

ASSEMBLY BILL NO. 109—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE  
ON EDUCATION)

FEBRUARY 10, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to charter schools.  
(BDR 34-529)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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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 requirements for teachers who provide instruction at a charter school; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, at least 70 percent of teachers who provide instruction at a  
 2 charter school must demonstrate experience and qualifications through licensure or  
 3 subject matter expertise. Existing law provides that teachers who teach certain  
 4 subjects at a charter school must be licensed. Under existing law, a charter school  
 5 may employ a person to teach who does not have a license or subject matter  
 6 expertise if the person meets certain requirements. (NRS 388A.518) **Section 1**  
 7 of this bill instead requires that at least 80 percent of teachers who provide instruction  
 8 at a charter school hold a license or endorsement to teach in this State. **Section 1**  
 9 requires a person who provides instruction in a core academic subject hold a license  
 10 to teach. **Section 1** removes references to having subject matter expertise and  
 11 instead requires that a person hold a license or endorsement to teach or meet certain  
 12 other requirements.

13 **Section 6** of this bill makes a conforming change related to the removal of  
 14 references to subject matter expertise. **Section 8** of this bill provides that a teacher  
 15 who: (1) is employed to teach at a charter school on or before July 1, 2021; (2) does  
 16 not have a license to teach; and (3) would be required to obtain a license to teach as  
 17 a result of the changes in **section 1** may continue to teach at the charter school  
 18 without obtaining a license until July 1, 2026.



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

1 **Section 1.** NRS 388A.518 is hereby amended to read as  
2 follows:

3 388A.518 1. Except as otherwise provided in this  
4 ~~[subsection,]~~ **section**, at least ~~[70]~~ **80** percent of the teachers who  
5 provide instruction at a charter school must ~~[demonstrate experience~~  
6 ~~and qualifications through licensure or subject matter expertise. If a~~  
7 ~~charter school operates a vocational school, the charter school shall,~~  
8 ~~to the extent practicable, ensure that at least 70 percent of the~~  
9 ~~teachers who provide instruction at the school demonstrate~~  
10 ~~experience and qualifications through licensure or subject matter~~  
11 ~~expertise, but in no event may less than 50 percent of the teachers~~  
12 ~~who provide instruction at the school demonstrate experience and~~  
13 ~~qualifications through licensure or subject matter expertise.]~~ **hold a**  
14 **license or endorsement to teach issued by the Superintendent of**  
15 **Public Instruction pursuant to chapter 391 of NRS.**

16 2. If a charter school specializes ~~[in:~~  
17 ~~—(a) Arts and humanities, physical education or health education,~~  
18 ~~a teacher must demonstrate experience and qualifications through~~  
19 ~~licensure or subject matter expertise to teach those courses of study.~~  
20 ~~—(b) The]~~ **in the** construction industry or other building industry,  
21 teachers who are employed full-time to teach courses of study  
22 relating to business and industry ~~[must:~~  
23 ~~—(1) Demonstrate experience and qualifications through~~  
24 ~~subject matter expertise; or~~  
25 ~~—(2) Hold]~~ **must hold** a license **or endorsement** issued by the  
26 Superintendent of Public Instruction ~~[which contains an~~  
27 ~~endorsement]~~ **pursuant to chapter 391 of NRS** to teach such  
28 courses.

29 3. A teacher who is employed by a charter school, regardless of  
30 the date of hire, must ~~[demonstrate experience and qualifications~~  
31 ~~through licensure or subject matter expertise]~~ **be licensed to teach**  
32 **pursuant to chapter 391 of NRS** if the teacher teaches one or more  
33 of the ~~[following subjects:~~

- 34 ~~—(a) English language arts;~~
- 35 ~~—(b) Mathematics;~~
- 36 ~~—(c) Science;~~
- 37 ~~—(d) A foreign or world language;~~
- 38 ~~—(e) Civics or government;~~
- 39 ~~—(f) Economics;~~
- 40 ~~—(g) Geography;~~
- 41 ~~—(h) History; or~~



1 ~~—(i) The arts.]~~ *core academic subjects designated pursuant to*  
2 *NRS 389.018.*

3 4. Except as otherwise provided in NRS 388A.515, a charter  
4 school may employ a person who does not ~~[demonstrate experience~~  
5 ~~and qualifications through licensure or subject matter expertise]~~  
6 *hold a license or endorsement to teach issued by the*  
7 *Superintendent of Public Instruction pursuant to chapter 391 of*  
8 *NRS* to teach a course of study for which a teacher is not required to  
9 ~~[demonstrate such experience and qualifications]~~ *hold a license or*  
10 *endorsement* if the person has:

11 (a) A degree, a license or a certificate in the field for which the  
12 person is employed to teach at the charter school; and

13 (b) At least 2 years of experience in that field.

