of ethics must be
3 prepared with guidance from the Nevada Commission on Ethics and
4 must not conflict with any policy adopted by the sponsor.

5 21. Explanations of any partnerships or contracts central to the
6 operations or mission of the charter school.

7 22. A statement of whether the charter school will provide for
8 the transportation of pupils to and from the charter school. If the
9 charter school will provide transportation, the application must
10 include the proposed plan for the transportation of pupils. If the
11 charter school will not provide transportation, the application must
12 include a statement that the charter school will work with the
13 parents and guardians of pupils enrolled in the charter school to
14 develop a plan for transportation to ensure that pupils have access to
15 transportation to and from the charter school.

16 23. The procedure for the evaluation of teachers of the charter
17 school, if different from the procedure prescribed in NRS 391.680
18 and 391.725. If the procedure is different from the procedure
19 prescribed in NRS 391.680 and 391.725, the procedure for the
20 evaluation of teachers of the charter school must provide the same
21 level of protection and otherwise comply with the standards for
22 evaluation set forth in NRS 391.680 and 391.725.

23 24. A statement of the charter school's plans for food service
24 and other significant operational services, including a statement of
25 whether the charter school will provide food service or participate in
26 the National School Lunch Program, 42 U.S.C. §§ 1751 et seq. If
27 the charter school will not provide food service or participate in the
28 National School Lunch Program, the application must include an
29 explanation of the manner in which the charter school will ensure
30 that the lack of such food service or participation does not prevent
31 pupils from attending the charter school.

32 25. Opportunities and expectations for involving the parents of
33 pupils enrolled in the charter school in instruction at the charter
34 school and the operation of the charter school, including, without
35 limitation, the manner in which the charter school will solicit input
36 concerning the governance of the charter school from such parents.

37 26. A detailed plan for starting operation of the charter school
38 that identifies necessary tasks, the persons responsible for
39 performing them and the dates by which such tasks will be
40 accomplished.

41 27. A description of the financial plan and policies to be used
42 by the charter school.

43 28. A description of the insurance coverage the charter school
44 will obtain.



29. Budgets for starting operation at the charter school, the first year of operation of the charter school and the first 5 years of operation of the charter school, with any assumptions inherent in the budgets clearly stated.

30. Evidence of any money pledged or contributed to the budget of the charter school.

31. A statement of the facilities that will be used to operate the charter school and a plan for operating such facilities, including, without limitation, any backup plan to be used if the charter school cannot be operated out of the planned facilities.

32. If the charter school operates a vocational school, a description of the career and technical education program that will be used by the charter school.

33. If the charter school will provide a program of distance education, a description of the system of course credits that the charter school will use and the manner in which the charter school will:

(a) Monitor and verify the participation in and completion of courses by pupils;

(b) Require pupils to participate in assessments and submit coursework;

(c) Conduct parent-teacher conferences; and

(d) Administer any test, examination or assessment required by state or federal law in a proctored setting.

34. If the charter school will provide a program where a student may earn college credit for courses taken in high school, a draft memorandum of understanding between the charter school and the college or university through which the credits will be earned and a term sheet, which must set forth:

(a) The proposed duration of the relationship between the charter school and the college or university and the conditions for renewal and termination of the relationship;

(b) The roles and responsibilities of the governing body of the charter school, the employees of the charter school and the college or university;

(c) The scope of the services and resources that will be provided by the college or university;

(d) The manner and amount that the college or university will be compensated for providing such services and resources, including, without limitation, any tuition and fees that pupils at the charter school will pay to the college or university;

(e) The manner in which the college or university will ensure that the charter school effectively monitors pupil enrollment and attendance and the acquisition of college credits; and



(f) Any employees of the college or university who will serve on the governing body of the charter school.

35. If the applicant currently operates a charter school in another state, evidence of the performance of such charter schools and the capacity of the applicant to operate the proposed charter school.

36. If the applicant proposes to contract with an educational management organization or any other person to provide educational or management services:

(a) Evidence of the performance of the educational management organization or other person when providing such services to a population of pupils similar to the population that will be served by the proposed charter school;

(b) A term sheet that sets forth:

(1) The proposed duration of the proposed contract between the governing body of the charter school and the educational management organization;

(2) A description of the responsibilities of the governing body of the charter school, employees of the charter school and the educational management organization or other person;

(3) All fees that will be paid to the educational management organization or other person;

(4) The manner in which the governing body of the charter school will oversee the services provided by the educational management organization or other person and enforce the terms of the contract;

(5) A disclosure of the investments made by the educational management organization or other person in the proposed charter school; and

(6) The conditions for renewal and termination of the contract; and

(c) A disclosure of any conflicts of interest concerning the applicant and the educational management organization or other person, including, without limitation, any past or current employment, business or familial relationship between any prospective employee of the charter school and a member of the committee to form a charter school or the board of directors of the *network of* charter ~~management organization,~~ *schools,* as applicable.

37. Any additional information that the sponsor determines is necessary to evaluate the ability of the proposed charter school to serve pupils in the school district in which the proposed charter school will be located.



Sec. 46. NRS 388A.247 is hereby amended to read as follows:

388A.247 1. Except as otherwise provided in subsection 2, any information that is provided to the sponsor of the charter school by a *network of* charter ~~[management-organization]~~ *schools*, a committee to form a charter school or a charter school is a public record that is subject to the provisions of chapter 239 of NRS.

2. A charter school must designate any information contained in a submission by the charter school to the sponsor of the charter school that is intended to remain confidential and request for the sponsor to declare such information confidential. Upon receipt of such a request, the sponsor of the charter school shall determine whether the designated information should be declared confidential. If the sponsor of the charter school determines the information should not be declared confidential, the sponsor must give the charter school an opportunity to redact such information. Except as otherwise provided in NRS 239.0115, if the sponsor of the charter school determines that the information should be declared confidential, the information is confidential and must not be disclosed.

Sec. 47. NRS 388A.249 is hereby amended to read as follows:

388A.249 1. A committee to form a charter school or a *network of* charter ~~[management-organization]~~ *schools* may submit the application to the proposed sponsor of the charter school. Except as otherwise provided in NRS 388B.290, if an application proposes to convert an existing public school, homeschool or other program of home study into a charter school, the proposed sponsor shall deny the application.

2. *If an application proposes to form a charter school to serve only certain pupils as described in subsection 8 of NRS 388A.453, the proposed sponsor must inform the applicant whether the proposed charter school may not be eligible for any federal funding for which the proposed charter school would otherwise qualify because the charter school does not provide educational services to all pupils.*

3. The proposed sponsor of a charter school shall, in reviewing an application to form a charter school:

(a) Assemble a team of reviewers, which may include, without limitation, natural persons from different geographic areas of the United States who possess the appropriate knowledge and expertise with regard to the academic, financial and organizational experience of charter schools, to review and evaluate the application;

(b) Conduct a thorough evaluation of the application, which includes an in-person interview with the applicant designed to elicit any necessary clarifications or additional information about the



1 proposed charter school and determine the ability of the applicants
2 to establish a high-quality charter school;

3 (c) Base its determination on documented evidence collected
4 through the process of reviewing the application; and

5 (d) Adhere to the policies and practices developed by the
6 proposed sponsor pursuant to subsection 2 of NRS 388A.223.

7 ~~3.4~~ 4. The proposed sponsor of a charter school may approve
8 an application to form a charter school only if the proposed sponsor
9 determines that:

10 (a) The application:

11 (1) Complies with this chapter and the regulations applicable
12 to charter schools; and

13 (2) Is complete in accordance with the regulations of the
14 Department and the policies and practices of the sponsor; and

15 (b) The applicant has demonstrated competence in accordance
16 with the criteria for approval prescribed by the sponsor pursuant to
17 subsection 2 of NRS 388A.223 that will likely result in a successful
18 opening and operation of the charter school.

19 ~~4.4~~ 5. *In addition to any other reason to deny an application*
20 *to form a charter school, the proposed sponsor of a charter school*
21 *may deny such an application if the applicant proposes to contract*
22 *with an educational management organization that provided*
23 *services to a charter school in another state or the District of*
24 *Columbia for which the sponsor terminated or refused to renew*
25 *the charter contract or other document of authority to operate the*
26 *charter school within the immediately preceding 6 years.*

27 6. *The proposed sponsor of a charter school shall deny an*
28 *application to form a charter school if the applicant proposes to*
29 *contract with an educational management organization that:*

30 (a) *Within the immediately preceding 6 years, has provided*
31 *services to a charter school in this State for which the sponsor*
32 *revoked the written charter, terminated the charter contract or*
33 *refused to renew the written charter or charter contract; or*

34 (b) *Provided services to a charter school in this State and a*
35 *charter school in another state or the District of Columbia for*
36 *which the sponsor terminated or refused to renew the charter*
37 *contract or other document of authority to operate both charter*
38 *schools, if the most recent termination or refusal to renew*
39 *occurred within the immediately preceding 12 years.*

40 7. On or before January 1 of each odd-numbered year, the
41 Superintendent of Public Instruction shall submit a written report to
42 the Director of the Legislative Counsel Bureau for transmission to
43 the next regular session of the Legislature. The report must include:

44 (a) A list of each application to form a charter school that was
45 submitted to the board of trustees of a school district, the State



1 Public Charter School Authority, a college or a university during the
2 immediately preceding biennium;

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

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

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

7 **Sec. 48.** NRS 388A.249 is hereby amended to read as follows:

8 388A.249 1. A committee to form a charter school or a
9 network of charter schools may submit the application to the
10 proposed sponsor of the charter school. Except as otherwise
11 provided in NRS 388B.290, if an application proposes to convert an
12 existing public school, homeschool or other program of home study
13 into a charter school, the proposed sponsor shall deny the
14 application.

15 2. If an application proposes to form a charter school to serve
16 only certain pupils as described in subsection 8 of NRS 388A.453,
17 the proposed sponsor must inform the applicant whether the
18 proposed charter school may not be eligible for any federal funding
19 for which the proposed charter school would otherwise qualify
20 because the charter school does not provide educational services to
21 all pupils.

22 3. The proposed sponsor of a charter school shall, in reviewing
23 an application to form a charter school:

24 (a) Assemble a team of reviewers, which may include, without
25 limitation, natural persons from different geographic areas of the
26 United States who possess the appropriate knowledge and expertise
27 with regard to the academic, financial and organizational experience
28 of charter schools, to review and evaluate the application;

29 (b) Conduct a thorough evaluation of the application, which
30 includes an in-person interview with the applicant designed to elicit
31 any necessary clarifications or additional information about the
32 proposed charter school and determine the ability of the applicants
33 to establish a high-quality charter school;

34 (c) Base its determination on documented evidence collected
35 through the process of reviewing the application; and

36 (d) Adhere to the policies and practices developed by the
37 proposed sponsor pursuant to subsection 2 of NRS 388A.223.

38 4. The proposed sponsor of a charter school may approve an
39 application to form a charter school only if the proposed sponsor
40 determines that:

41 (a) The application:

42 (1) Complies with this chapter and the regulations applicable
43 to charter schools; and

44 (2) Is complete in accordance with the regulations of the
45 Department and the policies and practices of the sponsor; and



(b) The applicant has demonstrated competence in accordance with the criteria for approval prescribed by the sponsor pursuant to subsection 2 of NRS 388A.223 that will likely result in a successful opening and operation of the charter school.

5. The identity of each member of the team of reviewers assembled by a proposed sponsor of a charter school is confidential for 5 years after the review of an application to form a charter school is complete and must not be disclosed unless ordered by a district court in an action brought pursuant to subsection 3 of NRS 388A.255.

6. In addition to any other reason to deny an application to form a charter school, the proposed sponsor of a charter school may deny such an application if the applicant proposes to contract with an educational management organization that provided services to a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate the charter school within the immediately preceding 6 years.

7. The proposed sponsor of a charter school shall deny an application to form a charter school if the applicant proposes to contract with an educational management organization that:

(a) Within the immediately preceding 6 years, has provided services to a charter school in this State for which the sponsor ~~[revoked the written charter,]~~ terminated ~~[the charter contract]~~ or refused to renew the ~~[written charter or]~~ charter contract; or

(b) Provided services to a charter school in this State and a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate both charter schools, if the most recent termination or refusal to renew occurred within the immediately preceding 12 years.

