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Exhibit J

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April 15, 2003

The Honorable William Raggio, Chair
Senate Finance Committee
Nevada State Legislature
Carson City, Nevada 89701

Dear Senator Raggio:

The Nevada State Board of Education has reviewed SB 252 and makes the following recommendations:

- Replace the two percent of the total amount of money apportioned to charter schools with the figure of three percent for the first year and all years following that a charter school is sponsored by the State Board, as referenced in SB 252, lines 13-39.
- Funding collection needs to address cash flow needs of the State Department of Education instead of current practice of providing sponsor funding at the end of the year. The Department would not have money to pay employees at the beginning of the year.
- Replace the "at-risk" sections with the "at-risk" definition adopted by the State Board of Education including the examples used by Department personnel in judging applications as follows:

See NAC 306.090

Pursuant to Section 5, NAC 386, schools that have identified themselves as serving at-risk pupils must assure that no less than 51% of their pupils, upon admission to the school, meet at least one of the at-risk criteria stated below. At-risk charter schools must maintain documentation supporting the school's identification of pupils at-risk. This documentation must be provided to the sponsor of the school as part of the annual compliance monitoring to be conducted by the sponsor pursuant to Sections 5 and 12 of NAC 386.

The following gives specific criteria, consistent with statute, for classification of pupils as at-risk. Any pupil meeting one or more of the criteria listed under 1., 2., 3., or 4., below, may be considered an at-risk pupil.

1. "Pupils who are members of economically disadvantaged families" are those:
 - a) Who are eligible to receive free or reduced meal benefits;
 - b) Whose family qualifies for Temporary Assistance for Needy Families;
 - c) Who reside in an Empowerment Zone;

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2. **"Pupils with limited proficiency in the English language"** are those:
 - a) For whom English is not the primary language at home;
 - b) For whom English is not the primary language of origin.

3. **"Pupils who are at risk of dropping out of high school"** are those of any age who:
 - a) Require a one way school bus ride of more than 45 minutes to the nearest school;
 - b) Have already dropped out of school;
 - c) Have been adjudicated delinquent by federal, state or local authorities;
 - d) May be considered transient because they have attended more than one school in one school year (except if the change of school was due to transition from elementary to middle school, or middle school to high school; or if the change of school was due to a change of school district attendance zone policy) or have migratory status.
 - e) Have been expelled or suspended from school, but are still eligible for charter school enrollment;
 - f) Have been absent for 10% or more of any school year;
 - g) Are pregnant or a parent;
 - h) Are in an alternative education program;
 - i) Have a parent or guardian who did not complete high school or receive a GED;
 - j) Who score between "Moderate Risk" and "Extremely High Risk" on the Mentor Research Institute's "Youth At Risk Screening Questionnaire."

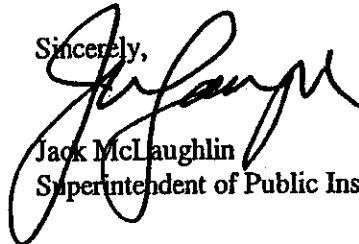
4. **"Pupils who do not meet minimum standards of academic proficiency"** are those who:
 - a) As a sophomore, junior or senior, have attempted the High School Proficiency Exam and failed one or more of the subject areas;
 - b) As high school students, are unable to advance from one grade level to the next because they lack the requisite number of credits;
 - c) As 4, 7th, or 10th graders, score in the bottom quartile in any of the four areas tested by the state required norm-referenced test;
 - d) As middle school students, lack the requisite math and English language arts passing grades to advance to high school;
 - e) Have one or more failing grades in one or more of the core academic subjects;
 - f) Have been retained in a grade;
 - g) Are between the ages of 5 years, 9 months and 6 years, 2 months and score below 80 on the Brigance K & 1 Screen;
 - h) Are 6 years, 3 months and older and score below 93 on the Brigance K & 1 Screen;
 - i) Read below grade level;
 - j) Demonstrate below grade level mathematics ability.

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- Remove arbitration sections in the new revocation process because they appear to remove the ability of a sponsor to revoke a charter.

This is submitted on behalf of the Nevada State Board of Education. Thank you for your consideration.

Sincerely,



Jack McLaughlin
Superintendent of Public Instruction

JM/da

Copy: Senator Maurice Washington
Nevada State Board of Education Members

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