

SENATE BILL NO. 206—SENATOR BUCK

MARCH 2, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-24)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 23)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring the principal of each public school to prepare an instructional model for the school which may be shared with other public schools; prescribing requirements for the Department of Education to convert certain public schools to Department charter schools under certain circumstances; prescribing requirements for the operation of a Department charter school; providing for the use of certain school buildings by a Department charter school free of charge; requiring a school district to provide facilities or services to a Department charter school under certain circumstances; revising provisions governing the use of school buildings owned by the board of trustees of a school district by a Department charter school; prohibiting collective bargaining concerning the termination of employment or reassignment of the employees of a Department charter school; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law requires the principal of each school, in consultation with the
- 2 employees of the school, to prepare a plan to improve the achievement of pupils
- 3 enrolled in the school. (NRS 385A.650) **Section 6** of this bill additionally requires
- 4 the principal of each school, in consultation with the employees of the school, to
- 5 prepare an instructional model for the school which includes information about the



6 curriculum, grading, planning, assessment, software and business decisions of the
7 school. **Section 6** requires the Department of Education to develop and implement a
8 process for allowing the principal of each school to access such instructional
9 models from other schools with similar demographics, including from schools that
10 receive higher ratings according to the statewide system of accountability.

11 **Section 20** of this bill requires the Department to convert a public school to a
12 charter school, known as a Department charter school if, for 3 consecutive years,
13 the school is rated in the lowest 5 percent of public schools in this State in pupil
14 achievement and school performance. **Section 19** of this bill establishes the
15 Account for Department Charter Schools, the money in which is to be used for the
16 establishment and maintenance of Department charter schools. **Section 21** of this
17 bill requires: (1) the Superintendent of Public Instruction to solicit and evaluate
18 applications and enter into a contract with a charter management organization,
19 educational management organization or other person to operate a public school
20 that is converted to a Department charter school pursuant to **section 20**; and (2) the
21 Department to adopt regulations prescribing the process to apply to operate a
22 Department charter school, which must authorize certain applicants to submit one
23 application to operate more than one Department charter school. **Section 22** of this
24 bill provides that the Department is deemed the sponsor of a Department charter
25 school after a contract is entered into and requires the operator of the Department
26 charter school to appoint a governing body of the Department charter school.
27 **Section 22** provides that the governing body consists of any persons chosen by the
28 operator of the Department charter school, with certain restrictions. **Section 23** of
29 this bill: (1) requires the principal of a Department charter school to determine
30 whether to offer employment at the Department charter school to the persons
31 employed at the public school at the time of the conversion; and (2) authorizes the
32 board of trustees of the school district in which the Department charter school is
33 located to terminate or reassign any such employees who are not offered
34 employment by or who refuse an offer of employment from the Department charter
35 school.

36 **Section 23** also requires the board of trustees of a school district to: (1) without
37 compensation, allow a Department charter school to operate in the building in
38 which the school was located before conversion; and (2) continue to pay capital
39 expenses for the building. **Section 23** requires the governing body of the
40 Department charter school to pay for the maintenance and operation of the building.
41 **Section 23**: (1) provides that the board of trustees of a school district is not required
42 to give priority to a capital project at a school that is converted to a Department
43 charter school; and (2) prohibits the board of trustees of a school district from
44 reducing the priority of any such capital project that existed before the school was
45 selected for conversion. **Section 23** also requires any pupil who was enrolled in a
46 public school before conversion to be enrolled in the Department charter school,
47 unless the parent or guardian of the pupil submits written notice that the pupil will
48 not continue to be enrolled at the school. Finally, **section 23** limits the amount of
49 loans, advances or other monetary charges that the governing body of a Department
50 charter school may authorize to be paid to the operator of the Department charter
51 school.

52 Existing law prohibits the conversion of an existing public school to a charter
53 school. (NRS 388A.075, 388A.080) **Sections 14, 25, 29 and 30** of this bill make
54 these provisions inapplicable to a Department charter school, thereby allowing the
55 conversion of a public school to a Department charter school.

56 **Section 24** of this bill enacts provisions necessary for a Department charter
57 school to be able to receive money available from certain federal grant programs.
58 **Sections 7, 11 and 25** of this bill require a Department charter school to participate
59 in the statewide system of accountability for public schools.



60 **Section 14** provides that, in general, for the purposes of the provisions
61 governing charter schools, the term "charter school" does not include a Department
62 charter school. **Section 28** of this bill makes a conforming change to indicate the
63 proper placement of **section 14** in the Nevada Revised Statutes.