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

(a) A list of each application to form a charter school that was submitted to the board of trustees of a school district, the State 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. 49. NRS 388A.252 is hereby amended to read as follows:

388A.252 1. 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 60 days after the receipt of the application, or a later 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. The board of trustees, the college or the university, as applicable, shall review an application in accordance with the requirements for review set forth in subsections ~~(2)~~ 3 and ~~(3)~~ 4 of NRS 388A.249.

2. ~~(The)~~ *Except as otherwise provided in subsection 6 of NRS 388A.249, the* board of trustees, the college or the university, as applicable, may approve an application if it satisfies the requirements of subsection ~~(3)~~ 4 of NRS 388A.249.

3. 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. 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. If the board of trustees, the college or the university, as applicable, denies an application after it has been resubmitted pursuant to subsection 3, 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.

Sec. 50. NRS 388A.255 is hereby amended to read as follows:

388A.255 1. If the State Public Charter School Authority receives an application pursuant to subsection 1 of NRS 388A.249 or subsection 4 of NRS 388A.252, it shall consider the application at a meeting which must be held not later than 60 days after receipt of the application or a later period mutually agreed upon by the committee to form the charter school and the State Public Charter School Authority. Notice of the meeting must be posted in accordance with chapter 241 of NRS. The State Public Charter School Authority shall review the application in accordance with the requirements for review set forth in subsections ~~(2)~~ 3 and ~~(3)~~ 4 of NRS 388A.249. The State Public Charter School Authority may



1 approve an application only if it satisfies the requirements of
2 subsection ~~3~~ 4 of NRS 388A.249. Not more than 30 days after the
3 meeting, the State Public Charter School Authority shall provide
4 written notice of its determination to the applicant.

5 2. If the State Public Charter School Authority denies or fails
6 to act upon an application, the denial or failure to act must be based
7 upon a finding that the applicant failed to satisfy the requirements of
8 subsection ~~3~~ 4 of NRS 388A.249 ~~H~~ *or the grounds prescribed in*
9 *subsection 6 of that section.* The State Public Charter School
10 Authority shall include in the written notice the reasons for the
11 denial or the failure to act and the deficiencies in the application.
12 The staff designated by the State Public Charter School Authority
13 shall meet with the applicant to confer on the method to correct the
14 identified deficiencies. The applicant must be granted 30 days after
15 receipt of the written notice to correct any deficiencies identified in
16 the written notice and resubmit the application.

17 3. If the State Public Charter School Authority denies an
18 application after it has been resubmitted pursuant to subsection 2,
19 the applicant may, not more than 30 days after the receipt of the
20 written notice from the State Public Charter School Authority,
21 appeal the final determination to the district court of the county in
22 which the proposed charter school will be located.

23 **Sec. 51.** NRS 388A.275 is hereby amended to read as follows:

24 388A.275 1. A written charter issued by the sponsor of a
25 charter school to the governing body of the charter school is not
26 assignable or transferable and may not be delegated to a third party.

27 2. A charter contract entered into between the governing body
28 of a charter school and the sponsor of the charter school is not
29 assignable or transferable and may not be delegated to a third party.

30 3. A written charter or charter contract may not be used as
31 security for any loan and shall be deemed to have no monetary
32 value.

33 4. *A person who applies for the issuance, amendment or*
34 *renewal of a charter contract or who seeks any other affirmative*
35 *approval by a sponsor or prospective sponsor of a charter school is*
36 *not entitled to the issuance, amendment, renewal of the charter*
37 *contract or to any other approval. Any charter contract entered*
38 *into or other affirmative approval provided by a sponsor or*
39 *prospective sponsor of a charter school is a revocable privilege,*
40 *and does not create any vested right.*

41 5. For the purpose of this section, an amendment to a written
42 charter or charter contract which consolidates two or more charter
43 schools, the restart of a charter school pursuant to NRS 388A.300
44 and the reconstitution of the governing body of a charter school



pursuant to NRS 388A.330 do not constitute the assignment, transfer or delegation of a written charter or charter contract.

Sec. 52. NRS 388A.276 is hereby amended to read as follows:

388A.276 **1.** 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 or charter contract, as applicable. ~~HH~~ *Except as otherwise provided in subsections 2 and 3, if the proposed amendment complies with the provisions of this chapter and any other statute or regulation applicable to charter schools, the sponsor and the governing body of the charter school may amend the written charter or charter contract, as applicable, in accordance with the proposed amendment. A sponsor may require, as a condition of granting a request for an amendment to a governing body that has been granted a written charter, such a governing body to agree to the revocation of the written charter and to enter into a charter contract.*

2. In addition to any other reason to deny a request for an amendment, the sponsor of a charter school may deny such a request if the applicant proposes to contract with an educational management organization that provided services to a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate the charter school within the immediately preceding 6 years.

3. The proposed sponsor of a charter school shall deny a request for an amendment if the governing body making the request proposes to contract with an educational management organization that:

(a) Within the immediately preceding 6 years, has provided services to a charter school in this State for which the sponsor revoked the written charter, terminated the charter contract or refused to renew the written charter or charter contract; or

(b) Provided services to a charter school in this State and a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate both charter schools, if the most recent termination or refusal to renew occurred within the immediately preceding 12 years.

4. If the sponsor of a charter school denies ~~the~~ a request for an amendment, the sponsor shall provide written notice to the governing body of the charter school setting forth the reasons for the denial.

Sec. 53. NRS 388A.276 is hereby amended to read as follows:

388A.276 **1.** The governing body of a charter school may submit to the sponsor of the charter school a written request for an



1 amendment of the charter contract. Except as otherwise provided in
2 subsections 2 and 3, if the proposed amendment complies with the
3 provisions of this chapter and any other statute or regulation
4 applicable to charter schools, the sponsor and the governing body of
5 the charter school may amend the charter contract in accordance
6 with the proposed amendment.

7 2. In addition to any other reason to deny a request for an
8 amendment, the sponsor of a charter school may deny such a request
9 if the applicant proposes to contract with an educational
10 management organization that provided services to a charter school
11 in another state or the District of Columbia for which the sponsor
12 terminated or refused to renew the charter contract or other
13 document of authority to operate the charter school within the
14 immediately preceding 6 years.

15 3. The proposed sponsor of a charter school shall deny a
16 request for an amendment if the governing body making the request
17 proposes to contract with an educational management organization
18 that:

19 (a) Within the immediately preceding 6 years, has provided
20 services to a charter school in this State for which the sponsor
21 ~~revoked the written charter,~~ terminated ~~the charter contract~~ or
22 refused to renew the ~~written charter or~~ charter contract; or

23 (b) Provided services to a charter school in this State and a
24 charter school in another state or the District of Columbia for which
25 the sponsor terminated or refused to renew the charter contract or
26 other document of authority to operate both charter schools, if the
27 most recent termination or refusal to renew occurred within the
28 immediately preceding 12 years.

29 4. If the sponsor of a charter school denies a request for an
30 amendment, the sponsor shall provide written notice to the
31 governing body of the charter school setting forth the reasons for the
32 denial.

33 **Sec. 54.** NRS 388A.285 is hereby amended to read as follows:

34 388A.285 1. On or before June 30 immediately preceding the
35 final school year in which a charter school is authorized to operate
36 pursuant to its charter contract, the sponsor of the charter school
37 shall submit to the governing body of the charter school a written
38 report summarizing the performance of the charter school and each
39 facility that constitutes the charter school during the term of the
40 charter contract, including, without limitation:

41 (a) A summary of the performance of the charter school based
42 upon the terms of the charter contract and the requirements of this
43 chapter;

44 (b) An identification of any deficiencies relating to the
45 performance of the charter school which the sponsor has determined



1 may result in nonrenewal of the charter contract if the deficiencies
2 remain uncorrected;

3 (c) Requirements for the application for renewal of the charter
4 contract submitted to the sponsor pursuant to subsection 3; and

5 (d) The criteria that the sponsor will apply in making a
6 determination on the application for renewal based upon the
7 performance framework for the charter school and the requirements
8 of this chapter. Such criteria must include, without limitation, the
9 performance indicators, measures and metrics included in the
10 performance framework.

11 2. The governing body of a charter school may submit a
12 written response to the sponsor of the charter school concerning the
13 performance report prepared by the sponsor pursuant to subsection
14 1, which may include any revisions or clarifications that the
15 governing body seeks to make to the report.

16 3. If a charter school seeks to renew its charter contract, the
17 governing body of the charter school shall submit an application for
18 renewal to the sponsor of the charter school on or before October 15
19 of the final school year in which the charter school is authorized to
20 operate pursuant to its charter contract. The application for renewal
21 must include, without limitation:

22 (a) The requirements for the application identified by the
23 sponsor in the performance report prepared by the sponsor pursuant
24 to subsection 1;

25 (b) A description of the academic, financial and organizational
26 vision and plans for the charter school for the next charter term;

27 (c) Any information or data that the governing body of the
28 charter school determines supports the renewal of the charter
29 contract in addition to the information contained in the performance
30 report prepared by the sponsor pursuant to subsection 1 and any
31 response submitted by the governing body pursuant to subsection 2;
32 and

33 (d) A description of any improvements to the charter school
34 already undertaken or planned.

35 4. The sponsor of a charter school shall consider the
36 application for renewal of the charter contract at a meeting held in
37 accordance with chapter 241 of NRS. The sponsor shall provide
38 written notice to the governing body of the charter school
39 concerning its determination on the application for renewal of the
40 charter contract not more than 60 days after receipt of the
41 application for renewal from the governing body. ~~{The}~~ *Except as*
42 *otherwise provided in subsections 5 and 6, the* determination of the
43 sponsor must be based upon:

44 (a) The criteria of the sponsor for the renewal of charter
45 contracts; and



(b) Evidence of the performance of the charter school during the term of the charter contract in accordance with the performance framework for the charter school.

5. *In addition to any other reason to deny an application for renewal, the sponsor of a charter school may deny such an application if the governing body of the charter school contracts with or proposes to contract with an educational management organization that provided services to a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate the charter school within the immediately preceding 6 years.*

6. *The sponsor of a charter school shall deny a request for renewal if the governing body of the charter school contracts with or proposes to contract with an educational management organization that:*

(a) *Within the immediately preceding 6 years, has provided services to a charter school in this State for which the sponsor revoked the written charter, terminated the charter contract or refused to renew the written charter or charter contract; or*

(b) *Provided services to a charter school in this State and a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate both charter schools, if the most recent termination or refusal to renew occurred within the immediately preceding 12 years.*

7. The sponsor of the charter school shall:

(a) Make available to the governing body of the charter school the data used in making the renewal decision; and

(b) Post a report on the Internet website of the sponsor summarizing the decision of the sponsor on the application for renewal and the basis for its decision.

~~16-1~~ 8. A charter contract may be renewed for a term of 6 years.

Sec. 55. NRS 388A.285 is hereby amended to read as follows:

388A.285 1. On or before June 30 immediately preceding the final school year in which a charter school is authorized to operate pursuant to its charter contract, the sponsor of the charter school shall submit to the governing body of the charter school a written report summarizing the performance of the charter school and each facility that constitutes the charter school during the term of the charter contract, including, without limitation:

(a) A summary of the performance of the charter school based upon the terms of the charter contract and the requirements of this chapter;



(b) An identification of any deficiencies relating to the performance of the charter school which the sponsor has determined may result in nonrenewal of the charter contract if the deficiencies remain uncorrected;

(c) Requirements for the application for renewal of the charter contract submitted to the sponsor pursuant to subsection 3; and

(d) The criteria that the sponsor will apply in making a determination on the application for renewal based upon the performance framework for the charter school and the requirements of this chapter. Such criteria must include, without limitation, the performance indicators, measures and metrics included in the performance framework.

2. The governing body of a charter school may submit a written response to the sponsor of the charter school concerning the performance report prepared by the sponsor pursuant to subsection 1, which may include any revisions or clarifications that the governing body seeks to make to the report.

