

ASSEMBLY BILL NO. 299—ASSEMBLYMAN EDWARDS

MARCH 13, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to education. (BDR 34-582)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; providing for the formation and operation of military charter schools; requiring the State Public Charter School Authority to solicit applications for charter schools for certain purposes; requiring the Department of Education to take actions to encourage the establishment of Junior Reserve Officers’ Training Corps units throughout the State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides for the operation of charter schools, which are public  
2 schools that operate independently of local school districts. (NRS 386.490-386.649)  
3 **Sections 3-5** of this bill provide for the formation and operation of military charter  
4 schools, which would provide education in a military environment, with the goal of  
5 preparing pupils for service in the Armed Forces of the United States. Under  
6 **section 4**: (1) from the time a military charter school begins operating, it must have  
7 an enrollment capacity of at least 500 pupils, with an ability to increase enrollment  
8 capacity to 1,500 pupils; (2) subject to the licensing requirements for teachers at all  
9 public schools, at least 75 percent of the faculty at the school must have military  
10 experience; and (3) the instruction and curriculum must emphasize science,  
11 technology, engineering and mathematics.  
12 Under existing law, a committee to form a charter school may submit an  
13 application to form the charter school to the proposed sponsor, who may be the  
14 board of trustees of a school district, a college or university within the Nevada  
15 System of Higher Education or the State Public Charter School Authority. (NRS  
16 386.515, 386.525) Under **sections 7 and 8** of this bill, an application to form a  
17 military charter school must be submitted to the State Public Charter School  
18 Authority as the proposed sponsor and must demonstrate that the school will be  
19 operated according to the requirements for military charter schools. Under **section**



20 9 of this bill, the charter contract for a military charter school must require the  
21 school to be operated in such a manner.

22 **Section 13** of this bill requires the State Public Charter School Authority to  
23 solicit applications to form a military charter school with the goal of two such  
24 schools being formed as soon as practicable after July 1, 2015.

25 **Section 13** also requires the State Public Charter School Authority to solicit  
26 applications to form a charter school with the goal of doubling, by the 2016-2017  
27 school year, the number of charter schools sponsored by the Authority on July 1,  
28 2015.

29 **Section 14** of this bill requires the Department of Education to take certain  
30 actions to encourage the Armed Forces of the United States to add at least six  
31 Junior Reserve Officers' Training Corps units throughout the State.

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

1 **Section 1.** NRS 385.007 is hereby amended to read as follows:  
2 385.007 As used in this title, unless the context otherwise  
3 requires:

4 1. "Charter school" means a public school that is formed  
5 pursuant to the provisions of NRS 386.490 to 386.649, inclusive **H**,  
6 *and sections 3, 4 and 5 of this act.*

7 2. "Department" means the Department of Education.

8 3. "Homeschooled child" means a child who receives  
9 instruction at home and who is exempt from compulsory attendance  
10 pursuant to NRS 392.070.

11 4. "Limited English proficient" has the meaning ascribed to it  
12 in 20 U.S.C. § 7801(25).

13 5. "Public schools" means all kindergartens and elementary  
14 schools, junior high schools and middle schools, high schools,  
15 charter schools and any other schools, classes and educational  
16 programs which receive their support through public taxation and,  
17 except for charter schools, whose textbooks and courses of study are  
18 under the control of the State Board.

19 6. "State Board" means the State Board of Education.

20 7. "University school for profoundly gifted pupils" has the  
21 meaning ascribed to it in NRS 392A.040.

22 **Sec. 2.** Chapter 386 of NRS is hereby amended by adding  
23 thereto the provisions set forth as sections 3, 4 and 5 of this act.

