

ASSEMBLY BILL NO. 378—ASSEMBLYWOMEN
DOOLING AND SHELTON

MARCH 17, 2015

Referred to Committee on Education

SUMMARY—Revises provisions governing the financial support of charter schools. (BDR 34-807)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in Executive Budget.

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

AN ACT relating to education; revising provisions governing the financial support of charter schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law includes the count of pupils enrolled in a charter school for
2 purposes of the apportionments and allowances provided pursuant to the basic
3 support guarantee from the State Distributive School Account and provides that a
4 charter school is entitled to receive its proportionate share of any other money
5 available from federal, state or local sources that the charter school or the pupils
6 enrolled in the charter school are eligible to receive. (NRS 386.570) This bill
7 revises the provisions governing the eligibility of a charter school for money other
8 than that provided pursuant to the basic support guarantee from the State
9 Distributive School Account to provide that a charter school is entitled to receive its
10 proportionate share, on a per pupil basis, of any other money provided for other
11 public schools from federal, state or local sources.

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.** (Deleted by amendment.)
- 5 **Sec. 5.** (Deleted by amendment.)
- 6 **Sec. 6.** (Deleted by amendment.)



- 1 **Sec. 7.** (Deleted by amendment.)
- 2 **Sec. 8.** (Deleted by amendment.)
- 3 **Sec. 9.** (Deleted by amendment.)
- 4 **Sec. 10.** (Deleted by amendment.)
- 5 **Sec. 11.** (Deleted by amendment.)
- 6 **Sec. 12.** (Deleted by amendment.)
- 7 **Sec. 13.** (Deleted by amendment.)
- 8 **Sec. 14.** (Deleted by amendment.)
- 9 **Sec. 15.** (Deleted by amendment.)
- 10 **Sec. 16.** (Deleted by amendment.)
- 11 **Sec. 17.** (Deleted by amendment.)
- 12 **Sec. 18.** (Deleted by amendment.)

13 **Sec. 19.** NRS 386.570 is hereby amended to read as follows:

14 386.570 1. Each pupil who is enrolled in a charter school,
15 including, without limitation, a pupil who is enrolled in a program
16 of special education in a charter school, must be included in the
17 count of pupils in the school district for the purposes of
18 apportionments and allowances from the State Distributive School
19 Account pursuant to NRS 387.121 to 387.126, inclusive, unless the
20 pupil is exempt from compulsory attendance pursuant to NRS
21 392.070. A charter school is entitled to receive its proportionate
22 share , *on a per pupil basis*, of any other money ~~available~~
23 *provided for other public schools* from federal, state or local
24 sources . ~~[that the school or the pupils who are enrolled in the school~~
25 ~~are eligible to receive.]~~ If a charter school receives special education
26 program units directly from this State, the amount of money for
27 special education that the school district pays to the charter school
28 may be reduced proportionately by the amount of money the charter
29 school received from this State for that purpose. The State Board
30 shall prescribe a process which ensures that all charter schools,
31 regardless of the sponsor, have information about all sources of
32 funding for the public schools provided through the Department,
33 including local funds pursuant to NRS 387.1235.

34 2. All money received by the charter school from this State or
35 from the board of trustees of a school district must be deposited in
36 an account with a bank, credit union or other financial institution in
37 this State. The governing body of a charter school may negotiate
38 with the board of trustees of the school district and the State Board
39 for additional money to pay for services which the governing body
40 wishes to offer.

41 3. Upon completion of each school quarter, the Superintendent
42 of Public Instruction shall pay to the sponsor of a charter school
43 one-quarter of the yearly sponsorship fee for the administrative costs
44 associated with sponsorship for that school quarter, which must be
45 deducted from the quarterly apportionment to the charter school



1 made pursuant to NRS 387.124. Except as otherwise provided in
2 subsection 4, the yearly sponsorship fee for the sponsor of a charter
3 school must be in an amount of money not to exceed 2 percent of
4 the total amount of money apportioned to the charter school during
5 the school year pursuant to NRS 387.124.

6 4. If the governing body of a charter school satisfies the
7 requirements of this subsection, the governing body may submit a
8 request to the sponsor of the charter school for approval of a
9 sponsorship fee in an amount that is less than 2 percent but at least 1
10 percent of the total amount of money apportioned to the charter
11 school during the school year pursuant to NRS 387.124. The
12 sponsor of the charter school shall approve such a request if the
13 sponsor of the charter school determines that the charter school
14 satisfies the requirements of this subsection. If the sponsor of the
15 charter school approves such a request, the sponsor shall provide
16 notice of the decision to the governing body of the charter school
17 and the Superintendent of Public Instruction. If the sponsor of
18 the charter school denies such a request, the governing body of the
19 charter school may appeal the decision of the sponsor to the
20 Superintendent of Public Instruction. Upon appeal, the sponsor of
21 the charter school and the governing body of the charter school are
22 entitled to present evidence. The decision of the Superintendent of
23 Public Instruction on the appeal is final and is not subject to judicial
24 review. The governing body of a charter school may submit a
25 request for a reduction of the sponsorship fee pursuant to this
26 subsection if:

27 (a) The charter school satisfies the requirements of subsection 1
28 of NRS 386.5515; and

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

31 5. To determine the amount of money for distribution to a
32 charter school in its first year of operation, the count of pupils who
33 are enrolled in the charter school must initially be determined 30
34 days before the beginning of the school year of the school district,
35 based on the number of pupils whose applications for enrollment
36 have been approved by the charter school. The count of pupils who
37 are enrolled in the charter school must be revised on the last day of
38 the first school month of the school district in which the charter
39 school is located for the school year, based on the actual number of
40 pupils who are enrolled in the charter school. Pursuant to subsection
41 5 of NRS 387.124, the governing body of a charter school may
42 request that the apportionments made to the charter school in its first
43 year of operation be paid to the charter school 30 days before the
44 apportionments are otherwise required to be made.



1 6. If a charter school ceases to operate as a charter school
2 during a school year, the remaining apportionments that would have
3 been made to the charter school pursuant to NRS 387.124 for that
4 year must be paid on a proportionate basis to the school districts
5 where the pupils who were enrolled in the charter school reside.

6 7. The governing body of a charter school may solicit and
7 accept donations, money, grants, property, loans, personal services
8 or other assistance for purposes relating to education from members
9 of the general public, corporations or agencies. The governing body
10 may comply with applicable federal laws and regulations governing
11 the provision of federal grants for charter schools. The State Public
12 Charter School Authority may assist a charter school that operates
13 exclusively for the enrollment of pupils who receive special
14 education in identifying sources of money that may be available
15 from the Federal Government or this State for the provision of
16 educational programs and services to such pupils.

17 **Sec. 20.** This act becomes effective on July 1, 2015.

