

ASSEMBLY BILL NO. 395—ASSEMBLYMEN GARDNER,
FIORE, JONES; SILBERKRAUS AND WOODBURY

MARCH 17, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to the State Public Charter School Authority. (BDR 34-902)

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 the State Public Charter School Authority; revising provisions governing the personnel of the Authority; revising provisions regarding the adoption of administrative regulations governing charter schools sponsored by the Authority; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, officers and employees of the Executive Department of the
2 State Government are in either the classified or unclassified service, unless
3 otherwise provided by specific statute. (NRS 284.013, 284.140, 284.150) Under
4 existing law, the State Public Charter School Authority appoints a Director, who is
5 in the unclassified service and who serves a term of 3 years. (NRS 386.511)
6 **Section 4** of this bill removes the term of 3 years for the Director and instead
7 provides that the Director serves at the pleasure of the Authority. Existing law also
8 authorizes the Authority to employ such staff as is necessary to carry out its powers
9 and duties, who are in the classified service. (NRS 386.5125) **Section 5** of this bill
10 removes the employees of the Authority from the classified service and places them
11 in the unclassified service, and further provides those employees serve at the
12 pleasure of the Director. In addition, **section 5** transfers the authority to employ
13 staff from the seven-member Authority to the Director of the Authority.

14 Under existing law, the State Public Charter School Authority is required to
15 sponsor the charter schools in Nevada whose applications it has approved. In
16 addition, if approved by the Department of Education, the board of trustees of a
17 school district and a college or university within the Nevada System of Higher
18 Education are authorized to sponsor charter schools in Nevada. (NRS 386.490-
19 386.649) The Department of Education is authorized under existing law to adopt
20 administrative regulations governing charter schools and is specifically required to
21 adopt regulations governing: (1) the process for submission to a sponsor of an
22 application to form a charter school, renew a charter contract or request an



23 amendment of a written charter or charter contract, and the contents of the
24 application; and (2) the criteria and type of investigation that must be applied by a
25 sponsor in determining whether to approve such an application. (NRS 386.540)

26 **Section 10** of this bill transfers from the Department to the State Public Charter
27 School Authority the duty to adopt regulations governing the process for
28 submission and approval, and the contents of, applications to form, renew a charter
29 contract or request an amendment of a written charter or charter contract for a
30 charter school sponsored by the Authority. With certain exceptions, **section 10** also
31 authorizes the Authority to adopt such regulations as necessary to carry out its
32 powers and duties concerning the charter schools that it sponsors. However, under
33 **section 16** of this bill, the current regulations of the Department governing all
34 charter schools remain in effect and will be enforced by the Authority with respect
35 to charter schools sponsored by the Authority until the Authority amends those
36 regulations. The Authority will continue to be subject to the regulations adopted by
37 the Department on other matters such as reporting requirements by sponsors of
38 charter schools, including the reporting of information for inclusion in the annual
39 report of accountability. (NRS 385.347) Charter schools sponsored by the
40 Authority will also continue to be subject to any regulations adopted by the
41 Department governing procedures for accounting and budgeting and performance
42 and financial audits. (NRS 386.540)

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** NRS 386.511 is hereby amended to read as follows:

5 386.511 1. The State Public Charter School Authority shall
6 appoint a Director of the State Public Charter School Authority .
7 ~~for a term of 3 years.~~ The State Public Charter School Authority
8 shall ensure that the Director has a demonstrated understanding of
9 charter schools and a commitment to using charter schools as a way
10 to strengthen public education in this State.

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

14 ~~—3.~~ The Director is in the unclassified service of the State *and*
15 *serves at the pleasure of the State Public Charter School*
16 *Authority.*

17 **Sec. 5.** NRS 386.5125 is hereby amended to read as follows:

18 386.5125 The ~~State Public Charter School Authority~~ *Director*
19 may employ such persons as ~~it~~ *the Director* deems necessary to
20 carry out the ~~provisions~~ *powers and duties* of *the State Public*
21 *Charter School Authority pursuant to* NRS 386.490 to 386.649,
22 inclusive. The staff employed ~~by the State Public Charter School~~
23 ~~Authority must~~ *pursuant to this section:*



1 **1. Must** be qualified to carry out the daily responsibilities of
2 sponsoring charter schools in accordance with the provisions of
3 NRS 386.490 to 386.649, inclusive.