24 **Sec. 3.** *"Military charter school" means a charter school that*  
25 *provides education in a military environment with the goal of*  
26 *preparing pupils for service in the Armed Forces of the United*  
27 *States, a reserve component thereof or the National Guard.*

28 **Sec. 4.** 1. *A military charter school must, from the time it*  
29 *commences operation, have an enrollment capacity of at least 500*  
30 *pupils and must, to the satisfaction of the State Public Charter*



1 *School Authority, be able to increase its enrollment capacity to*  
2 *1,500 pupils.*

3 *2. In addition to the requirements of NRS 386.590, at least 75*  
4 *percent of the teachers who provide instruction at a military*  
5 *charter school must be veterans or members of the Armed Forces*  
6 *of the United States, a reserve component thereof or the National*  
7 *Guard.*

8 *3. Subject to the provisions of NRS 389.018, the instruction*  
9 *and curriculum at a military charter school must emphasize*  
10 *courses in science, technology, engineering and mathematics.*

11 *4. To the extent that a military charter school requires*  
12 *funding assistance for acquiring military textbooks, uniforms and*  
13 *ceremonial military equipment, the State Public Charter School*  
14 *Authority shall assist the military charter school in seeking and*  
15 *obtaining additional funding, including, without limitation,*  
16 *through loans made pursuant to NRS 386.576, 386.577 and*  
17 *386.578, grants and donations.*

18 **Sec. 5.** *A charter school may not be advertised, promoted or*  
19 *otherwise held out to be a military charter school unless:*

20 *1. The charter contract executed pursuant to NRS 386.527*  
21 *for the charter school includes requirements that the charter*  
22 *school be operated according to the provisions of section 4 of this*  
23 *act; and*

24 *2. The charter school is operated pursuant to the provisions*  
25 *of section 4 of this act.*

26 **Sec. 6.** NRS 386.490 is hereby amended to read as follows:

27 386.490 As used in NRS 386.490 to 386.649, inclusive, *and*  
28 *sections 3, 4 and 5 of this act*, the words and terms defined in NRS  
29 386.492 to 386.503, inclusive, *and section 3 of this act* have the  
30 meanings ascribed to them in those sections.

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

32 386.520 1. A committee to form a charter school must  
33 consist of:

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

38 (b) One member who:

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

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

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



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

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

7 2. In addition to the members who serve pursuant to subsection  
8 1, the committee to form a charter school may include, without  
9 limitation, not more than four additional members as follows:

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

12 ~~+~~  
13 (c) Representatives of a college or university within the Nevada  
14 System of Higher Education ~~+~~; *or*

15 *(d) If the charter school will be a military charter school,*  
16 *veterans or members of the Armed Forces of the United States, a*  
17 *reserve component thereof or the National Guard.*

18 3. A majority of the persons who serve on the committee to  
19 form a charter school must be residents of this State at the time that  
20 the application to form the charter school is submitted to the  
21 Department.

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

- 24 (a) Presents the academic, financial and organizational vision  
25 and plans for the proposed charter school; and
- 26 (b) Provides the proposed sponsor of the charter school with a  
27 clear basis for assessing the capacity of the applicant to carry out the  
28 vision and plans.

29 5. An application to form a charter school must include all  
30 information prescribed by the Department by regulation and:

31 (a) A written description of how the charter school will carry out  
32 the provisions of NRS 386.490 to 386.649, inclusive ~~+~~, *and*  
33 *sections 3, 4 and 5 of this act.*

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

- 37 (1) Improving the academic achievement of pupils;
- 38 (2) Encouraging the use of effective and innovative methods  
39 of teaching;
- 40 (3) Providing an accurate measurement of the educational  
41 achievement of pupils;
- 42 (4) Establishing accountability and transparency of public  
43 schools;
- 44 (5) Providing a method for public schools to measure  
45 achievement based upon the performance of the schools; ~~+~~



1 (6) Creating new professional opportunities for teachers **H** ;  
2 *or*

3 *(7) In the case of a military charter school, the preparation*  
4 *of pupils for service in the Armed Forces of the United States, a*  
5 *reserve component thereof or the National Guard.*

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

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

9 (e) The proposed system of governance for the charter school,  
10 including, without limitation, the number of persons who will  
11 govern, the method for nominating and electing the persons who  
12 will govern and the term of office for each person.

13 (f) The method by which disputes will be resolved between the  
14 governing body of the charter school and the sponsor of the charter  
15 school.

16 (g) The proposed curriculum for the charter school and, if  
17 applicable to the grade level of pupils who are enrolled in the  
18 charter school, the requirements for the pupils to receive a high  
19 school diploma, including, without limitation, whether those pupils  
20 will satisfy the requirements of the school district in which the  
21 charter school is located for receipt of a high school diploma.