3. If a charter school seeks to renew its charter contract, the governing body of the charter school shall submit an application for renewal to the sponsor of the charter school on or before October 15 of the final school year in which the charter school is authorized to operate pursuant to its charter contract. The application for renewal must include, without limitation:

(a) The requirements for the application identified by the sponsor in the performance report prepared by the sponsor pursuant to subsection 1;

(b) A description of the academic, financial and organizational vision and plans for the charter school for the next charter term;

(c) Any information or data that the governing body of the charter school determines supports the renewal of the charter contract in addition to the information contained in the performance report prepared by the sponsor pursuant to subsection 1 and any response submitted by the governing body pursuant to subsection 2; and

(d) A description of any improvements to the charter school already undertaken or planned.

4. The sponsor of a charter school shall consider the application for renewal of the charter contract at a meeting held in accordance with chapter 241 of NRS. The sponsor shall provide written notice to the governing body of the charter school concerning its determination on the application for renewal of the charter contract not more than 60 days after receipt of the application for renewal from the governing body. Except as otherwise provided in subsections 5 and 6, the determination of the sponsor must be based upon:



(a) The criteria of the sponsor for the renewal of charter contracts; and

(b) Evidence of the performance of the charter school during the term of the charter contract in accordance with the performance framework for the charter school.

5. In addition to any other reason to deny an application for renewal, the sponsor of a charter school may deny such an application if the governing body of the charter school contracts with or proposes to contract with an educational management organization that provided services to a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate the charter school within the immediately preceding 6 years.

6. The sponsor of a charter school shall deny a request for renewal if the governing body of the charter school contracts with or proposes to contract with an educational management organization that:

(a) Within the immediately preceding 6 years, has provided services to a charter school in this State for which the sponsor ~~revoked the written charter,~~ terminated ~~the charter contract~~ or refused to renew the ~~written charter or~~ charter contract; or

(b) Provided services to a charter school in this State and a charter school in another state or the District of Columbia for which the sponsor terminated or refused to renew the charter contract or other document of authority to operate both charter schools, if the most recent termination or refusal to renew occurred within the immediately preceding 12 years.

7. The sponsor of the charter school shall:

(a) Make available to the governing body of the charter school the data used in making the renewal decision; and

(b) Post a report on the Internet website of the sponsor summarizing the decision of the sponsor on the application for renewal and the basis for its decision.

8. A charter contract may be renewed for a term of 6 years.

Sec. 56. NRS 388A.330 is hereby amended to read as follows:

388A.330 Except as otherwise provided in NRS 388A.300:

1. Except as otherwise provided in subsection 6, the sponsor of a charter school may reconstitute the governing body of a charter school, revoke a written charter or terminate a charter contract before the expiration of the charter if the sponsor determines that:

(a) The charter school, its officers or its employees:

(1) Committed a material breach of the terms and conditions of the written charter or charter contract;



(2) Failed to comply with generally accepted standards of fiscal management;

(3) Failed to comply with the provisions of this chapter or any other statute or regulation applicable to charter schools; or

(4) If the charter school holds a charter contract, has persistently underperformed, as measured by the performance indicators, measures and metrics set forth in the performance framework for the charter school;

(b) The charter school has filed for a voluntary petition of bankruptcy, is adjudicated bankrupt or insolvent, or is otherwise financially impaired such that the charter school cannot continue to operate;

(c) There is reasonable cause to believe that reconstitution, revocation or termination is necessary to protect the health and safety of the pupils who are enrolled in the charter school or persons who are employed by the charter school from jeopardy, or to prevent damage to or loss of the property of the school district or the community in which the charter school is located;

(d) The committee to form the charter school or *network of* charter ~~management organization,~~ *schools*, as applicable, or any member of the committee to form the charter school or *network of* charter ~~management organization,~~ *schools*, as applicable, or the governing body of the charter school has at any time made a material misrepresentation or omission concerning any information disclosed to the sponsor;

(e) The charter school operates a high school that has a graduation rate for the immediately preceding school year that is less than ~~60~~ *67* percent;

(f) The charter school operates an elementary or middle school or junior high school that is rated in the lowest 5 percent of elementary schools, middle schools or junior high schools in the State in pupil achievement and school performance, as determined by the Department pursuant to the statewide system of accountability for public schools; or

(g) Pupil achievement and school performance at the charter school is unsatisfactory as determined by the Department pursuant to criteria prescribed by regulation by the Department to measure the performance of any public school pursuant to the statewide system of accountability for public schools.

2. Before the sponsor reconstitutes a governing body, revokes a written charter or terminates a charter contract, the sponsor shall provide written notice of its intention to the governing body of the charter school. The written notice must:

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



(b) Except as otherwise provided in subsection 4, prescribe a period, not less than 30 days, during which the charter school may correct the deficiencies, including, without limitation, the date on which the period to correct the deficiencies begins and the date on which that period ends;

(c) Prescribe the date on which the sponsor will make a determination regarding whether the charter school has corrected the deficiencies, which determination may be made during the public hearing held pursuant to subsection 3; and

(d) Prescribe the date on which the sponsor will hold a public hearing to consider whether to reconstitute the governing body, revoke the written charter or terminate the charter contract.

3. Except as otherwise provided in subsection 4, not more than 90 days after the notice is provided pursuant to subsection 2, the sponsor shall hold a public hearing to make a determination regarding whether to reconstitute the governing body, revoke the written charter or terminate the charter contract. If the charter school corrects the deficiencies to the satisfaction of the sponsor within the time prescribed in paragraph (b) of subsection 2, the sponsor shall not reconstitute the governing body, revoke the written charter or terminate the charter contract of the charter school. The sponsor may not include in a written notice pursuant to subsection 2 any deficiency which was included in a previous written notice and which was corrected by the charter school, unless the deficiency recurred after being corrected or the sponsor determines that the deficiency is evidence of an ongoing pattern of deficiencies in a particular area.

4. The sponsor of a charter school and the governing body of the charter school may enter into a written agreement that prescribes different time periods than those set forth in subsections 2 and 3.

5. If the governing body of a charter school is reconstituted, the written charter is revoked or the charter contract is terminated, the sponsor of the charter school shall submit a written report to the Department and the governing body of the charter school setting forth the reasons for the reconstitution, revocation or termination, as applicable, not later than 10 days after reconstituting the governing body, revoking the written charter or terminating the charter contract.

6. The governing body of a charter school may not be reconstituted if it has been previously reconstituted.

7. If the sponsor of a charter school determines that not all of the grade levels in the charter school meet the criteria described in paragraphs (a) to (g), inclusive, of subsection 1 and that the charter school can remain financially viable if the charter school continues to operate and serve only the grade levels which do not meet the



criteria described in those paragraphs, the sponsor may amend the written charter or charter contract, as applicable, to eliminate the grade levels that meet the criteria described in paragraphs (a) to (g), inclusive, of subsection 1 and limit the enrollment in all other grade levels in the charter school.

Sec. 57. NRS 388A.366 is hereby amended to read as follows:
388A.366 1. A charter school shall:

(a) Comply with all laws and regulations relating to discrimination and civil rights.

(b) Remain nonsectarian, including, without limitation, in its educational programs, policies for admission and employment practices.

(c) Refrain from charging tuition or fees, except for tuition or fees that the board of trustees of a school district is authorized to charge, levying taxes or issuing bonds.

(d) Comply with any plan for desegregation ordered by a court that is in effect in the school district in which the charter school is located.

(e) Comply with the provisions of chapter 241 of NRS.

(f) Except as otherwise provided in this paragraph, schedule and provide annually at least as many days of instruction as are required of other public schools located in the same school district as the charter school is located. The governing body of a charter school may submit a written request to the Superintendent of Public Instruction for a waiver from providing the days of instruction required by this paragraph. The Superintendent of Public Instruction may grant such a request if the governing body demonstrates to the satisfaction of the Superintendent that:

(1) Extenuating circumstances exist to justify the waiver; and

(2) The charter school will provide at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days.

(g) Cooperate with the board of trustees of the school district in the administration of the examinations administered pursuant to NRS 390.105 and, if the charter school enrolls pupils at a high school grade level, the college and career readiness assessment administered pursuant to NRS 390.610 to the pupils who are enrolled in the charter school.

(h) Comply with applicable statutes and regulations governing the achievement and proficiency of pupils in this State.

(i) Provide instruction in the core academic subjects set forth in subsection 1 of NRS 389.018, as applicable for the grade levels of pupils who are enrolled in the charter school, and provide at least the courses of study that are required of pupils by statute or regulation for promotion to the next grade or graduation from a



1 public high school and require the pupils who are enrolled in the
2 charter school to take those courses of study. This paragraph does
3 not preclude a charter school from offering, or requiring the pupils
4 who are enrolled in the charter school to take, other courses of study
5 that are required by statute or regulation.

6 (j) If the parent or legal guardian of a child submits an
7 application to enroll in kindergarten, first grade or second grade at
8 the charter school, comply with NRS 392.040 regarding the ages for
9 enrollment in those grades.

10 (k) Refrain from using public money to purchase real property
11 or buildings without the approval of the sponsor.

12 (l) Hold harmless, indemnify and defend the sponsor of the
13 charter school against any claim or liability arising from an act or
14 omission by the governing body of the charter school or an
15 employee or officer of the charter school. An action at law may not
16 be maintained against the sponsor of a charter school for any cause
17 of action for which the charter school has obtained liability
18 insurance.

19 (m) Provide written notice to the parents or legal guardians of
20 pupils in grades 9 to 12, inclusive, who are enrolled in the charter
21 school of whether the charter school is accredited by ~~the Northwest~~
22 ~~Accreditation—Commission.]~~ *AdvancED or its successor*
23 *organization.*

24 (n) Adopt a final budget in accordance with the regulations
25 adopted by the Department. A charter school is not required to adopt
26 a final budget pursuant to NRS 354.598 or otherwise comply with
27 the provisions of chapter 354 of NRS.

28 (o) If the charter school provides a program of distance
29 education pursuant to NRS 388.820 to 388.874, inclusive, comply
30 with all statutes and regulations that are applicable to a program of
31 distance education for purposes of the operation of the program.

32 2. A charter school shall not provide instruction through a
33 program of distance education to children who are exempt from
34 compulsory attendance pursuant to NRS 392.070. As used in this
35 subsection, “distance education” has the meaning ascribed to it in
36 NRS 388.826.

37 **3. *A charter school shall not:***

38 *(a) Require the parent, guardian or other family member of a*
39 *pupil to donate money to the school or volunteer for the school,*
40 *including, without limitation, to volunteer to serve as a tutor,*
41 *learning coach or facilitator or to provide other instructional or*
42 *operational support for a pupil who is enrolled in a program of*
43 *distance education; or*



(b) Treat a pupil differently because his or her parent, guardian or other family member does not donate money to the school or volunteer for the school.

4. The provisions of subsection 3 do not prohibit a charter school from encouraging, facilitating or soliciting the parent, guardian or other family member of a pupil to donate money to or volunteer for the school.

Sec. 58. NRS 388A.3932 is hereby amended to read as follows:

388A.3932 1. A charter school that has received, within the immediately preceding 2 consecutive school years, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools may request that its sponsor submit a request to the Commission on Professional Standards in Education for an expedited review of an application to become a qualified provider of an alternative route to licensure pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019.

2. A *network of* charter ~~{management organization}~~ *schools* which operates a charter school that has received, within the immediately preceding 2 consecutive school years, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools, or equivalent ratings in another state, as determined by the Department, and which intends to form a new charter school in this State may request that its proposed sponsor submit a request to the Commission on Professional Standards in Education for an expedited review of an application to become a qualified provider of an alternative route to licensure pursuant to subparagraph (1) of paragraph (a) of subsection 1 of NRS 391.019.

3. If a sponsor or proposed sponsor receives a request pursuant to subsection 1 or 2 and determines that the charter school or *network of* charter ~~{management organization}~~ *schools*, as applicable, is eligible to become a qualified provider, the sponsor or proposed sponsor may submit a request for an expedited review of the appropriate application to the Commission on Professional Standards in Education.

4. A charter school or *network of* charter ~~{management organization}~~ *schools* may include in a request made pursuant to subsection 1 or 2 a request for the Commission on Professional Standards in Education to waive any requirement which may apply to a program for an alternative route to licensure that is not prescribed by NRS 391.019. If the sponsor or proposed sponsor, as applicable, approves the request made pursuant to this subsection, the sponsor or proposed sponsor may include the request for a



1 waiver with the request for an expedited review submitted pursuant
2 to subsection 3.