4 **2. Have such duties as may be determined by the Director.**

5 **3. Are in the unclassified service of the State.**

6 **4. Serve at the pleasure of the Director.**

7 **Sec. 6.** NRS 386.515 is hereby amended to read as follows:

8 386.515 1. The board of trustees of a school district may
9 apply to the Department for authorization to sponsor charter schools
10 within the school district in accordance with the regulations adopted
11 by the Department pursuant to NRS 386.540. An application must
12 be approved by the Department before the board of trustees may
13 sponsor a charter school. Not more than 180 days after receiving
14 approval to sponsor charter schools, the board of trustees shall
15 provide public notice of its ability to sponsor charter schools and
16 solicit applications for charter schools.

17 2. The State Public Charter School Authority shall sponsor
18 charter schools whose applications have been approved by the State
19 Public Charter School Authority pursuant to NRS 386.525. Except
20 as otherwise provided by specific statute, if the State Public Charter
21 School Authority sponsors a charter school, the State Public Charter
22 School Authority is responsible for the evaluation, monitoring and
23 oversight of the charter school.

24 3. A college or university within the Nevada System of Higher
25 Education may submit an application to the Department to sponsor
26 charter schools in accordance with the regulations adopted by the
27 Department pursuant to NRS 386.540. An application must be
28 approved by the Department before a college or university within
29 the Nevada System of Higher Education may sponsor charter
30 schools.

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

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

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

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

41 (d) Negotiating and executing charter contracts pursuant to
42 NRS 386.527;

43 (e) Monitoring, in accordance with NRS 386.490 to 386.649,
44 inclusive, and in accordance with the terms and conditions of the



1 applicable charter contract, the performance and compliance of each
2 charter school sponsored by the entity; and

3 (f) Determining whether the charter contract of a charter school
4 that the entity sponsors merits renewal or whether the renewal of the
5 charter contract should be denied or whether the written charter
6 should be revoked or the charter contract terminated, as applicable,
7 in accordance with NRS 386.530, 386.535 or 386.5351, as
8 applicable.

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

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

18 (b) The procedure and criteria for evaluating charter school
19 applications in accordance with NRS 386.525 and for the renewal of
20 charter contracts pursuant to NRS 386.530;

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

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

25 6. Evidence of material or persistent failure *by a board of*
26 *trustees or a college or university* to carry out the powers and duties
27 of a sponsor prescribed by this section constitutes grounds for
28 revocation of the entity's authority to sponsor charter schools.

29 **Sec. 7.** NRS 386.520 is hereby amended to read as follows:

30 386.520 1. A committee to form a charter school must
31 consist of:

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

36 (b) One member who:

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

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

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

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

45 (1) Accounting;



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

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

- 7 (a) Members of the general public;
- 8 (b) Representatives of nonprofit organizations and businesses;

9 or

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

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

16 4. The committee to form a charter school shall ensure that the
17 completed application:

18 (a) Presents the academic, financial and organizational vision
19 and plans for the proposed charter school; and

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

23 5. An application to form a charter school must include all
24 information prescribed by the ~~Department by regulation~~ *applicable*
25 *regulations adopted pursuant to NRS 386.540* and:

26 (a) A written description of how the charter school will carry out
27 the provisions of NRS 386.490 to 386.649, inclusive.

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

31 (1) Improving the academic achievement of pupils;

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

34 (3) Providing an accurate measurement of the educational
35 achievement of pupils;

36 (4) Establishing accountability and transparency of public
37 schools;

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

40 (6) Creating new professional opportunities for teachers.

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

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

44 (e) The proposed system of governance for the charter school,
45 including, without limitation, the number of persons who will



1 govern, the method for nominating and electing the persons who
2 will govern and the term of office for each person.