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

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

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

28 (k) A financial plan for the operation of the charter school. The  
29 plan must include, without limitation, procedures for the audit of the  
30 programs and finances of the charter school and guidelines for  
31 determining the financial liability if the charter school is  
32 unsuccessful.

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

42 (m) The procedure for the evaluation of teachers of the charter  
43 school, if different from the procedure prescribed in NRS 391.3125  
44 and 391.3128. If the procedure is different from the procedure  
45 prescribed in NRS 391.3125 and 391.3128, the procedure for the



1 evaluation of teachers of the charter school must provide the same  
2 level of protection and otherwise comply with the standards for  
3 evaluation set forth in NRS 391.3125 and 391.3128.

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

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

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

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

16 (a) Holds a current license to teach issued pursuant to chapter  
17 391 of NRS or who previously held such a license and is retired, as  
18 long as his or her license was held in good standing; and

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

20 ➔ The term does not include a person who is employed as a  
21 substitute teacher.

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

23 386.525 1. A charter school may submit the application to  
24 the proposed sponsor of the charter school. If an application  
25 proposes to convert an existing public school, homeschool or other  
26 program of home study into a charter school, the proposed sponsor  
27 shall deny the application.

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

30 (a) Assemble a team of reviewers who possess the appropriate  
31 knowledge and expertise with regard to the academic, financial and  
32 organizational experience of charter schools to review and evaluate  
33 the application;

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

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

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

41 3. The proposed sponsor of a charter school may approve an  
42 application to form a charter school only if the proposed sponsor  
43 determines that:

44 (a) The application:



1 (1) Complies with NRS 386.490 to 386.649, inclusive, *and*  
2 *sections 3, 4 and 5 of this act* and the regulations applicable to  
3 charter schools; and

4 (2) Is complete in accordance with the regulations of the  
5 Department; and

6 (b) The applicant has demonstrated competence in accordance  
7 with the criteria for approval prescribed by the sponsor pursuant to  
8 subsection 5 of NRS 386.515 that will likely result in a successful  
9 opening and operation of the charter school **H**; *and*

10 *(c) In the case of an application to form a military charter*  
11 *school, the applicant has demonstrated that the military charter*  
12 *school will be operated according to the provisions of sections 4*  
13 *and 5 of this act.*

14 4. If the board of trustees of a school district or a college or a  
15 university within the Nevada System of Higher Education, as  
16 applicable, receives an application to form a charter school, the  
17 board of trustees or the institution, as applicable, shall consider the  
18 application at a meeting that must be held not later than 60 days  
19 after the receipt of the application, or a later period mutually agreed  
20 upon by the committee to form the charter school and the board of  
21 trustees of the school district or the institution, as applicable, and  
22 ensure that notice of the meeting has been provided pursuant to  
23 chapter 241 of NRS. The board of trustees, the college or the  
24 university, as applicable, shall review an application in accordance  
25 with the requirements for review set forth in subsections 2 and 3.

26 5. The board of trustees, the college or the university, as  
27 applicable, may approve an application if it satisfies the  
28 requirements of subsection 3.

29 6. The board of trustees, the college or the university, as  
30 applicable, shall provide written notice to the applicant of its  
31 approval or denial of the application. If the board of trustees, the  
32 college or the university, as applicable, denies an application, it shall  
33 include in the written notice the reasons for the denial and the  
34 deficiencies in the application. The applicant must be granted 30  
35 days after receipt of the written notice to correct any deficiencies  
36 identified in the written notice and resubmit the application.

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

44 8. If the State Public Charter School Authority receives an  
45 application pursuant to subsection 1 or 7, it shall consider the



1 application at a meeting which must be held not later than 60 days  
2 after receipt of the application or a later period mutually agreed  
3 upon by the committee to form the charter school and the State  
4 Public Charter School Authority. Notice of the meeting must be  
5 posted in accordance with chapter 241 of NRS. The State Public  
6 Charter School Authority shall review the application in accordance  
7 with the requirements for review set forth in subsections 2 and 3.  
8 The State Public Charter School Authority may approve an  
9 application only if it satisfies the requirements of subsection 3. Not  
10 more than 30 days after the meeting, the State Public Charter School  
11 Authority shall provide written notice of its determination to the  
12 applicant.