14 5. A teacher who is employed by a charter school to teach  
15 special education or English as a second language must be licensed  
16 to teach special education or English as a second language, as  
17 applicable.

18 ~~[6. For purposes of this section, a teacher demonstrates~~  
19 ~~experience and qualifications through licensure or subject matter~~  
20 ~~expertise:~~

21 ~~—(a) If the teacher is employed by a charter school that has not~~  
22 ~~received, within the immediately preceding 2 consecutive school~~  
23 ~~years, one of the three highest ratings of performance pursuant to~~  
24 ~~the statewide system of accountability for public schools, or~~  
25 ~~equivalent ratings in another state, as determined by the Department,~~  
26 ~~and the:~~

27 ~~—(1) Overall performance of the teacher has been reported as~~  
28 ~~effective or highly effective, in accordance with the regulations~~  
29 ~~adopted by the State Public Charter School Authority; and~~

30 ~~—(2) Teacher is licensed to teach pursuant to chapter 391 of~~  
31 ~~NRS.~~

32 ~~—(b) If the teacher is employed by a charter school that has~~  
33 ~~received, within the immediately preceding 2 consecutive school~~  
34 ~~years, one of the three highest ratings of performance pursuant to~~  
35 ~~the statewide system of accountability for public schools, or~~  
36 ~~equivalent ratings in another state, as determined by the Department,~~  
37 ~~and the:~~

38 ~~—(1) Overall performance of the teacher has been reported as~~  
39 ~~effective or highly effective, in accordance with the regulations~~  
40 ~~adopted by the State Public Charter School Authority, regardless of~~  
41 ~~whether the teacher is licensed to teach pursuant to chapter 391 of~~  
42 ~~NRS; or~~

43 ~~—(2) The teacher holds a bachelor's degree or a graduate~~  
44 ~~degree from an accredited college or university and has~~  
45 ~~demonstrated expertise in the subject area for which the teacher~~



~~provides instruction on an assessment approved by the Department, in consultation with sponsors of charter schools described in this paragraph, regardless of whether the teacher is licensed to teach pursuant to chapter 391 of NRS.~~

~~7. If a charter school that has received within the immediately preceding 2 consecutive school years, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools, or equivalent ratings in another state, as determined by the Department, intends to employ persons to teach who are not licensed, the charter school shall within 3 years:~~

~~(a) Obtain approval for and offer an alternative route to licensure pursuant to NRS 391.019; or~~

~~(b) Enter into an agreement with a qualified provider of an alternative route to licensure to provide the required education and training to unlicensed teachers who are employed by the school to teach such a course of study.]~~

**Sec. 2.** (Deleted by amendment.)

**Sec. 3.** (Deleted by amendment.)

**Sec. 4.** (Deleted by amendment.)

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

**Sec. 6.** NRS 391.170 is hereby amended to read as follows:

391.170 1. Except as otherwise provided in subsection 2, a teacher or other employee for whom a license is required is not entitled to receive any portion of public money for schools as compensation for services rendered unless he or she:

(a) Is legally employed by the board of trustees of the school district or the governing body of the charter school in which he or she is teaching or performing other educational functions.

(b) Has a license authorizing him or her to teach or perform other educational functions at the level and, except as otherwise provided in NRS 391.125, in the field for which he or she is employed, issued in accordance with law and in full force at the time the services are rendered.

2. The provisions of subsection 1 do not prohibit the payment of public money to teachers or other employees who are employed by a charter school who are not required to ~~[demonstrate experience and qualifications through licensure or subject matter expertise]~~ **hold a license or endorsement to teach** pursuant to the provisions of NRS 388A.518.

**Sec. 7.** (Deleted by amendment.)

**Sec. 8.** Notwithstanding the amendatory provisions of this act, a teacher who is employed by a charter school on or before July 1, 2021, to provide instruction at the charter school but not licensed to teach, and who, because of that employment, is required by



1 NRS 388A.518, as amended by section 1 of this act, to be licensed  
2 as a teacher pursuant to chapter 391 of NRS, may continue to  
3 provide instruction at the charter school without obtaining a license  
4 to teach until July 1, 2026.

5 **Sec. 9.** This act becomes effective on July 1, 2021.

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