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

6 (g) The proposed curriculum for the charter school and, if
7 applicable to the grade level of pupils who are enrolled in the
8 charter school, the requirements for the pupils to receive a high
9 school diploma, including, without limitation, whether those pupils
10 will satisfy the requirements of the school district in which the
11 charter school is located for receipt of a high school diploma.

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

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

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

18 (k) A financial plan for the operation of the charter school. The
19 plan must include, without limitation, procedures for the audit of the
20 programs and finances of the charter school and guidelines for
21 determining the financial liability if the charter school is
22 unsuccessful.

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

32 (m) The procedure for the evaluation of teachers of the charter
33 school, if different from the procedure prescribed in NRS 391.3125
34 and 391.3128. If the procedure is different from the procedure
35 prescribed in NRS 391.3125 and 391.3128, the procedure for the
36 evaluation of teachers of the charter school must provide the same
37 level of protection and otherwise comply with the standards for
38 evaluation set forth in NRS 391.3125 and 391.3128.

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

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

44 (p) A statement of whether the charter school will enroll pupils
45 who are in a particular category of at-risk pupils before enrolling



1 other children who are eligible to attend the charter school pursuant
2 to NRS 386.580 and the method for determining eligibility for
3 enrollment in each such category of at-risk pupils served by the
4 charter school.

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

6 (a) Holds a current license to teach issued pursuant to chapter
7 391 of NRS or who previously held such a license and is retired, as
8 long as his or her license was held in good standing; and

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

10 ➔ The term does not include a person who is employed as a
11 substitute teacher.

12 **Sec. 8.** NRS 386.525 is hereby amended to read as follows:

13 386.525 1. A charter school may submit the application to
14 the proposed sponsor of the charter school. If an application
15 proposes to convert an existing public school, homeschool or other
16 program of home study into a charter school, the proposed sponsor
17 shall deny the application.

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

20 (a) Assemble a team of reviewers who possess the appropriate
21 knowledge and expertise with regard to the academic, financial and
22 organizational experience of charter schools to review and evaluate
23 the application;

24 (b) Conduct a thorough evaluation of the application, which
25 includes an in-person interview with the committee to form the
26 charter school;

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

29 (d) Adhere to the policies and practices developed by the
30 proposed sponsor pursuant to subsection 5 of NRS 386.515.

31 3. The proposed sponsor of a charter school may approve an
32 application to form a charter school only if the proposed sponsor
33 determines that:

34 (a) The application ~~f~~
35 ~~—(1) Complies~~ **complies** with NRS 386.490 to 386.649,
36 inclusive, and the **applicable** regulations ~~applicable to charter~~
37 ~~schools;~~ **adopted pursuant thereto;** and

38 ~~;(2) Is complete in accordance with the regulations of the~~
39 ~~Department; and~~

40 (b) The applicant has demonstrated competence in accordance
41 with the criteria for approval prescribed by the sponsor pursuant to
42 subsection 5 of NRS 386.515 that will likely result in a successful
43 opening and operation of the charter school.

44 4. If the board of trustees of a school district or a college or a
45 university within the Nevada System of Higher Education, as



1 applicable, receives an application to form a charter school, the
2 board of trustees or the institution, as applicable, shall consider the
3 application at a meeting that must be held not later than 60 days
4 after the receipt of the application, or a later period mutually agreed
5 upon by the committee to form the charter school and the board of
6 trustees of the school district or the institution, as applicable, and
7 ensure that notice of the meeting has been provided pursuant to
8 chapter 241 of NRS. The board of trustees, the college or the
9 university, as applicable, shall review an application in accordance
10 with the requirements for review set forth in subsections 2 and 3.

11 5. The board of trustees, the college or the university, as
12 applicable, may approve an application if it satisfies the
13 requirements of subsection 3.

14 6. The board of trustees, the college or the university, as
15 applicable, shall provide written notice to the applicant of its
16 approval or denial of the application. If the board of trustees, the
17 college or the university, as applicable, denies an application, it shall
18 include in the written notice the reasons for the denial and the
19 deficiencies in the application. The applicant must be granted 30
20 days after receipt of the written notice to correct any deficiencies
21 identified in the written notice and resubmit the application.