13 9. If the State Public Charter School Authority denies or fails  
14 to act upon an application, the denial or failure to act must be based  
15 upon a finding that the applicant failed to satisfy the requirements of  
16 subsection 3. The State Public Charter School Authority shall  
17 include in the written notice the reasons for the denial or the failure  
18 to act and the deficiencies in the application. The staff designated by  
19 the State Public Charter School Authority shall meet with the  
20 applicant to confer on the method to correct the identified  
21 deficiencies. The applicant must be granted 30 days after receipt of  
22 the written notice to correct any deficiencies identified in the written  
23 notice and resubmit the application.

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

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

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

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

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

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

42 **Sec. 9.** NRS 386.527 is hereby amended to read as follows:

43 386.527 1. If the proposed sponsor of a charter school  
44 approves an application to form a charter school, it shall, before  
45 June 11, 2013, grant a written charter to the governing body of the





1 charter school or, on or after June 11, 2013, negotiate and execute a  
2 charter contract with the governing body of the charter school.  
3 A charter contract must be executed not later than 60 days before  
4 the charter school commences operation. The charter contract must  
5 be in writing and incorporate, without limitation:

6 (a) The performance framework for the charter school;

7 (b) A description of the administrative relationship between the  
8 sponsor of the charter school and the governing body of the charter  
9 school, including, without limitation, the rights and duties of the  
10 sponsor and the governing body; ~~and~~

11 (c) Any pre-opening conditions which the sponsor has  
12 determined are necessary for the charter school to satisfy before the  
13 commencement of operation to ensure that the charter school meets  
14 all building, health, safety, insurance and other legal requirements  
15 ~~+~~; and

16 (d) *In the case of a military charter school, requirements that*  
17 *the military charter school be operated according to the provisions*  
18 *of sections 4 and 5 of this act.*

19 2. The charter contract must be signed by a member of the  
20 governing body of the charter school and:

21 (a) If the board of trustees of a school district is the sponsor of  
22 the charter school, the superintendent of schools of the school  
23 district;

24 (b) If the State Public Charter School Authority is the sponsor of  
25 the charter school, the Chair of the State Public Charter School  
26 Authority; or

27 (c) If a college or university within the Nevada System of  
28 Higher Education is the sponsor of the charter school, the president  
29 of the college or university.

30 3. Before the charter contract is executed, the sponsor of the  
31 charter school must approve the charter contract at a meeting of the  
32 sponsor held in accordance with chapter 241 of NRS.

33 4. The sponsor of the charter school shall, not later than 10  
34 days after the execution of the charter contract, provide to the  
35 Department:

36 (a) Written notice of the charter contract and the date of  
37 execution; and

38 (b) A copy of the charter contract and any other documentation  
39 relevant to the charter contract.

40 5. If the board of trustees approves the application, the board of  
41 trustees shall be deemed the sponsor of the charter school.

42 6. If the State Public Charter School Authority approves the  
43 application:

44 (a) The State Public Charter School Authority shall be deemed  
45 the sponsor of the charter school.



1 (b) Neither the State of Nevada, the State Board, the State  
2 Public Charter School Authority nor the Department is an employer  
3 of the members of the governing body of the charter school or any  
4 of the employees of the charter school.

5 7. If a college or university within the Nevada System of  
6 Higher Education approves the application:

7 (a) That institution shall be deemed the sponsor of the charter  
8 school.

9 (b) Neither the State of Nevada, the State Board nor the  
10 Department is an employer of the members of the governing body of  
11 the charter school or any of the employees of the charter school.

12 8. The governing body of a charter school may request, at any  
13 time, a change in the sponsorship of the charter school to an entity  
14 that is authorized to sponsor charter schools pursuant to NRS  
15 386.515. The State Board shall adopt:

16 (a) A process for a charter school that requests a change in the  
17 sponsorship of the charter school, which must not require the charter  
18 school to undergo all the requirements of an initial application to  
19 form a charter school; and

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

22 9. A written charter or a charter contract, as applicable, must be  
23 for a term of 6 years. The term of the charter contract begins on the  
24 first day of operation of the charter school after the charter contract  
25 has been executed. The sponsor of the charter school may require, or  
26 the governing body of the charter school may request that the  
27 sponsor authorize, the charter school to delay commencement of  
28 operation for 1 school year.

