

**NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION**

AMENDED

Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada State Board of Education and The Nevada State Board for Career and Technical Education is proposing regulation language pertaining to the Nevada Administrative Code. The Workshop has been scheduled for Thursday, February 20, 2014, via video conference at the following locations: Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Board Room, Carson City and 9890 South Maryland Parkway, 2nd Floor Board Conference Room, Las Vegas, Nevada. The purpose of the Workshop is to solicit comments from interested person on the following general topic:

The time for the hearing is scheduled as follows:

8:30 A.M. Workshop to solicit comments on proposed changes to NAC 386.020 “Charter School” defined; NAC 386.033 “Educational management organization” defined; NAC 386.045 “Operational charter school” defined; NAC 386.050 “Written charter” defined; NAC 386.100 Administrative head: Selection; qualifications and responsibilities; notification of selection or replacement; NAC 386.110 Appointment of liaison between committee to form charter school and Department; NAC 386.120 Sponsorship of charter schools by board of trustees: Application for authorization; NAC 386.125 Submission and contents of letter of intent to form charter school; NAC 386.130 Application to form charter school: Forms; restrictions on submission and acceptance; NAC 386.135 Application to form charter school: Proposed dates of enrollment for first year of operation; NAC 386.140 Application to form charter school: Inclusion of information regarding facility, personnel and equipment; NAC 386.150 Application to form charter school: Inclusion of information regarding educational program; NAC 386.160 Application to form charter school: Inclusion of information regarding committee to form charter school, and governance and staffing; NAC 386.170 Application to form charter school: Inclusion of information regarding issues of health and safety; NAC 386.180 Application to form charter school: Inclusion of certain miscellaneous information; NAC 386.190 Review by Department of application to form charter school for sponsorship by board of trustees of school district or college or university within Nevada System of Higher Education; NAC 386.195 Review by Department of application to form charter school for sponsorship by State Board of Education; transmittal of application to Subcommittee on Charter Schools; NAC 386.200 Review of application to form charter school by board of trustees of school district; approval of application by sponsor; NAC 386.201 Review of application to form charter school by college or university within Nevada System of Higher Education; approval of application by sponsor; NAC 386.202 Review of and restrictions on application to form charter school submitted to Subcommittee on Charter Schools after previous denials of application; approval or denial of application by State Board of Education; NAC 386.203 Review of and restrictions on application to form charter school for sponsorship by State Board of Education originally submitted to Subcommittee on Charter Schools; approval or denial of application by State Board; NAC 386.204 Grounds for denial by State Board of Education of application to form charter school for sponsorship by State Board; NAC 386.205 Submission of certificate of occupancy for certain facilities; NAC 386.210 Duty of governing body to provide written notice of changes in facility; NAC 386.215 Provision and maintenance of insurance coverage; NAC 386.220 Written charter: Inclusion of certain agreements; term; NAC 386.227 Incorporation of governing body or charter school prohibited; NAC 386.230 Failure to become operational charter school; reapplication; NAC 386.240 Issuance of written charter to applicant not prepared to commence operation on date of issuance; expiration, renewal, and contents of charter; submission of supplemental application before expiration; NAC 386.300 Application for renewal of written charter: Contents; NAC 386.310 Application for renewal of initial charter: Contents; NAC 386.320 Application for renewal of initial charter: Verification of contents; consideration at public meeting; NAC 386.323 Request for change in sponsorship of charter school; NAC 386.325

**Amendment of written charter: Request; authority for approval by staff of sponsor; NAC 386.326
Amendment of written charter: Request to expand instruction to grade levels of pupils other than those for which charter school is currently approved; NAC 386.3265
Amendment of written charter: Request to occupy new or additional facility; NAC 386.327
Revocation of charter of charter school providing education for at-risk pupils; NAC 386.330
Procedure for revocation of written charter; NAC 386.335
Closure: Duties of governing body, sponsor and Department; failure of compliance by licensed teacher who is member of governing body; NAC 386.340
Location of facilities; NAC 386.341
Compliance with Occupational Safety and Health Act; NAC 386.342
Equipment and supplies: Removal from premises; disposition upon closure; written inventory; NAC 386.345
Governing body: Restrictions on membership; responsibilities; submission of certain information to Department and sponsor; approval of minutes of public meetings; NAC 386.350
Governing body: Miscellaneous duties; NAC 386.353
Restrictions on limitation of enrollment of pupils; establishment of waiting list and lottery system for enrollment; application to limit enrollment or for waiver to enroll from waiting list; NAC 386.357
Apportionment from State Distributive School Account: Submission of enrollment information before payment of first apportionment in first year of operation; NAC 386.365
Reporting of data required for automated system of accountability information for Nevada; NAC 386.400
Contracts for services: Required provision; submission of certain information by governing body to sponsor and Department; NAC 386.403
Contracts with contractors or educational management organizations: Prohibited provisions; NAC 386.405
Contracts with educational management organizations: Initial term; renewal; prohibited provisions; approval of key personnel by governing body; annual performance review by governing body; submission of written report by educational management organization; effect of reference to a particular educational management organization in written charter; NAC 386.410
Performance audits: Report of compliance; NAC 386.412
Eligibility for available money for facilities; waiver of annual performance audits; NAC 386.430
"Operational charter school" defined; NAC 386.435
Application for loan from Account; annual determination of balance of money in Account; NAC 386.440
Priority for loans; considerations for approval of loans; NAC 386.445
Repayment of loans; NAC 387.700
Preparation and submission of annual capital improvement plan; limitation on amount of expenditures; required contents; reconciliation of capital outlay; NAC 387.725
Final budget: Adoption and submission; NAC 387.740
Limitation on expenditure of money in excess of amount appropriated; exceptions; NAC 387.770
Establishment of property and equipment records; inventory controls; NAC 387.775
Annual audits.**