22 7. If the board of trustees, the college or the university, as
23 applicable, denies an application after it has been resubmitted
24 pursuant to subsection 6, the applicant may submit a written request
25 for sponsorship by the State Public Charter School Authority not
26 more than 30 days after receipt of the written notice of denial. Any
27 request that is submitted pursuant to this subsection must be
28 accompanied by the application to form the charter school.

29 8. If the State Public Charter School Authority receives an
30 application pursuant to subsection 1 or 7, it shall consider the
31 application at a meeting which must be held not later than 60 days
32 after receipt of the application or a later period mutually agreed
33 upon by the committee to form the charter school and the State
34 Public Charter School Authority. Notice of the meeting must be
35 posted in accordance with chapter 241 of NRS. The State Public
36 Charter School Authority shall review the application in accordance
37 with the requirements for review set forth in subsections 2 and 3.
38 The State Public Charter School Authority may approve an
39 application only if it satisfies the requirements of subsection 3. Not
40 more than 30 days after the meeting, the State Public Charter School
41 Authority shall provide written notice of its determination to the
42 applicant.

43 9. If the State Public Charter School Authority denies or fails
44 to act upon an application, the denial or failure to act must be based
45 upon a finding that the applicant failed to satisfy the requirements of



1 subsection 3. The State Public Charter School Authority shall
2 include in the written notice the reasons for the denial or the failure
3 to act and the deficiencies in the application. The staff designated by
4 the State Public Charter School Authority shall meet with the
5 applicant to confer on the method to correct the identified
6 deficiencies. The applicant must be granted 30 days after receipt of
7 the written notice to correct any deficiencies identified in the written
8 notice and resubmit the application.

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

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

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

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

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

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

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

28 **Sec. 10.** NRS 386.540 is hereby amended to read as follows:

29 386.540 1. The Department ~~shall~~ :

30 ~~(a)~~ **Shall** adopt regulations that prescribe:

31 ~~(1)~~ **(1)** The process for submission of an application pursuant
32 to NRS 386.515 by the board of trustees of a school district or a
33 college or university within the Nevada System of Higher Education
34 to the Department for authorization to sponsor charter schools, the
35 contents of the application, the process for the Department to review
36 the application and the timeline for review;

37 ~~(2)~~ **(2)** The process for the Department to conduct a
38 comprehensive review of the sponsors of charter schools that it has
39 approved for sponsorship pursuant to NRS 386.515 at least once
40 every 3 years;

41 ~~(3)~~ **(3)** The process for the Department to determine whether
42 to continue or to revoke the authorization of a board of trustees of a
43 school district or a college or university within the Nevada System
44 of Higher Education to sponsor charter schools;



1 ~~[(d)]~~ (4) The process for submission ~~[of an application to form a~~
2 ~~charter school]~~ to the board of trustees of a school district ~~[, the~~
3 ~~State Public Charter School Authority and]~~ or a college or
4 university within the Nevada System of Higher Education ~~[,]~~ *of an*
5 *application to form a charter school, an application to renew a*
6 *charter contract and an application to request an amendment of a*
7 *written charter pursuant to NRS 386.527, and the contents of ~~[(the)]~~*
8 *such an application;*

9 ~~[(e)]~~ ~~The process for submission of an application to renew a~~
10 ~~charter contract;~~

11 ~~—[(f)] and~~

12 (5) The criteria *that must be applied* and type of
13 investigation that must be ~~[applied]~~ *conducted* by the board of
14 trustees ~~[, the State Public Charter School Authority]~~ and a college
15 or university within the Nevada System of Higher Education in
16 determining whether to approve an application to form a charter
17 school, an application to renew a charter contract or ~~[a]~~ *an*
18 *application to* request ~~[for]~~ an amendment of a written charter or a
19 charter contract. ~~[,] and~~

20 ~~—[(g)]~~ ~~The process for submission of an amendment of a written~~
21 ~~charter or a charter contract pursuant to NRS 386.527 and the~~
22 ~~contents of the application.~~