29 10. The governing body of a charter school may submit to the  
30 sponsor of the charter school a written request for an amendment of  
31 the written charter or charter contract, as applicable. Such an  
32 amendment may include, without limitation, the expansion of  
33 instruction and other educational services to pupils who are enrolled  
34 in grade levels other than the grade levels of pupils currently  
35 approved for enrollment in the charter school. If the proposed  
36 amendment complies with the provisions of NRS 386.490 to  
37 386.649, inclusive, *and sections 3, 4 and 5 of this act*, and any other  
38 statute or regulation applicable to charter schools, the sponsor and  
39 the governing body of the charter school may amend the written  
40 charter or charter contract, as applicable, in accordance with the  
41 proposed amendment. If the sponsor denies the request for an  
42 amendment, the sponsor shall provide written notice to the  
43 governing body of the charter school setting forth the reasons for the  
44 denial.



1 11. A charter school shall not commence operation and is not  
2 eligible to receive apportionments pursuant to NRS 387.124 until  
3 the sponsor has determined that the requirements of this section  
4 have been satisfied and that the facility the charter school will  
5 occupy has been inspected and meets the requirements of any  
6 applicable building codes, codes for the prevention of fire, and  
7 codes pertaining to safety, health and sanitation. Except as otherwise  
8 provided in this subsection, the sponsor shall make such a  
9 determination 30 days before the first day of school for the:

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

13 (b) Charter school,

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

19 **Sec. 10.** NRS 386.535 is hereby amended to read as follows:

20 386.535 Except as otherwise provided in NRS 386.5351:

21 1. The sponsor of a charter school may revoke a written charter  
22 or terminate a charter contract before the expiration of the charter if  
23 the sponsor determines that:

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

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

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

29 (3) Failed to comply with the provisions of NRS 386.490 to  
30 386.649, inclusive, *and sections 3, 4 and 5 of this act* or any other  
31 statute or regulation applicable to charter schools; or

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

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

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



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

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

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

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

16 (d) Prescribe the date on which the sponsor will hold a public  
17 hearing to consider whether to revoke the written charter or  
18 terminate the charter contract.

19 3. Except as otherwise provided in subsection 4, not more than  
20 90 days after the notice is provided pursuant to subsection 2, the  
21 sponsor shall hold a public hearing to make a determination  
22 regarding whether to revoke the written charter or terminate the  
23 charter contract. If the charter school corrects the deficiencies to the  
24 satisfaction of the sponsor within the time prescribed in paragraph  
25 (b) of subsection 2, the sponsor shall not revoke the written charter  
26 or terminate the charter contract of the charter school. The sponsor  
27 may not include in a written notice pursuant to subsection 2 any  
28 deficiency which was included in a previous written notice and  
29 which was corrected by the charter school, unless the deficiency  
30 recurred after being corrected.

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

34 5. If the written charter is revoked or the charter contract is  
35 terminated, the sponsor of the charter school shall submit a written  
36 report to the Department and the governing body of the charter  
37 school setting forth the reasons for the termination not later than 10  
38 days after revoking the written charter or terminating the charter  
39 contract.

40 **Sec. 11.** NRS 386.550 is hereby amended to read as follows:

41 386.550 1. A charter school shall:

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



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

4 (c) Refrain from charging tuition or fees, levying taxes or  
5 issuing bonds.

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

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

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

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

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

23 (g) Cooperate with the board of trustees of the school district in  
24 the administration of the examinations administered pursuant to  
25 NRS 389.550 and, if the charter school enrolls pupils at a high  
26 school grade level, the end-of-course examinations administered  
27 pursuant to NRS 389.805 and the college and career readiness  
28 assessment administered pursuant to NRS 389.807 to the pupils who  
29 are enrolled in the charter school.

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

32 (i) Provide instruction in the core academic subjects set forth in  
33 subsection 1 of NRS 389.018, as applicable for the grade levels of  
34 pupils who are enrolled in the charter school, and provide at least  
35 the courses of study that are required of pupils by statute or  
36 regulation for promotion to the next grade or graduation from a  
37 public high school and require the pupils who are enrolled in the  
38 charter school to take those courses of study. This paragraph does  
39 not preclude ~~that~~:

40 (1) A charter school from offering, or requiring the pupils  
41 who are enrolled in the charter school to take, other courses of study  
42 that are required by statute or regulation ~~that~~; or

43 (2) A military charter school from emphasizing instruction  
44 and curriculum in courses of study in science, technology,  
45 engineering and mathematics.