3 5. Upon receipt of the written request of a sponsor of a charter
4 school or a proposed sponsor of a *network of* charter ~~[management~~
5 ~~organization]~~ *schools* for an expedited review submitted pursuant to
6 subsection 3 and an application to become a qualified provider, the
7 Commission on Professional Standards in Education shall review
8 the application to become a qualified provider and approve or deny
9 the application within 45 days after receipt of the application and the
10 written request. If the request for an expedited review includes a
11 request for a waiver pursuant to subsection 4, the Commission on
12 Professional Standards in Education shall waive any requirement
13 which may apply to a program for an alternative route to licensure
14 that is not prescribed by NRS 391.019.

15 **Sec. 59.** NRS 388A.414 is hereby amended to read as follows:

16 388A.414 1. Upon completion of each school quarter, the
17 Superintendent of Public Instruction shall pay to the sponsor of a
18 charter school one-quarter of the yearly sponsorship fee for the
19 administrative costs associated with sponsorship for that school
20 quarter, which must be deducted from the quarterly apportionment
21 to the charter school made pursuant to NRS 387.124 and 387.1241.
22 Except as otherwise provided in *this subsection and* subsection 2,
23 the yearly sponsorship fee for the sponsor of a charter school *other*
24 *than the State Public Charter School Authority* must be in an
25 amount of money not to exceed 2 percent of the total amount of
26 money apportioned to the charter school during the school year
27 pursuant to NRS 387.124 and 387.1241. *The sponsorship fee for*
28 *the State Public Charter School Authority must be in an amount*
29 *of money determined in accordance with the State Budget Act.*

30 2. If the governing body of a charter school *other than a*
31 *charter school sponsored by the State Public Charter School*
32 *Authority* satisfies the requirements of ~~[this section.]~~ *subsection 5,*
33 the governing body may submit a request to the sponsor of the
34 charter school for approval of a sponsorship fee in an amount that is
35 less than 2 percent but at least 1 percent of the total amount of
36 money apportioned to the charter school during the school year
37 pursuant to NRS 387.124 and 387.1241.

38 3. The sponsor of ~~[the]~~ *a* charter school shall approve ~~[such]~~ *a*
39 request *made pursuant to subsection 2* if the sponsor of the charter
40 school determines that the charter school satisfies the requirements
41 of ~~[this]~~ subsection ~~[]~~ *5.* If the sponsor of the charter school
42 approves such a request, the sponsor shall provide notice of the
43 decision to the governing body of the charter school and the
44 Superintendent of Public Instruction. If the sponsor of the charter
45 school denies such a request, the governing body of the charter



1 school may appeal the decision of the sponsor to the Superintendent
2 of Public Instruction.

3 4. Upon appeal, the sponsor of the charter school and the
4 governing body of the charter school are entitled to present
5 evidence. The decision of the Superintendent of Public Instruction
6 on the appeal is final and is not subject to judicial review.

7 5. The governing body of a charter school *other than a charter*
8 *school sponsored by the State Public Charter School Authority*
9 may submit a request for a reduction of the sponsorship fee pursuant
10 to ~~this section~~ *subsection 2* if:

11 (a) The charter school satisfies the requirements of subsection 1
12 of NRS 388A.405; and

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

15 **Sec. 60.** NRS 388A.453 is hereby amended to read as follows:

16 388A.453 1. An application for enrollment in a charter
17 school may be submitted annually to the governing body of the
18 charter school by the parent or legal guardian of any child who
19 resides in this State.

20 2. Except as otherwise provided in subsections 1 to 5,
21 inclusive, NRS 388A.336 and subsections 1 and 2 of NRS
22 388A.456, a charter school shall enroll pupils who are eligible for
23 enrollment in the order in which the applications are received.

24 3. If the board of trustees of the school district in which the
25 charter school is located has established zones of attendance
26 pursuant to NRS 388.040, the charter school shall, if practicable,
27 ensure that the racial composition of pupils enrolled in the charter
28 school does not differ by more than 10 percent from the racial
29 composition of pupils who attend public schools in the zone in
30 which the charter school is located.

31 4. If a charter school is sponsored by the board of trustees of a
32 school district located in a county whose population is 100,000 or
33 more, except for a program of distance education provided by the
34 charter school, the charter school shall enroll pupils who are eligible
35 for enrollment who reside in the school district in which the charter
36 school is located before enrolling pupils who reside outside the
37 school district.

38 5. Except as otherwise provided in subsections 1 and 2 of NRS
39 388A.456, if more pupils who are eligible for enrollment apply for
40 enrollment in the charter school than the number of spaces which
41 are available, the charter school shall determine which applicants to
42 enroll pursuant to subsections 1 to 4, inclusive, on the basis of a
43 lottery system.



6. Except as otherwise provided in subsection ~~[9.]~~ 8, a charter school shall not accept applications for enrollment in the charter school or otherwise discriminate based on the:

- (a) Race;
 - (b) Gender;
 - (c) Religion;
 - (d) Ethnicity;
 - (e) Disability;
 - (f) Sexual orientation; or
 - (g) Gender identity or expression,
- of a pupil.

7. A lottery held pursuant to subsection 5 must be held not sooner than 45 days after the date on which a charter school begins accepting applications for enrollment unless the sponsor of the charter school determines there is good cause to hold it sooner.

~~8. If the governing body of a charter school determines that the charter school is unable to provide an appropriate special education program and related services for a particular disability of a pupil who is enrolled in the charter school, the governing body may request that the board of trustees of the school district of the county in which the pupil resides transfer that pupil to an appropriate school.~~

~~—9.]~~ This section does not preclude the formation of a charter school that is dedicated to provide educational services exclusively to pupils:

- (a) With disabilities;
- (b) Who pose such severe disciplinary problems that they warrant a specific educational program, including, without limitation, a charter school specifically designed to serve a single gender that emphasizes personal responsibility and rehabilitation; or
- (c) Who are at risk or, for a charter school that is eligible to be rated using the alternative performance framework pursuant to subsection 4 of NRS 385A.740, who are described in subparagraphs (1) to (6), inclusive, of paragraph (a) of subsection 3 of NRS 385A.740.

→ If more eligible pupils apply for enrollment in such a charter school than the number of spaces which are available, the charter school shall determine which applicants to enroll pursuant to this subsection on the basis of a lottery system.

Sec. 61. NRS 388A.515 is hereby amended to read as follows:

388A.515 1. *The following persons must comply with the provisions of subsection 2:*

(a) Each applicant for employment with and employee at ~~[a]~~:

(1) A charter school, except a licensed teacher or other person licensed by the Superintendent of Public Instruction ~~[i]~~;



(2) *A charter management organization who is likely to directly interact with pupils, have access to data concerning pupils or directly or indirectly supervise the staff of a charter school;*

(3) *An educational management organization who is likely to directly interact with pupils, have access to data concerning pupils or directly or indirectly supervise the staff of a charter school; or*

(4) *A network of charter schools who is likely to directly interact with pupils, have access to data concerning pupils or directly or indirectly supervise the staff of a charter school; and* ~~each~~

(b) *Each* volunteer at a charter school who is likely to have unsupervised or regular contact with pupils. ~~§~~

2. *Each person described in subsection 1* must, before beginning his or her employment or service as a volunteer and at least once every 5 years thereafter, submit to the governing body of the charter school:

(a) A complete set of the applicant's, employee's or volunteer's fingerprints and written permission authorizing the governing body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for its report on the criminal history of the applicant, employee or volunteer and for submission to the Federal Bureau of Investigation for its report on the criminal history of the applicant, employee or volunteer; and

(b) Written authorization for the governing body to obtain any information concerning the applicant, employee or volunteer that may be available from the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by NRS 432.100 and any equivalent registry maintained by a governmental entity in a jurisdiction in which the applicant, employee or volunteer has resided within the immediately preceding 5 years.

~~§~~ 3. In conducting an investigation into the background of an applicant, employee or volunteer, the governing body of a charter school may cooperate with any appropriate law enforcement agency to obtain information relating to the background of the applicant, employee or volunteer, including, without limitation, any record of warrants for the arrest of or applications for protective orders against the applicant, employee or volunteer.

~~§~~ 4. If the information obtained by the governing body pursuant to subsection ~~§~~ 2 or ~~§~~ 3 indicates that the applicant, employee or volunteer has not been convicted of a crime listed in NRS 388A.5342, the governing body of the charter school may employ the applicant or employee, *authorize the applicant or employee to directly interact with pupils, access data concerning*



pupils or supervise the staff of the charter school or accept the volunteer, as applicable.

~~[4-]~~ 5. If the information obtained by the governing body pursuant to subsection ~~[H] 2~~ or ~~[2-]~~ 3 indicates that the applicant, employee or volunteer has been convicted of a crime listed in NRS 388A.5342, and the governing body of the charter school does not disqualify the applicant or employee from employment *or directly interacting with pupils, accessing data concerning pupils or supervising the staff of the charter school, as applicable*, or the volunteer from serving as a volunteer on the basis of that information, the governing body shall, upon the written authorization of the applicant, employee or volunteer, forward a copy of the information to the Superintendent of Public Instruction. If the applicant, employee or volunteer refuses to provide his or her written authorization to forward a copy of the information pursuant to this subsection, the charter school shall not employ the applicant or employee , *authorize the applicant or employee to directly interact with pupils, access data concerning pupils or supervise the staff of the charter school* or accept the volunteer, as applicable.

~~[5-]~~ 6. Not later than 15 days after receiving the information obtained by the governing body pursuant to subsection ~~[H] 2~~ or ~~[2-]~~ 3, the Superintendent of Public Instruction or the Superintendent's designee shall review the information to determine whether the conviction of the applicant, employee or volunteer is related or unrelated to the position with the charter school , *charter management organization, educational management organization or network of charter schools* for which the applicant has applied or in which the employee is employed or the volunteer wishes to serve. The applicant, employee or volunteer shall, upon the request of the Superintendent of Public Instruction or the Superintendent's designee, provide any further information that the Superintendent or the designee determines is necessary to make the determination. If the governing body of the charter school desires to employ the applicant or employee , *authorize the applicant or employee to directly interact with pupils, access data concerning pupils or supervise the staff of the charter school* or accept the volunteer, the governing body shall, upon the request of the Superintendent of Public Instruction or the Superintendent's designee, provide any further information that the Superintendent or the designee determines is necessary to make the determination. The Superintendent of Public Instruction or the Superintendent's designee shall provide written notice of the determination to the applicant, employee or volunteer and to the governing body of the charter school.



~~[6-]~~ 7. If the Superintendent of Public Instruction or the Superintendent's designee determines that the conviction of the applicant, employee or volunteer is related to the position with the charter school, *charter management organization, educational management organization or network of charter schools* for which the applicant has applied or in which the employee is employed or the volunteer wishes to serve, the governing body of the charter school shall not employ the applicant or employee, *authorize the applicant or employee to directly interact with pupils, access data concerning pupils or supervise the staff of the charter school* or accept the volunteer, as applicable. If the Superintendent of Public Instruction or the Superintendent's designee determines that the conviction of the applicant, employee or volunteer is unrelated to the position with the charter school, *charter management organization, educational management organization or network of charter schools* for which the applicant has applied or in which the employee is employed or the volunteer wishes to serve, the governing body of the charter school may employ the applicant or employee for that position, *authorize the applicant or employee to directly interact with pupils, access data concerning pupils or supervise the staff of the charter school* or accept the volunteer, as applicable.

~~[7-]~~ 8. The governing body of a charter school may use a substantiated report of the abuse or neglect of a child, as defined in NRS 392.281, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained from the Statewide Central Registry or an equivalent registry maintained by a governmental agency in another jurisdiction:

(a) In making determinations concerning assignments, requiring retraining, imposing discipline, hiring, accepting a volunteer or termination; and

(b) In any proceedings to which the report is relevant, including, without limitation, an action for trespass or a restraining order.

~~[8-]~~ 9. The governing body of a charter school:

(a) May accept gifts, grants and donations to carry out the provisions of this section.