23 ~~—2.~~ ~~The Department may]~~

24 (b) *May adopt such regulations governing a charter school*
25 *sponsored by the board of trustees of a school district or a college*
26 *or university within the Nevada System of Higher Education* as it
27 determines are necessary to carry out the provisions of NRS 386.490
28 to 386.649, inclusive. ~~[,] including, without limitation,]~~

29 (c) *May adopt* regulations that prescribe *for a charter school*
30 *sponsored by the board of trustees of a school district, the State*
31 *Public Charter School Authority or a college or university within*
32 *the Nevada System of Higher Education* the:

33 ~~[(a)]~~ (1) Procedures for accounting and budgeting;

34 ~~[(b)]~~ (2) Requirements for performance audits and financial
35 audits of charter schools on an annual basis for charter schools that
36 do not satisfy the requirements of subsection 1 of NRS 386.5515;
37 and

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

41 2. *The State Public Charter School Authority:*

42 (a) *Shall adopt regulations that prescribe:*

43 (1) *The process for submission to the State Public Charter*
44 *School Authority of an application to form a charter school, an*
45 *application to renew a charter contract and an application to*



1 *request an amendment of a written charter and the contents of*
2 *such an application; and*

3 *(2) The criteria that must be applied and type of*
4 *investigation that must be conducted by the State Public Charter*
5 *School Authority in determining whether to approve an*
6 *application to form a charter school, an application to renew a*
7 *charter contract or an application to request an amendment of a*
8 *written contract or a charter contract.*

9 *(b) Except as otherwise provided in subsection 1, may adopt*
10 *such regulations as it determines are necessary to carry out the*
11 *provisions of NRS 386.490 to 386.649, inclusive, concerning a*
12 *charter school sponsored by the State Public Charter School*
13 *Authority.*

14 **Sec. 11.** NRS 386.540 is hereby amended to read as follows:

15 386.540 1. The Department ~~shall~~ :

16 *(a) Shall* adopt regulations that prescribe:

17 ~~(a)~~ *(1) The process for submission of an application pursuant*
18 *to NRS 386.515 by the board of trustees of a school district or a*
19 *college or university within the Nevada System of Higher Education*
20 *to the Department for authorization to sponsor charter schools, the*
21 *contents of the application, the process for the Department to review*
22 *the application and the timeline for review;*

23 ~~(b)~~ *(2) The process for the Department to conduct a*
24 *comprehensive review of the sponsors of charter schools that it has*
25 *approved for sponsorship pursuant to NRS 386.515 at least once*
26 *every 3 years;*

27 ~~(c)~~ *(3) The process for the Department to determine whether*
28 *to continue or to revoke the authorization of a board of trustees of a*
29 *school district or a college or university within the Nevada System*
30 *of Higher Education to sponsor charter schools;*

31 ~~(d)~~ *(4) The process for submission ~~of an application to form a~~*
32 *~~charter school~~ to the board of trustees of a school district ~~the~~*
33 *~~State Public Charter School Authority and~~ or a college or*
34 *university within the Nevada System of Higher Education ~~of~~*
35 *~~an application to form a charter school, an application to renew a~~*
36 *~~charter contract and an application to request an amendment of a~~*
37 *~~charter contract pursuant to NRS 386.527, and the contents of~~*
38 *~~the~~ such an application;*

39 ~~(e) The process for submission of an application to renew a~~
40 *~~charter contract;~~*

41 ~~(f) and~~

42 *(5) The criteria that must be applied and type of*
43 *investigation that must be ~~applied~~ conducted by the board of*
44 *trustees ~~the State Public Charter School Authority~~ and a college*
45 *or university within the Nevada System of Higher Education in*



1 determining whether to approve an application to form a charter
2 school, an application to renew a charter contract or ~~{a} an~~
3 *application to* request ~~{for}~~ an amendment of a charter contract . ~~{~~
4 *and*

5 ~~—(g) The process for submission of an amendment of a charter~~
6 ~~contract pursuant to NRS 386.527 and the contents of the~~
7 ~~application.~~

8 ~~—2. The Department may}~~

9 *(b) May adopt such regulations governing a charter school*
10 *sponsored by the board of trustees of a school district or a college*
11 *or university within the Nevada System of Higher Education* as it
12 determines are necessary to carry out the provisions of NRS 386.490
13 to 386.649, inclusive . ~~{including, without limitation, }~~

