

**PROPOSED REGULATION OF
THE STATE BOARD OF EDUCATION**

LCB File No. R073-23

October 30, 2023

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

AUTHORITY: § 1, NRS 385.080 and 388A.231.

A REGULATION relating to charter schools; revising provisions relating to a change in the sponsorship of a charter school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the governing body of a charter school is authorized to request a change in the sponsorship of the charter school. Existing law also requires the State Board of Education to adopt: (1) a process for a charter school to request a change in sponsorship; and (2) objective criteria for the conditions under which such a request may be granted. (NRS 388A.231) Existing regulations prescribe the process for a charter school to request a change in sponsorship. Under existing regulations, a proposed sponsor is authorized to approve a request for a change in sponsorship if: (1) the charter school is in sound financial condition; (2) the charter school agrees to enter into a charter contract with the new sponsor; and (3) the charter school received a certain rating during the last rating of the charter school pursuant to the statewide system of accountability for public schools. (NAC 388A.300) This regulation additionally authorizes a proposed sponsor to approve a request for a change in sponsorship if: (1) the charter school is in sound financial condition; (2) the charter school agrees to enter into a charter contract with the new sponsor; and (3) the request for a change in sponsorship is approved by the current sponsor of the charter school, regardless of the last rating of the charter school.

Section 1. NAC 388A.300 is hereby amended to read as follows:

388A.300 1. Except as otherwise provided in subsection 2, the governing body of a charter school may request a change in the sponsorship of the charter school pursuant to NRS 388A.231.

2. A request for a change in sponsorship may not be made if the proposed sponsor is a school district other than the school district in which the charter school is located.

3. A written request for a change in sponsorship must be submitted to the proposed sponsor and must include:

- (a) A copy of the most recently approved application to form a charter school; and
- (b) A copy of the charter contract with the current sponsor.

4. A request for a change in sponsorship must be considered by the proposed sponsor at a public meeting not later than 60 days after receipt of the request.

5. A proposed sponsor may approve a request for a change in sponsorship if:

(a) The charter school is in sound financial condition as determined by the most recent annual audit required by NAC 387.775;

(b) The ~~charter~~ :

(1) Charter school was rated in the first, second or third highest tier during the last rating of the charter school pursuant to the statewide system of accountability for public schools immediately preceding the date on which the request is submitted; *or*

(2) Request for a change in sponsorship is approved by the current sponsor of the charter school; and

(c) The charter school agrees to enter into a charter contract with the new sponsor. The charter contract may differ from the charter contract which the charter school signed with the current sponsor.

6. At the time a request for a change in sponsorship is submitted to the proposed sponsor, the governing body of a charter school shall submit a copy of the request to the current sponsor of the charter school.