(b) May not be held liable for damages resulting from any action of the governing body authorized by subsection ~~[2]~~ 3 or ~~[7-]~~ 8.

10. *As used in this section:*

(a) *"Charter management organization" has the meaning ascribed to it in NRS 388B.020.*

(b) *"Educational management organization" includes an educational management organization as defined in NRS 388A.030 and 388B.030.*



Sec. 62. NRS 388A.5334 is hereby amended to read as follows:

388A.5334 1. The Department shall adopt regulations that establish a procedure for the notification, tracking and monitoring of the status of criminal cases involving ~~teachers~~ :

(a) *Teachers* and administrators who are employed by a charter school but are not licensed pursuant to chapter 391 of NRS ~~[1]~~; and

(b) *Employees of educational management organizations and networks of charter schools who directly interact with pupils, have access to data concerning pupils or directly or indirectly supervise the staff of a charter school but are not licensed pursuant to chapter 391 of NRS.*

2. The procedure *established pursuant to subsection 1* must include, without limitation:

(a) The method by which the administrative head of a charter school must notify the Department in a timely manner of the arrest of such an employee if:

(1) The act for which the employee is arrested:

(I) May be a ground for the suspension or revocation of a person's license pursuant to NRS 391.330; and

(II) Is not excluded by the Department from the notification requirements of this section; and

(2) The charter school has knowledge of the arrest.

(b) The method by which the administrative head of a charter school must notify the Department in a timely manner of:

(1) Each action, if any, taken against the employee by the charter school after the arrest; and

(2) The conviction of the employee, if the employee is convicted of the act for which he or she was arrested.

(c) The steps the Department must follow in response to the receipt of notice pursuant to this section, including, without limitation, the preparation of a separate file on the employee for the documentation and monitoring of the status of the case.

~~[2]~~ 3. Each file that is maintained on an employee pursuant to subsection 1 must include, without limitation:

(a) The date on which the employee was arrested and the date on which the Department received notice of the arrest from the charter school;

(b) The reason why the employee was arrested;

(c) The steps taken by the Department in response to all notices received by the Department from a charter school pursuant to subsection 1; and

(d) The final resolution of the case and the date of resolution.

~~[3]~~ 4. If the Department maintains a file on an employee pursuant to this section and the employee is not convicted of an



offense, the file and any related documents must not be made a part of that employee's permanent employment record.

~~[4.]~~ 5. The Department may prescribe a fee to be assessed against a charter school for the costs incurred by the Department for tracking and monitoring the status of a criminal case in accordance with the requirements prescribed pursuant to this section. Any fee prescribed pursuant to this section must be calculated to produce the revenue estimated to cover the costs related to tracking and monitoring the status of a criminal case, but the amount of the fee for tracking and monitoring the status of a criminal case must not exceed the actual cost to the Department of tracking and monitoring the status of the criminal case.

Sec. 63. NRS 388A.5336 is hereby amended to read as follows:

388A.5336 The governing body of each charter school shall adopt a policy which requires a person ~~[who is employed by the charter school as a teacher or administrator but who is not licensed pursuant to chapter 391 of NRS]~~ *described in subsection 1 of NRS 388A.5334* to report to the charter school if the ~~[employee]~~ *person* is arrested for or convicted of a crime. The policy must include, without limitation, an identification of:

1. The crimes for which an arrest or conviction must be reported;

2. The person to whom the report must be made; and

3. The time period after the arrest or conviction in which the report must be made.

Sec. 64. NRS 388A.5340 is hereby amended to read as follows:

388A.5340 Immunity from civil or criminal liability extends to every person who, pursuant to NRS 388A.5332 to 388A.5342, inclusive, in good faith:

1. Participates in the making of a report;

2. Causes or conducts an investigation of a person ~~[who is employed by the charter school as a teacher or administrator who is not licensed pursuant to chapter 391 of NRS and]~~ *described in subsection 1 of NRS 388A.5334* who is arrested; or

3. Submits information to the Department concerning a person ~~[who is employed by the charter school as a teacher or administrator, who is not licensed pursuant to chapter 391 of NRS and]~~ *described in subsection 1 of NRS 388A.5334* who is arrested.

Sec. 65. NRS 388A.5342 is hereby amended to read as follows:

388A.5342 The governing body of a charter school shall terminate the employment of any teacher or administrator ~~[who is employed by the charter school but is not licensed pursuant to~~



~~chapter 391 of NRS~~ described in subsection 1 of NRS 388A.5334 or prohibit an employee of an educational management organization or network of charter schools described in subsection 1 of NRS 388A.5334 from interacting with pupils, accessing data concerning pupils or directly or indirectly supervising the staff of the charter school upon his or her conviction of a:

1. Felony or crime involving moral turpitude; or
2. Sex offense pursuant to NRS 200.366, 200.368, 201.190, 201.220, 201.230, 201.540 or 201.560.

Sec. 66. Chapter 388B of NRS is hereby amended by adding thereto a new section to read as follows:

A charter management organization or educational management organization that operates or provides services relating to the operation or management of a charter school in this State shall be deemed to be a governmental entity for the purposes of chapter 239 of NRS with regard to any records of communications with members of the staff of the charter school or which relate to the business, management or governance of a charter school.

Sec. 67. NRS 388B.250 is hereby amended to read as follows:

388B.250 1. Except as otherwise provided in this section, the provisions of chapter 388A of NRS are not applicable to an achievement charter school.

2. The provisions of NRS 388A.090, 388A.095, 388A.100, 388A.171, 388A.226, 388A.345, 388A.348, 388A.351, 388A.363, 388A.366, 388A.369, 388A.384, 388A.408 to 388A.420, inclusive, 388A.478 to 388A.527, inclusive, *and section 29 of this act*, 388A.547 and 388A.550 to 388A.695, inclusive, apply to an achievement charter school.

3. The governing body of an achievement charter school may submit a written request to the Superintendent of Public Instruction for a waiver from the requirements of paragraphs (f) to (k), inclusive, of subsection 1 of NRS 388A.366 or subsection 2 of that section or, except with regard to a program supported with Title I money, NRS 388A.518, 388A.521 or 388A.524. The Executive Director may grant such a request if the governing body demonstrates to the satisfaction of the Superintendent of Public Instruction that circumstances justify the waiver and that granting the waiver is in the best interest of the pupils enrolled in the achievement charter school.

Sec. 68. NRS 390.015 is hereby amended to read as follows:

390.015 The board of trustees of each school district *and the governing body of each charter school* shall maintain on its Internet website, and shall post in a timely manner, all pertinent information concerning the examinations and assessments available to children



1 who reside in the school district ~~H~~ *or who are enrolled in the*
2 *charter school, as applicable,* including, without limitation, the
3 dates and times of, and contact information concerning, such
4 examinations and assessments. The examinations and assessments
5 posted must include, without limitation:

6 1. The college and career readiness assessment administered
7 pursuant to NRS 390.610.

8 2. All other college entrance examinations offered in this State,
9 including, without limitation, the Scholastic Aptitude Test, the
10 American College Test, the Preliminary Scholastic Aptitude Test
11 and the National Merit Scholarship Qualifying Test.

12 3. *For a charter school, any other examination or assessment*
13 *that is required to be administered to the pupils of the charter*
14 *school by federal or state law or regulations, a written charter, a*
15 *charter contract or a performance framework. As used in this*
16 *subsection:*

17 (a) *“Charter contract” has the meaning ascribed to it in*
18 *NRS 388A.015.*

19 (b) *“Performance framework” has the meaning ascribed to it*
20 *in NRS 388A.040.*

21 **Sec. 69.** NRS 390.015 is hereby amended to read as follows:

22 390.015 The board of trustees of each school district and the
23 governing body of each charter school shall maintain on its Internet
24 website, and shall post in a timely manner, all pertinent information
25 concerning the examinations and assessments available to children
26 who reside in the school district or who are enrolled in the charter
27 school, as applicable, including, without limitation, the dates and
28 times of, and contact information concerning, such examinations
29 and assessments. The examinations and assessments posted must
30 include, without limitation:

31 1. The college and career readiness assessment administered
32 pursuant to NRS 390.610.

33 2. All other college entrance examinations offered in this State,
34 including, without limitation, the Scholastic Aptitude Test, the
35 American College Test, the Preliminary Scholastic Aptitude Test
36 and the National Merit Scholarship Qualifying Test.

37 3. For a charter school, any other examination or assessment
38 that is required to be administered to the pupils of the charter school
39 by federal or state law or regulations, ~~fa written charter,~~ a charter
40 contract or a performance framework. As used in this subsection:

41 (a) “Charter contract” has the meaning ascribed to it in
42 NRS 388A.015.

43 (b) “Performance framework” has the meaning ascribed to it in
44 NRS 388A.040.



Sec. 70. NRS 390.105 is hereby amended to read as follows:

390.105 1. The State Board shall, in consultation with the Council to Establish Academic Standards for Public Schools, prescribe examinations that comply with 20 U.S.C. § 6311(b)(2) and that measure the achievement and proficiency of pupils:

(a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content established by the Council for the subjects of English language arts and mathematics.

(b) For grades 5 and 8, in the standards of content established by the Council for the subject of science.

(c) For grades 9, 10, 11 and 12, in the standards of content established by the Council for the subjects required to comply with 20 U.S.C. § 6311(b)(2).

➤ The examinations prescribed pursuant to this subsection must be written, developed, printed and scored by a nationally recognized testing company.

2. In addition to the examinations prescribed pursuant to subsection 1, the State Board shall, in consultation with the Council to Establish Academic Standards for Public Schools, prescribe a writing examination for grades 5 and 8.

3. The State Board shall prescribe:

(a) The minimum number of school days that must take place before the examinations prescribed by the State Board pursuant to subsection 1 may be administered to pupils; and

(b) The period during which the examinations prescribed by the State Board pursuant to subsection 1 must be administered.

4. The board of trustees of each school district and the governing body of each charter school shall administer the examinations prescribed by the State Board at such times as prescribed by the State Board pursuant to subsection 3. The examinations must be:

(a) Administered in each school in accordance with uniform procedures adopted by the State Board. The Department shall monitor the school districts and individual schools to ensure compliance with the uniform procedures.

(b) Administered in each school in accordance with the plan adopted pursuant to NRS 390.270 by the Department and with the plan adopted pursuant to NRS 390.275 by the board of trustees of the school district *or the governing body of the charter school* in which the examinations are administered. The Department shall monitor the compliance of school districts and individual schools with:

(1) The plan adopted by the Department; and

(2) The plan adopted by the board of trustees of the applicable school district **H** *or the governing body of the*



1 *applicable charter school*, to the extent that the plan adopted by the
2 board of trustees of the school district *or governing body of the*
3 *charter school* is consistent with the plan adopted by the
4 Department.

5 **Sec. 71.** NRS 390.275 is hereby amended to read as follows:

6 390.275 1. The board of trustees of each school district shall,
7 for each public school in the district, including, without limitation,
8 charter schools ~~§~~ *sponsored by the district*, adopt and enforce a
9 plan setting forth procedures to ensure the security of examinations
10 and assessments.

11 2. *The State Public Charter School Authority or a college or*
12 *university within the Nevada System of Higher Education that*
13 *sponsors a charter school, shall, for each charter school*
14 *sponsored by the State Public Charter School Authority, college or*
15 *institution, adopt and enforce a plan setting forth procedures to*
16 *ensure the security of examinations and assessments. The*
17 *governing body of each charter school sponsored by State Public*
18 *Charter School Authority or a college or university within the*
19 *Nevada System of Higher Education shall adopt and enforce the*
20 *plan adopted by the State Public Charter School Authority, college*
21 *or university, as applicable.*

22 3. A plan adopted pursuant to subsection 1 *or 2* must include,
23 without limitation:

24 (a) Procedures pursuant to which pupils, school officials and
25 other persons may, and are encouraged to, report irregularities in
26 testing administration and testing security.

27 (b) Procedures necessary to ensure the security of test materials
28 and the consistency of testing administration.

29 (c) With respect to secondary schools, procedures pursuant to
30 which the school district or charter school, as appropriate, will
31 verify the identity of pupils taking an examination or assessment.