14 *(c) May adopt regulations that prescribe for a charter school*
15 *sponsored by the board of trustees of a school district, the State*
16 *Public Charter School Authority or a college or university within*
17 *the Nevada System of Higher Education* the:

18 ~~{(a)}~~ (1) Procedures for accounting and budgeting;

19 ~~{(b)}~~ (2) Requirements for performance audits and financial
20 audits of charter schools on an annual basis for charter schools that
21 do not satisfy the requirements of subsection 1 of NRS 386.5515;
22 and

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

26 *2. The State Public Charter School Authority:*

27 *(a) Shall adopt regulations that prescribe:*

28 *(1) The process for submission to the State Public Charter*
29 *School Authority of an application to form a charter school, an*
30 *application to renew a charter contract and an application to*
31 *request an amendment of a charter contract, and the contents of*
32 *such an application; and*

33 *(2) The criteria that must be applied and type of*
34 *investigation that must be conducted by the State Public Charter*
35 *School Authority in determining whether to approve an*
36 *application to form a charter school, an application to renew a*
37 *charter contract or an application to request an amendment of a*
38 *charter contract.*

39 *(b) Except as otherwise provided in subsection 1, may adopt*
40 *such regulations as it determines are necessary to carry out the*
41 *provisions of NRS 386.490 to 386.649, inclusive, concerning a*
42 *charter school sponsored by the State Public Charter School*
43 *Authority.*



1 **Sec. 12.** (Deleted by amendment.)

2 **Sec. 13.** (Deleted by amendment.)

3 **Sec. 14.** (Deleted by amendment.)

4 **Sec. 15.** A person who is employed by the State Public Charter
5 School Authority on June 30, 2015, with permanent status in the
6 classified service may request the Division of Human Resource
7 Management of the Department of Administration to place his or
8 her name on an appropriate reemployment list maintained by the
9 Division. Upon receipt of such a request, the Division shall maintain
10 such an employee on the reemployment list until June 30, 2016, or
11 until the person is reemployed by the Executive Department of the
12 State Government in the classified service in the class or a
13 comparable class with the same grade as the position that the person
14 held with the State Public Charter School Authority before the
15 position was moved from the classified service, whichever occurs
16 earlier. An employee's eligibility to remain on the reemployment
17 list during the period specified in this subsection is not affected by
18 any separation from service of the employee with the State Public
19 Charter School Authority during that period.

20 **Sec. 16.** 1. Any administrative regulations adopted by the
21 Department of Education pursuant to NRS 386.540 before July 1,
22 2015, remain in force with respect to a charter school proposed to be
23 sponsored or sponsored by the State Public Charter School
24 Authority before, on or after July 1, 2015, until amended by the
25 State Public Charter School Authority.

26 2. Any contracts or other agreements entered into by an officer,
27 agency or other entity whose name has been changed or whose
28 responsibilities have been transferred pursuant to the provisions of
29 this act to another officer, agency or other entity are binding upon
30 the officer, agency or other entity to which the responsibility for the
31 administration of the provisions of the contract or other agreement
32 has been transferred. Such contracts and other agreements may be
33 enforced by the officer, agency or other entity to which the
34 responsibility for the enforcement of the provisions of the contract
35 or other agreement has been transferred.

36 3. Any action taken by an officer, agency or other entity whose
37 name has been changed or whose responsibilities have been
38 transferred pursuant to the provisions of this act to another officer,
39 agency or other entity remains in effect as if taken by the officer,
40 agency or other entity to which the responsibility for the
41 enforcement of such actions has been transferred.

42 **Sec. 17.** 1. This section and sections 1 to 10, inclusive, and
43 sections 12 to 16, inclusive, of this act become effective:

44 (a) Upon passage and approval for the purposes of the State
45 Public Charter School Authority adopting regulations; and



- 1 (b) On July 1, 2015, for all other purposes.
- 2 2. Section 11 of this act becomes effective on January 1, 2020.

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