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

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

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

14 (m) Provide written notice to the parents or legal guardians of  
15 pupils in grades 9 to 12, inclusive, who are enrolled in the charter  
16 school of whether the charter school is accredited by the  
17 Commission on Schools of the Northwest Association of Schools  
18 and of Colleges and Universities.

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

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

27 2. A charter school shall not provide instruction through a  
28 program of distance education to children who are exempt from  
29 compulsory attendance authorized by the State Board pursuant to  
30 subsection 1 of NRS 392.070. As used in this subsection, "distance  
31 education" has the meaning ascribed to it in NRS 388.826.

32 **Sec. 12.** NRS 386.551 is hereby amended to read as follows:

33 386.551 The provisions of NRS 386.490 to 386.649, inclusive,  
34 *and sections 3, 4 and 5 of this act* and any other statute or  
35 regulation applicable to a charter school or its officers or employees  
36 govern the formation and operation of charter schools in this State.

37 **Sec. 13.** 1. Subject to the provisions of chapter 386 of NRS:

38 (a) The State Public Charter School Authority shall solicit  
39 applications to form a charter school with the goal of doubling, by  
40 the beginning of the 2016-2017 school year, the number of charter  
41 schools that the State Public Charter School Authority sponsors  
42 pursuant to NRS 386.490 to 386.649, inclusive, and sections 3, 4  
43 and 5 of this act on July 1, 2015.

44 (b) The State Public Charter School Authority shall solicit  
45 applications to form a military charter school with the goal of



1 authorizing the formation of at least two military charter schools  
2 pursuant to NRS 386.490 to 386.649, inclusive, and sections 3, 4  
3 and 5 of this act as soon as is practicable after July 1, 2015.

4 2. As used in this section:

5 (a) "Military charter school" has the meaning ascribed to it in  
6 section 3 of this act.

7 (b) "State Public Charter School Authority" has the meaning  
8 ascribed to it in NRS 386.503.

9 **Sec. 14.** 1. In order to encourage the Secretaries of the  
10 United States Air Force, Army and Navy to add at least six Junior  
11 Reserve Officers' Training Corps units throughout the State, the  
12 Department of Education shall:

13 (a) Work to obtain funding for the State to share the cost of  
14 administrators, instructors, uniforms, equipment and transportation  
15 for such additional units to the extent required by 10 U.S.C. §§ 2031  
16 et seq., and any regulations adopted pursuant thereto.

17 (b) Work to ensure that at least six public schools meet the  
18 requirements for an institution at which a Junior Reserve Officers'  
19 Training Corps unit may be established pursuant to 10 U.S.C. §§  
20 2031 et seq., and any regulations adopted pursuant thereto. To meet  
21 the requirements of this paragraph, the Department shall:

22 (1) Encourage public schools to provide adequate facilities  
23 and drill areas, as described in 10 U.S.C. § 2031(b)(2), for such  
24 units; and

25 (2) Work with the State Board of Education to encourage  
26 public schools to offer, subject to the provisions of chapter 389 of  
27 NRS, courses in military instruction, as described in 10 U.S.C. §  
28 2031(b)(3).

29 2. If the State Board of Education determines that a public  
30 school meets the requirements for an institution at which a Junior  
31 Reserve Officers' Training Corps unit may be established pursuant  
32 to 10 U.S.C. §§ 2031 et seq., and any regulations adopted pursuant  
33 thereto, the State Board, or a designee of the State Board, shall take  
34 any necessary steps to ensure that the public school is considered for  
35 the establishment of a Junior Reserve Officers' Training Corps unit.

36 3. As used in this section:

37 (a) "Junior Reserve Officers' Training Corps unit" means a unit  
38 organized by the Secretaries of the United State Air Force, Army  
39 and Navy pursuant to 10 U.S.C. §§ 2031 et seq., and any regulations  
40 adopted pursuant thereto.

41 (b) "Public school" has the meaning ascribed to it in NRS  
42 385.007, as amended by section 1 of this act.

43 **Sec. 15.** This act becomes effective on July 1, 2015.