32 (d) Procedures that specifically set forth the action that must be
33 taken in response to a report of an irregularity in testing
34 administration or testing security and the action that must be taken
35 during an investigation of such an irregularity. For each action that
36 is required, the procedures must identify, by category, the
37 employees of the school district or charter school who are
38 responsible for taking the action and for ensuring that the action is
39 carried out successfully.

40 ➡ The procedures adopted pursuant to this subsection must be
41 consistent, to the extent applicable, with the procedures adopted by
42 the Department pursuant to NRS 390.270.

43 ~~§~~ 4. A copy of each plan adopted pursuant to this section
44 and the procedures set forth therein must be submitted on or before
45 September 1 of each year to:



1 (a) The State Board; and

2 (b) The Legislative Committee on Education, created pursuant
3 to NRS 218E.605.

4 ~~4.4~~ 5. On or before September 30 of each school year, the
5 board of trustees of each school district and the governing body of
6 each charter school shall provide a written notice regarding the
7 examinations and assessments to all teachers and educational
8 personnel employed by the school district or governing body, all
9 personnel employed by the school district or governing body who
10 are involved in the administration of the examinations and
11 assessments, all pupils who are required to take the examinations or
12 assessments and all parents and legal guardians of such pupils. The
13 written notice must be prepared in a format that is easily understood
14 and must include, without limitation, a description of the:

15 (a) Plan adopted pursuant to this section; and

16 (b) Action that may be taken against personnel and pupils for
17 violations of the plan or for other irregularities in testing
18 administration or testing security.

19 ~~5.4~~ 6. As used in this section:

20 (a) "Assessment" means the college and career readiness
21 assessment administered to pupils enrolled in grade 11 pursuant to
22 NRS 390.610.

23 (b) "Examination" means:

24 (1) The examinations that are administered to pupils pursuant
25 to NRS 390.105; and

26 (2) Any other examinations which measure the achievement
27 and proficiency of pupils and which are administered to pupils on a
28 district-wide basis.

29 (c) "Irregularity in testing administration" means the failure to
30 administer an examination or assessment in the manner intended by
31 the person or entity that created the examination or assessment.

32 (d) "Irregularity in testing security" means an act or omission
33 that tends to corrupt or impair the security of an examination or
34 assessment, including, without limitation:

35 (1) The failure to comply with security procedures adopted
36 pursuant to this section or NRS 390.270;

37 (2) The disclosure of questions or answers to questions on an
38 examination or assessment in a manner not otherwise approved by
39 law; and

40 (3) Other breaches in the security or confidentiality of the
41 questions or answers to questions on an examination or assessment.

42 **Sec. 72.** NRS 390.285 is hereby amended to read as follows:

43 390.285 1. If a school official has reason to believe that a
44 violation of the plan adopted *for the school* pursuant to NRS
45 390.275 may have occurred, the school official shall immediately



1 report the incident to the board of trustees of the school district ~~[.]~~ *or*
2 *the governing body and sponsor of the charter school, as*
3 *applicable.* If the board of trustees of a school district *or the*
4 *governing body or sponsor of a charter school* has reason to
5 believe that a violation of ~~[the]~~ *a* plan adopted pursuant to NRS
6 390.275 may have occurred, the board of trustees *, governing body*
7 *or sponsor* shall:

8 (a) If the violation is with respect to an examination
9 administered pursuant to NRS 390.105 or the college and career
10 readiness assessment administered pursuant to NRS 390.610,
11 immediately report the incident to the Department orally or in
12 writing followed by a comprehensive written report within 14
13 school days after the incident occurred; and

14 (b) Cause to be commenced an investigation of the incident. The
15 board of trustees *, governing body or sponsor* may carry out the
16 requirements of this paragraph by:

17 (1) Investigating the incident as it deems appropriate,
18 including, without limitation, using the powers of subpoena set forth
19 in this section.

20 (2) With respect to an examination that is administered
21 pursuant to NRS 390.105 or the college and career readiness
22 assessment administered pursuant to NRS 390.610, requesting that
23 the Department investigate the incident pursuant to NRS 390.280.

24 ➤ The fact that a board of trustees *, governing body or sponsor*
25 elects initially to carry out its own investigation pursuant to
26 subparagraph (1) of paragraph (b) does not affect the ability of the
27 board of trustees *, governing body or sponsor* to request, at any
28 time, that the Department investigate the incident as authorized
29 pursuant to subparagraph (2) of paragraph (b).

30 2. Except as otherwise provided in this subsection, if the board
31 of trustees of a school district *or the governing body or sponsor of*
32 *a charter school* proceeds in accordance with subparagraph (1) of
33 paragraph (b) of subsection 1, the board of trustees *, governing body*
34 *or sponsor* may issue a subpoena to compel the attendance or
35 testimony of a witness or the production of any relevant materials,
36 including, without limitation, books, papers, documents, records,
37 photographs, recordings, reports and tangible objects. A board of
38 trustees *, governing body or sponsor* shall not issue a subpoena to
39 compel the attendance or testimony of a witness or the production of
40 materials unless the attendance, testimony or production sought to
41 be compelled is related directly to a violation or an alleged violation
42 of ~~[the]~~ *a* plan adopted pursuant to NRS 390.275.

43 3. If a witness refuses to attend, testify or produce materials as
44 required by the subpoena, the board of trustees *, governing body or*



1 *sponsor* may report to the district court by petition, setting forth
2 that:

3 (a) Due notice has been given of the time and place of
4 attendance or testimony of the witness or the production of
5 materials;

6 (b) The witness has been subpoenaed by the board of trustees ,
7 *governing body or sponsor* pursuant to this section; and

8 (c) The witness has failed or refused to attend, testify or produce
9 materials before the board of trustees , *governing body or sponsor*
10 as required by the subpoena, or has refused to answer questions
11 propounded to him or her,

12 ➡ and asking for an order of the court compelling the witness to
13 attend, testify or produce materials before the board of trustees **H** ,
14 *governing body or sponsor*.

15 4. Upon receipt of such a petition, the court shall enter an order
16 directing the witness to appear before the court at a time and place
17 to be fixed by the court in its order, the time to be not more than 10
18 days after the date of the order, and then and there show cause why
19 the witness has not attended, testified or produced materials before
20 the board of trustees **H** , *governing body or sponsor*. A certified
21 copy of the order must be served upon the witness.

22 5. If it appears to the court that the subpoena was regularly
23 issued by the board of trustees, *governing body or sponsor*, the
24 court shall enter an order that the witness appear before the board of
25 trustees , *governing body or sponsor* at a time and place fixed in the
26 order and testify or produce materials, and that upon failure to obey
27 the order the witness must be dealt with as for contempt of court.

28 **Sec. 73.** NRS 390.360 is hereby amended to read as follows:

29 390.360 "Examination" means:

30 1. The examinations that are administered to pupils pursuant to
31 NRS 390.105; and

32 2. Any other examinations which measure the achievement and
33 proficiency of pupils and which are administered to pupils on a
34 district-wide basis **H** *or to pupils who attend a charter school, as*
35 *applicable*.

36 **Sec. 74.** NRS 390.610 is hereby amended to read as follows:

37 390.610 1. The State Board shall select a college and career
38 readiness assessment for administration to pupils who are enrolled
39 in grade 11 in public high schools.

40 2. Except as otherwise provided in this subsection, a pupil must
41 take the college and career readiness assessment to receive a
42 standard high school diploma. A pupil with a disability may, in
43 accordance with his or her individualized education program, be
44 exempt from the requirement to take the college and career
45 readiness assessment.



3. The results of a pupil on the college and career readiness assessment:

(a) Must not be used in the determination of whether the pupil satisfies the requirements for receipt of standard high school diploma.

(b) May be used in the determination of whether the pupil satisfies the requirements for receipt of a college and career ready high school diploma.

4. The assessment selected pursuant to subsection 1 must be:

(a) Administered at the same time during the school year by the board of trustees of each school district to pupils enrolled in grade 11 in all public high schools of the school district and by the governing body of each charter school that enrolls pupils in grade 11, as prescribed by the State Board, and in accordance with uniform procedures adopted by the State Board. The Department shall monitor the compliance of the school districts and individual schools with the uniform procedures and report to the State Board any instance of noncompliance.

(b) Administered in accordance with the plan adopted by the Department pursuant to NRS 390.270 and with the plan adopted by the board of trustees of the school district *or the governing body of the charter school* in which the assessment is administered pursuant to NRS 390.275. The Department shall ~~monitor~~ :

(1) *Monitor* the compliance of the school districts and individual schools with:

~~(1)~~ (I) The plan adopted by the Department; and

~~(2)~~ (II) The plan adopted by the board of trustees of the applicable school district ~~;~~ *or the governing body of the applicable charter school*, to the extent that the plan adopted by the board of trustees of the school district *or the governing body of the charter school, as applicable*, is consistent with the plan adopted by the Department ; ~~;~~

~~and shall report~~

(2) *Report* to the State Board any instance of noncompliance.

5. The assessment selected pursuant to subsection 1 must:

(a) Be used to provide data and information to each pupil who takes the assessment in a manner that allows the pupil to review the areas of his or her academic strengths and weaknesses, including, without limitation, areas where additional work in the subject areas tested on the assessment is necessary to prepare for college and career success without the need for remediation; and

(b) Allow teachers and other educational personnel to use the results of a pupil on the assessment to provide appropriate interventions for the pupil to prepare for college and career success.



6. The State Board shall adopt regulations prescribing the manner in which the results of a college and career readiness assessment selected pursuant to subsection 1 must be used by a school district or charter school that operates as a high school to inform the instruction provided to pupils enrolled in grade 12, including, without limitation, to determine whether to provide remediation in areas of academic weakness and acceleration in areas of academic strength.

7. The State Board may work in consultation with the boards of trustees of school districts and, if a charter school enrolls pupils at a high school grade level, the governing body of the charter school to develop and implement appropriate plans of remediation for pupils based upon the results of the pupils on the assessment.

Sec. 75. NRS 392.457 is hereby amended to read as follows:

392.457 1. The State Board shall, in consultation with the boards of trustees of school districts, *the governing bodies of charter schools*, educational personnel, local associations and organizations of parents whose children are enrolled in public schools throughout this State and individual parents and legal guardians whose children are enrolled in public schools throughout this State, adopt a policy to encourage effective involvement and engagement by parents and families in support of their children and the education of their children. The policy adopted by the State Board must be considered when the Board:

(a) Consults with the boards of trustees of school districts *and the governing bodies of charter schools* in the adoption of policies pursuant to subsection 3; and

(b) Interacts with school districts, public schools, educational personnel, parents, legal guardians and families of pupils, and members of the general public in carrying out its duties pursuant to this title.

2. The policy adopted by the State Board pursuant to subsection 1 must include the following elements and goals:

(a) Promotion of an atmosphere for parents and families to visit the school that their children attend and feel welcome, valued and connected to the staff of the school, other parents and families and to the education of their children.

(b) Promotion of regular, two-way, meaningful communication between parents, families and schools relating to learning by pupils.

(c) Collaboration among parents, families and schools to support learning by pupils and healthy development of pupils at home and school.

(d) Empowerment of parents and families to advocate for their children and the children of other parents and families to ensure that



1 all pupils are treated fairly and have access to learning opportunities
2 that support pupil achievement.

3 (e) Promotion of an equal partnership between parents, families
4 and schools in making decisions that affect children, parents and
5 families and in informing, influencing and creating school policies,
6 practices and programs.

7 (f) Collaboration of parents, families and schools with the
8 community to connect pupils, parents, families and schools with
9 learning opportunities, community services and civic participation.

10 3. The board of trustees of each school district *and the*
11 *governing body of each charter school* shall, in consultation with
12 the State Board, educational personnel, local associations and
13 organizations of parents whose children are enrolled in public
14 schools of the school district *or the charter school, as applicable,*
15 and individual parents and legal guardians whose children are
16 enrolled in public schools of the school district ~~or~~ *or the charter*
17 *school, as applicable,* adopt policies to encourage effective
18 involvement and engagement by parents and families in support of
19 their children and the education of their children. The policies
20 adopted pursuant to this subsection must:

21 (a) Be consistent, to the extent applicable, with the policy
22 adopted by the State Board pursuant to subsection 1;

23 (b) Include the elements and goals specified in subsection 2; and

24 (c) Comply with the parental involvement policy required by the
25 federal Every Student Succeeds Act of 2015, as set forth in 20
26 U.S.C. § 6318.