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Karen Johansen, State Board of Education Office, Nevada Department of Education, at 775-687-9225, or in writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, the 17 Nevada School District Superintendents' Offices, the 17 Nevada County main public libraries, the Nevada State Library and Archives, and at the meeting locations.

BRIAN SANDOVAL
Governor

STATE OF NEVADA

SOUTHERN NEVADA OFFICE
9890 S. Maryland Parkway, Suite 221
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DALE A.R. ERQUIAGA
Superintendent of Public Instruction



DEPARTMENT OF EDUCATION
700 E. Fifth Street
Carson City, Nevada 89701-5096
(775) 687 - 9200 · Fax: (775) 687 - 9101
<http://www.doe.nv.gov>

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: February 3, 2014

Re: Proposed Adoption of Regulations Concerning Applications, Performance Management, and Other Matters Pertaining to Charter Schools in This State

I, Dale A.R. Erquiaga, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed amendments to regulations concerning charter schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with the processes by which the Nevada State Public Charter School Authority and the Nevada Department of Education provide for the approval and management of charter schools.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on the expert knowledge of Department staff, Authority staff, and the Attorney General's Office; the impact is on management organizations, individual students, school districts, charter schools, and the Department of Education. No management organization is more impacted by these regulations than under the current laws and regulations of this state.

Respectfully submitted,

A handwritten signature in black ink that reads "Dale A.R. Erquiaga".

DALE A.R. ERQUIAGA
Superintendent of Public Instruction

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Establishing a uniform grading scale for the public high schools in this state.

8:35 A.M. Workshop to solicit comments on proposed changes and additions to NAC Chapter 389 to prescribe a uniform grading scale for all public high schools, including, without limitation, a uniform grading scale for advanced placement courses and honors courses.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Karen Johansen, State Board of Education Office, Nevada Department of Education, at 775-687-9225, or in writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. A reasonable fee for copying may be charged.

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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: February 3, 2014

Re: Proposed Adoption of Regulations Concerning a Uniform Grading Scale

I, Dale A.R. Erquiaga, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed amendments to regulations concerning a uniform grading scale for public high schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with the assigning of grades in a uniform manner between schools and school districts.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on the expert knowledge of Department staff, the Attorney General's Office and the local school districts; the impact is solely on individual students, school districts, charter schools, and the Department of Education.

Respectfully submitted,

A handwritten signature in black ink that reads "Dale A.R. Erquiaga".

DALE A.R. ERQUIAGA
Superintendent of Public Instruction

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The transition from Nevada's high school proficiency exam to new end of course examinations.

8:40 A.M. Workshop to solicit comments on proposed changes and additions to NAC Chapter 389 to provide for the administration of the high school proficiency exam for the Graduating Classes of 2014, 2015, and 2016 and establishing the courses of study, number of times a student may take an exam, and other matters related to the new end of course examinations provided for as a requirement for graduation from high school.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Karen Johansen, State Board of Education Office, Nevada Department of Education, at 775-687-9225, or in writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. A reasonable fee for copying may be charged.

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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: February 3, 2014

Re: Proposed Adoption of Regulations Concerning the High School Proficiency Exam and End of Course Examinations

I, Dale A.R. Erquiaga, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed amendments to regulations concerning the transition from Nevada's high school proficiency exam to new end of course examinations are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations deal only with the administration of certain assessments to students in high school and the impact of those students' level of achievement on their eligibility for a standard high school diploma.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied on the expert knowledge of Department staff, the Attorney General's Office and the local school districts; the impact is solely on individual students, school districts, charter schools, and the Department of Education.

Respectfully submitted,

A handwritten signature in black ink that reads "Dale A.R. Erquiaga". The signature is written in a cursive style with a large, sweeping flourish at the end.

DALE A.R. ERQUIAGA
Superintendent of Public Instruction