27 4. The State Board, ~~and~~ the board of trustees of each school
28 district *and the governing body of each charter school* shall, at
29 least once each year, review and amend their respective policies as
30 necessary.

31 **Sec. 76.** NRS 392.4575 is hereby amended to read as follows:

32 392.4575 1. The Department shall prescribe a form for
33 educational involvement accords to be used by all public schools in
34 this State. The educational involvement accord must comply with
35 the policy:

36 (a) For parental involvement required by the federal Every
37 Student Succeeds Act of 2015, as set forth in 20 U.S.C. § 6318.

38 (b) For parental involvement and family engagement adopted by
39 the State Board pursuant to NRS 392.457.

40 2. Each educational involvement accord must include, without
41 limitation:

42 (a) A description of how the parent or legal guardian will be
43 involved in the education of the pupil, including, without limitation:

44 (1) Reading to the pupil, as applicable for the grade or
45 reading level of the pupil;



- 1 (2) Reviewing and checking the pupil's homework; and
2 (3) Contributing 5 hours of time each school year, including,
3 without limitation, by attending school-related activities, parent-
4 teacher association meetings, parent-teacher conferences,
5 volunteering at the school and chaperoning school-sponsored
6 activities.

7 (b) The responsibilities of a pupil in a public school, including,
8 without limitation:

9 (1) Reading each day before or after school, as applicable for
10 the grade or reading level of the pupil;

11 (2) Using all school equipment and property appropriately
12 and safely;

13 (3) Following the directions of any adult member of the staff
14 of the school;

15 (4) Completing and submitting homework in a timely
16 manner; and

17 (5) Respecting himself or herself, others and all property.

18 (c) The responsibilities of a public school and the
19 administrators, teachers and other personnel employed at a school,
20 including, without limitation:

21 (1) Ensuring that each pupil is provided proper instruction,
22 supervision and interaction;

23 (2) Maximizing the educational and social experience of
24 each pupil;

25 (3) Carrying out the professional responsibility of educators
26 to seek the best interest of each pupil; ~~and~~

27 (4) Making staff available to the parents and legal guardians
28 of pupils to discuss the concerns of parents and legal guardians
29 regarding the pupils ~~and~~; and

30 (5) *Ensuring that a pupil whose parent is unable or*
31 *unwilling to sign the educational involvement accord or fulfill the*
32 *responsibilities prescribed therein is afforded all rights and*
33 *privileges offered to other pupils.*

34 *(d) For a charter school, a statement that signing the*
35 *educational involvement accord is voluntary and that a parent or*
36 *legal guardian who refuses to sign or fails to fulfill the terms of*
37 *the accord will not cause any consequences for the child of the*
38 *parent or legal guardian.*

39 3. Each educational involvement accord must be accompanied
40 by, without limitation:

41 (a) Information describing how the parent or legal guardian may
42 contact the pupil's teacher and the principal of the school in which
43 the pupil is enrolled;

44 (b) The curriculum of the course or standards for the grade in
45 which the pupil is enrolled, as applicable, including, without



1 limitation, a calendar that indicates the dates of major examinations
2 and the due dates of significant projects, if those dates are known by
3 the teacher at the time that the information is distributed;

4 (c) The homework and grading policies of the pupil's teacher or
5 school;

6 (d) Directions for finding resource materials for the course or
7 grade in which the pupil is enrolled, as applicable;

8 (e) Suggestions for parents and legal guardians to assist pupils in
9 their schoolwork at home;

10 (f) The dates of scheduled conferences between teachers or
11 administrators and the parents or legal guardians of the pupil;

12 (g) The manner in which reports of the pupil's progress will be
13 delivered to the parent or legal guardian and how a parent or legal
14 guardian may request a report of progress;

15 (h) The classroom rules and policies;

16 (i) The dress code of the school, if any;

17 (j) The availability of assistance to parents who have limited
18 proficiency in the English language;

19 (k) Information describing the availability of free and reduced-
20 price meals, including, without limitation, information regarding
21 school breakfast, school lunch and summer meal programs;

22 (l) Opportunities for parents and legal guardians to become
23 involved in the education of their children and to volunteer for the
24 school or class; and

25 (m) The code of honor relating to cheating prescribed pursuant
26 to NRS 392.461.

27 4. The board of trustees of each school district *and the*
28 *governing body of each charter school* shall adopt a policy
29 providing for the development and distribution of the educational
30 involvement accord. The policy adopted by a board of trustees *or*
31 *governing body* must require each classroom teacher to:

32 (a) Distribute the educational involvement accord to the parent
33 or legal guardian of each pupil in the teacher's class at the beginning
34 of each school year or upon a pupil's enrollment in the class, as
35 applicable; and

36 (b) Provide the parent or legal guardian with a reasonable
37 opportunity to sign the educational involvement accord.

38 5. Except as otherwise provided in this subsection, the board of
39 trustees of each school district *and the governing body of each*
40 *charter school* shall ensure that the form prescribed by the
41 Department is used for the educational involvement accord of each
42 public school in the school district *[H] or the charter school, as*
43 *applicable*. The board of trustees of a school district *or the*
44 *governing body of a charter school* may authorize the use of an
45 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.

6. The Department, ~~and~~ the board of trustees of each school district *and the governing body of each charter school* shall, at least once each year, review and amend their respective educational involvement accords.

Sec. 77. NRS 179A.075 is hereby amended to read as follows:

179A.075 1. The Central Repository for Nevada Records of Criminal History is hereby created within the Records, Communications and Compliance Division of the Department.

2. Each agency of criminal justice and any other agency dealing with crime shall:

(a) Collect and maintain records, reports and compilations of statistical data required by the Department; and

(b) Submit the information collected to the Central Repository:

(1) In the manner approved by the Director of the Department; and

(2) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation.

3. Each agency of criminal justice shall submit the information relating to records of criminal history that it creates, issues or collects, and any information in its possession relating to the DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913, to the Division. The information must be submitted to the Division:

(a) Through an electronic network;

(b) On a medium of magnetic storage; or

(c) In the manner prescribed by the Director of the Department, ➔ within 60 days after the date of the disposition of the case. If an agency has submitted a record regarding the arrest of a person who is later determined by the agency not to be the person who committed the particular crime, the agency shall, immediately upon making that determination, so notify the Division. The Division shall delete all references in the Central Repository relating to that particular arrest.

4. Each state and local law enforcement agency shall submit Uniform Crime Reports to the Central Repository:

(a) In the manner prescribed by the Director of the Department;

(b) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation; and

(c) Within the time prescribed by the Director of the Department.



5. The Division shall, in the manner prescribed by the Director of the Department:

(a) Collect, maintain and arrange all information submitted to it relating to:

(1) Records of criminal history; and

(2) The DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913.

(b) When practicable, use a record of the personal identifying information of a subject as the basis for any records maintained regarding him or her.

(c) Upon request, provide the information that is contained in the Central Repository to the State Disaster Identification Team of the Division of Emergency Management of the Department.

(d) Upon request, provide, in paper or electronic form, the information that is contained in the Central Repository to the Committee on Domestic Violence appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the Committee is reviewing the death of the victim of a crime that constitutes domestic violence pursuant to NRS 33.018.

6. The Division may:

(a) Disseminate any information which is contained in the Central Repository to any other agency of criminal justice;

(b) Enter into cooperative agreements with repositories of the United States and other states to facilitate exchanges of information that may be disseminated pursuant to paragraph (a); and

(c) Request of and receive from the Federal Bureau of Investigation information on the background and personal history of any person whose record of fingerprints or other biometric identifier the Central Repository submits to the Federal Bureau of Investigation and:

(1) Who has applied to any agency of the State of Nevada or any political subdivision thereof for a license which it has the power to grant or deny;

(2) With whom any agency of the State of Nevada or any political subdivision thereof intends to enter into a relationship of employment or a contract for personal services;

(3) Who has applied to any agency of the State of Nevada or any political subdivision thereof to attend an academy for training peace officers approved by the Peace Officers' Standards and Training Commission;

(4) For whom such information is required or authorized to be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

(5) About whom any agency of the State of Nevada or any political subdivision thereof is authorized by law to have accurate



personal information for the protection of the agency or the persons within its jurisdiction.

7. To request and receive information from the Federal Bureau of Investigation concerning a person pursuant to subsection 6, the Central Repository must receive:

(a) The person's complete set of fingerprints for the purposes of:
(1) Booking the person into a city or county jail or detention facility;

(2) Employment;
(3) Contractual services; or

(4) Services related to occupational licensing;

(b) One or more of the person's fingerprints for the purposes of mobile identification by an agency of criminal justice; or

(c) Any other biometric identifier of the person as it may require for the purposes of:

(1) Arrest; or

(2) Criminal investigation,

→ from the agency of criminal justice or agency of the State of Nevada or any political subdivision thereof and submit the received data to the Federal Bureau of Investigation for its report.

8. The Central Repository shall:

(a) Collect and maintain records, reports and compilations of statistical data submitted by any agency pursuant to subsection 2.

(b) Tabulate and analyze all records, reports and compilations of statistical data received pursuant to this section.

(c) Disseminate to federal agencies engaged in the collection of statistical data relating to crime information which is contained in the Central Repository.

(d) Investigate the criminal history of any person who:

(1) Has applied to the Superintendent of Public Instruction for the issuance or renewal of a license;

(2) Has applied to a county school district, charter school or private school for employment or to serve as a volunteer; ~~for~~

(3) Is employed by or volunteers for a county school district, charter school or private school ~~for~~; or

(4) Has applied for employment with or is an employee of a charter management organization, educational management organization or network of charter schools in a position in which he or she is likely to directly interact with pupils, have access to data concerning pupils or directly or indirectly supervise the staff of a charter school,

→ and immediately notify the superintendent of each county school district, the governing body of each charter school and the Superintendent of Public Instruction, or the administrator of each private school, as appropriate, if the investigation of the Central



Repository indicates that the person has been convicted of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395, or convicted of a felony or any offense involving moral turpitude.

(e) Upon discovery, immediately notify the superintendent of each county school district, the governing body of each charter school or the administrator of each private school, as appropriate, by providing the superintendent, governing body or administrator with a list of all persons:

(1) Investigated pursuant to paragraph (d); ~~for~~

(2) Employed by or volunteering for a county school district, charter school or private school whose fingerprints were sent previously to the Central Repository for investigation ~~for~~; or

(3) Employed by a charter management organization, educational management organization or network of charter schools in a position where he or she directly interacts with pupils, has access to data concerning pupils or directly or indirectly supervises the staff of a charter school,

who the Central Repository's records indicate have been convicted of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395, or convicted of a felony or any offense involving moral turpitude since the Central Repository's initial investigation. The superintendent of each county school district, the governing body of a charter school or the administrator of each private school, as applicable, shall determine whether further investigation or action by the district, charter school or private school, as applicable, is appropriate.

(f) Investigate the criminal history of each person who submits one or more fingerprints or other biometric identifier or has such data submitted pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or 449.4329.

(g) On or before July 1 of each year, prepare and post on the Central Repository's Internet website an annual report containing the statistical data relating to crime received during the preceding calendar year. Additional reports may be posted to the Central Repository's Internet website throughout the year regarding specific areas of crime if they are approved by the Director of the Department.

(h) On or before July 1 of each year, prepare and post on the Central Repository's Internet website a report containing statistical data about domestic violence in this State.

(i) Identify and review the collection and processing of statistical data relating to criminal justice by any agency identified in subsection 2 and make recommendations for any necessary



changes in the manner of collecting and processing statistical data by any such agency.

(j) Adopt regulations governing biometric identifiers and the information and data derived from biometric identifiers, including, without limitation:

(1) Their collection, use, safeguarding, handling, retention, storage, dissemination and destruction; and

(2) The methods by which a person may request the removal of his or her biometric identifiers from the Central Repository and any other agency where his or her biometric identifiers have been stored.

9. The Central Repository may:

(a) In the manner prescribed by the Director of the Department, disseminate compilations of statistical data and publish statistical reports relating to crime.

(b) Charge a reasonable fee for any publication or special report it distributes relating to data collected pursuant to this section. The Central Repository may not collect such a fee from an agency of criminal justice, any other agency dealing with crime which is required to submit information pursuant to subsection 2 or the State Disaster Identification Team of the Division of Emergency Management of the Department. All money collected pursuant to this paragraph must be used to pay for the cost of operating the Central Repository.

(c) In the manner prescribed by the Director of the Department, use electronic means to receive and disseminate information contained in the Central Repository that it is authorized to disseminate pursuant to the provisions of this chapter.

10. As used in this section:

(a) *“Charter management organization” has the meaning ascribed to it in NRS 388B.020.*

(b) *“Educational management organization” includes an educational management organization as defined in NRS 388A.030 and 388B.030.*

(c) “Mobile identification” means the collection, storage, transmission, reception, search, access or processing of a biometric identifier using a handheld device.

~~(b)~~ (d) *“Network of charter schools” has the meaning ascribed to it in NRS 388A.020.*

(e) “Personal identifying information” means any information designed, commonly used or capable of being used, alone or in conjunction with any other information, to identify a person, including, without limitation:



(1) The name, driver's license number, social security number, date of birth and photograph or computer-generated image of a person; and

(2) A biometric identifier of a person.

~~(e)~~ (f) "Private school" has the meaning ascribed to it in NRS 394.103.

Sec. 78. NRS 239.005 is hereby amended to read as follows:
239.005 As used in this chapter, unless the context otherwise requires:

1. "Actual cost" means the direct cost related to the reproduction of a public record. The term does not include a cost that a governmental entity incurs regardless of whether or not a person requests a copy of a particular public record.

2. "Agency of the Executive Department" means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

3. "Committee" means the Committee to Approve Schedules for the Retention and Disposition of Official State Records.

4. "Division" means the Division of State Library, Archives and Public Records of the Department of Administration.

5. "Governmental entity" means:

(a) An elected or appointed officer of this State or of a political subdivision of this State;

(b) An institution, board, commission, bureau, council, department, division, authority or other unit of government of this State, including, without limitation, an agency of the Executive Department, or of a political subdivision of this State;

(c) A university foundation, as defined in NRS 396.405;

(d) An educational foundation, as defined in NRS 388.750, to the extent that the foundation is dedicated to the assistance of public schools; ~~(e)~~

(e) A library foundation, as defined in NRS 379.0056, to the extent that the foundation is dedicated to the assistance of a public library ~~(f)~~;

(f) A charter management organization, as defined in NRS 388B.020, to the extent prescribed by section 66 of this act;

(g) An educational management organization, as defined in NRS 388A.030 or 388B.030, to the extent prescribed by sections 28 and 66 of this act; or

(h) A network of charter schools, as defined in NRS 388A.020, to the extent prescribed by section 28 of this act.

6. "Official state record" includes, without limitation:



- 1 (a) Papers, unpublished books, maps and photographs;
- 2 (b) Information stored on magnetic tape or computer, laser or
- 3 optical disc;
- 4 (c) Materials that are capable of being read by a machine,
- 5 including, without limitation, microforms and audio and visual
- 6 materials; and
- 7 (d) Materials that are made or received by a state agency and
- 8 preserved by that agency or its successor as evidence of the
- 9 organization, operation, policy or any other activity of that agency
- 10 or because of the information contained in the material.

11 7. "Privatization contract" means a contract executed by or on
12 behalf of a governmental entity which authorizes a private entity to
13 provide public services that are:

- 14 (a) Substantially similar to the services provided by the public
- 15 employees of the governmental entity; and
- 16 (b) In lieu of the services otherwise authorized or required to be
- 17 provided by the governmental entity.

18 **Sec. 79.** NRS 432B.220 is hereby amended to read as follows:
19 432B.220 1. Any person who is described in subsection 4
20 and who, in his or her professional or occupational capacity, knows
21 or has reasonable cause to believe that a child has been abused or
22 neglected shall:

23 (a) Except as otherwise provided in subsection 2, report the
24 abuse or neglect of the child to an agency which provides child
25 welfare services or to a law enforcement agency; and

26 (b) Make such a report as soon as reasonably practicable but not
27 later than 24 hours after the person knows or has reasonable cause to
28 believe that the child has been abused or neglected.

29 2. If a person who is required to make a report pursuant to
30 subsection 1 knows or has reasonable cause to believe that the abuse
31 or neglect of the child involves an act or omission of:

32 (a) A person directly responsible or serving as a volunteer for or
33 an employee of a public or private home, institution or facility
34 where the child is receiving child care outside of the home for a
35 portion of the day, the person shall make the report to a law
36 enforcement agency.

37 (b) An agency which provides child welfare services or a law
38 enforcement agency, the person shall make the report to an agency
39 other than the one alleged to have committed the act or omission,
40 and the investigation of the abuse or neglect of the child must be
41 made by an agency other than the one alleged to have committed the
42 act or omission.

43 3. Any person who is described in paragraph (a) of subsection
44 4 who delivers or provides medical services to a newborn infant and
45 who, in his or her professional or occupational capacity, knows or



1 has reasonable cause to believe that the newborn infant has been
2 affected by a fetal alcohol spectrum disorder or prenatal substance
3 abuse or has withdrawal symptoms resulting from prenatal drug
4 exposure shall, as soon as reasonably practicable but not later than
5 24 hours after the person knows or has reasonable cause to believe
6 that the newborn infant is so affected or has such symptoms, notify
7 an agency which provides child welfare services of the condition of
8 the infant and refer each person who is responsible for the welfare
9 of the infant to an agency which provides child welfare services for
10 appropriate counseling, training or other services. A notification and
11 referral to an agency which provides child welfare services pursuant
12 to this subsection shall not be construed to require prosecution for
13 any illegal action.

14 4. A report must be made pursuant to subsection 1 by the
15 following persons:

16 (a) A person providing services licensed or certified in this State
17 pursuant to, without limitation, chapter 450B, 630, 630A, 631, 632,
18 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C,
19 640D, 640E, 641, 641A, 641B or 641C of NRS.

20 (b) Any personnel of a medical facility licensed pursuant to
21 chapter 449 of NRS who are engaged in the admission, examination,
22 care or treatment of persons or an administrator, manager or other
23 person in charge of such a medical facility upon notification of
24 suspected abuse or neglect of a child by a member of the staff of the
25 medical facility.

26 (c) A coroner.

27 (d) A member of the clergy, practitioner of Christian Science or
28 religious healer, unless the person has acquired the knowledge of the
29 abuse or neglect from the offender during a confession.

30 (e) A person employed by a public school or private school and
31 any person who serves as a volunteer at such a school.

32 (f) *Any person employed by:*

33 *(1) A charter management organization, as defined in NRS*
34 *388B.020, who directly interacts with pupils, has access to data*
35 *concerning pupils or directly or indirectly supervises the staff of a*
36 *charter school;*

37 *(2) An educational management organization, as defined in*
38 *NRS 388A.030 or 388B.030, who directly interacts with pupils, has*
39 *access to data concerning pupils or directly or indirectly*
40 *supervises the staff of a charter school; or*

41 *(3) A network of charter schools, as defined in NRS*
42 *388A.020, who directly interacts with pupils, has access to data*
43 *concerning pupils or directly or indirectly supervises the staff of a*
44 *charter school.*



~~[(g)]~~ (g) Any person who maintains or is employed by a facility or establishment that provides care for children, children's camp or other public or private facility, institution or agency furnishing care to a child.

~~[(h)]~~ (h) Any person licensed pursuant to chapter 424 of NRS to conduct a foster home.

~~[(i)]~~ (i) Any officer or employee of a law enforcement agency or an adult or juvenile probation officer.

~~[(j)]~~ (j) Except as otherwise provided in NRS 432B.225, an attorney.

~~[(k)]~~ (k) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met.

~~[(l)]~~ (l) Any person who is employed by or serves as a volunteer for a youth shelter. As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS 244.427.

~~[(m)]~~ (m) Any adult person who is employed by an entity that provides organized activities for children, including, without limitation, a person who is employed by a school district or public school.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that a child has died as a result of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to an agency which provides child welfare services or a law enforcement agency. If such a report is made to a law enforcement agency, the law enforcement agency shall notify an agency which provides child welfare services and the appropriate medical examiner or coroner of the report. If such a report is made to an agency which provides child welfare services, the agency which provides child welfare services shall notify the appropriate medical examiner or coroner of the report. The medical examiner or coroner who is notified of a report pursuant to this subsection shall investigate the report and submit his or her written findings to the appropriate agency which provides child welfare services, the appropriate district attorney and a law enforcement agency. The written findings must include, if obtainable, the information required pursuant to the provisions of subsection 2 of NRS 432B.230.

7. The agency, board, bureau, commission, department, division or political subdivision of the State responsible for the licensure, certification or endorsement of a person who is described in subsection 4 and who is required in his or her professional or occupational capacity to be licensed, certified or endorsed in this



1 State shall, at the time of initial licensure, certification or
2 endorsement:

3 (a) Inform the person, in writing or by electronic
4 communication, of his or her duty as a mandatory reporter pursuant
5 to this section;

6 (b) Obtain a written acknowledgment or electronic record from
7 the person that he or she has been informed of his or her duty
8 pursuant to this section; and

9 (c) Maintain a copy of the written acknowledgment or electronic
10 record for as long as the person is licensed, certified or endorsed in
11 this State.

12 8. The employer of a person who is described in subsection 4
13 and who is not required in his or her professional or occupational
14 capacity to be licensed, certified or endorsed in this State must, upon
15 initial employment of the person:

16 (a) Inform the person, in writing or by electronic
17 communication, of his or her duty as a mandatory reporter pursuant
18 to this section;

19 (b) Obtain a written acknowledgment or electronic record from
20 the person that he or she has been informed of his or her duty
21 pursuant to this section; and

22 (c) Maintain a copy of the written acknowledgment or electronic
23 record for as long as the person is employed by the employer.

24 9. Before a person may serve as a volunteer at a public school
25 or private school, the school must:

26 (a) Inform the person, in writing or by electronic
27 communication, of his or her duty as a mandatory reporter pursuant
28 to this section and NRS 392.303;

29 (b) Obtain a written acknowledgment or electronic record from
30 the person that he or she has been informed of his or her duty
31 pursuant to this section and NRS 392.303; and

32 (c) Maintain a copy of the written acknowledgment or electronic
33 record for as long as the person serves as a volunteer at the school.

34 10. As used in this section:

35 (a) "Private school" has the meaning ascribed to it in
36 NRS 394.103.

37 (b) "Public school" has the meaning ascribed to it in
38 NRS 385.007.

39 **Sec. 80.** Section 36 of chapter 506, Statutes of Nevada 2017,
40 at page 3410, is hereby amended to read as follows:

41 Sec. 36. 1. This section and sections 1, 3 to 17,
42 inclusive, 19, 20, 22, 23, 24, 25 to 29, inclusive, 35 and 35.5
43 of this act become effective on July 1, 2017.

44 2. Sections 34.7, 34.8 and 34.9 of this act become
45 effective on July 1, 2017, if, and only if, Senate Bill No. 132



of this session is enacted by the Legislature and becomes effective.

3. ~~{Sections 12.7 and 15.5 of this act expire by limitation on June 30, 2019.~~

~~—4.}~~ Sections 2, 18, 21, 24.5 and 30 to 34.6, inclusive, of this act become effective on January 1, 2020.

Sec. 81. 1. This section and section 80 of this act become effective on passage and approval.

2. Sections 1 to 22, inclusive, 25 to 47, inclusive, 49 to 52, inclusive, 54, 56 to 61, inclusive, 66, 67, 68 and 70 to 79, inclusive, of this act become effective:

(a) Upon passage and approval, for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of those sections; and

(b) On July 1, 2019, for all other purposes.

3. Sections 23, 24 and 62 to 65, inclusive, of this act become effective:

(a) Upon passage and approval, for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of those sections; and

(b) On January 1, 2020, for all other purposes.

4. Section 69 of this act becomes effective on January 1, 2020.

5. Sections 48, 53 and 55 of this act become effective on January 1, 2026.