64 Existing law: (1) establishes requirements concerning the availability of certain
65 information concerning charter schools and the operation of a charter school; (2)
66 requires a member of the governing body of a charter school to undergo a criminal
67 background check; (3) requires the governing body or sponsor of a charter school to
68 submit certain reports; (4) prohibits the board of trustees of a school district from
69 interfering with the operation of a charter school; (5) authorizes a high-performing
70 charter school to establish an experimental academic program; (6) prohibits a
71 member of the board of trustees of a school district or employee of a school district
72 from soliciting or accepting gifts or payments from a governing body or employee
73 of a charter school; (7) authorizes a charter school that meets certain requirements
74 to apply to the Department for money for facilities; (8) prescribes the manner in
75 which money will be apportioned to and paid by a charter school; (9) establishes
76 procedures for pupils who are enrolled in other schools and homeschooled children
77 to participate in classes and extracurricular activities at charter schools and for
78 pupils enrolled in charter schools to participate in classes and extracurricular
79 activities at other public schools; (10) establishes requirements concerning the
80 employment of personnel at a charter school; and (11) authorizes a charter school to
81 finance improvements through the issuance of bonds. (NRS 388A.090, 388A.095,
82 388A.100, 388A.171, 388A.226, 388A.247, 388A.323, 388A.345, 388A.348,
83 388A.352-388A.355, 388A.363-388A.369, 388A.3934, 388A.405-388A.420,
84 388A.471-388A.695) **Section 25** makes these provisions applicable to a
85 Department charter school.

86 **Section 26** of this bill requires the board of trustees of a school district in which
87 a Department charter school is located to provide, for compensation, facilities,
88 other than the school building in which the Department charter school operates, to
89 the Department charter school or perform certain services for a Department charter
90 school upon the request of the Superintendent of Public Instruction.

91 Existing law authorizes charter schools that meet certain requirements relating
92 to school performance and financial management to apply to the Department for
93 money for facilities. (NRS 388A.405) **Section 26** authorizes a Department charter
94 school that does not meet those requirements to apply for such money under
95 conditions prescribed by the Department.

96 Existing law provides that, if the governing body of a charter school contracts
97 with the board of trustees of a school district for the provision of school police
98 officers, the board of trustees is immune from civil or criminal liability for the acts
99 or omissions of those school police officers while providing services to the charter
100 school. (NRS 388A.384) **Section 26** provides similar immunity from liability if the
101 school district provides school police officers to a Department charter school upon
102 the request of the Superintendent of Public Instruction.

103 Existing law provides for regular financial and performance audits of charter
104 schools. (NRS 388A.105, 388A.110) **Section 27** of this bill requires the
105 Department to adopt regulations to carry out the provisions governing Department
106 charter schools, which may include regulations requiring similar audits of
107 Department charter schools. **Sections 32 and 33** of this bill make conforming
108 changes to add references to such audits where applicable.

109 **Sections 1 and 14-18** of this bill define certain terms relating to Department
110 charter schools. **Sections 2-5, 8-10, 12, 31 and 35-38** of this bill make conforming
111 changes to ensure certain provisions of law applicable to public schools, school
112 districts and charter schools apply equally to Department charter schools. **Section**
113 **34** of this bill exempts Department charter schools from the Program of
114 Empowerment Schools for public schools.



115 Existing law requires negotiation in good faith between a local government
116 employer and a recognized employee organization on certain mandatory subjects,
117 including, without limitation, discharge and disciplinary procedures. (NRS
118 288.150) **Section 39** of this bill makes unenforceable and void any provision of a
119 collective bargaining agreement which limits the authority of the board of trustees
120 of a school district to terminate the employment of or reassign a member of the
121 staff of a school that is converted to a Department charter school.

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

1 **Section 1.** NRS 385.007 is hereby amended to read as follows:
2 385.007 As used in this title, unless the context otherwise
3 requires:

4 1. "Challenge school" has the meaning ascribed to it in
5 NRS 388D.305.

6 2. "Charter school" means a public school that is formed
7 pursuant to the provisions of chapter 388A of NRS.

8 3. "Department" means the Department of Education.

9 4. *"Department charter school" means a public school*
10 *operated by a charter management organization, as defined in*
11 *section 16 of this act, an educational management organization,*
12 *as defined in section 17 of this act, or other person pursuant to a*
13 *contract with the Superintendent of Public Instruction pursuant to*
14 *section 21 of this act and that is subject to the provisions of*
15 *sections 15 to 27, inclusive, of this act.*

16 5. "English learner" has the meaning ascribed to it in 20 U.S.C.
17 § 7801(20).

18 ~~5.~~ 6. "Homeschooled child" means a child who receives
19 instruction at home and who is exempt from compulsory attendance
20 pursuant to NRS 392.070.

21 ~~6.~~ 7. "Local school precinct" has the meaning ascribed to it in
22 NRS 388G.535.

23 ~~7.~~ 8. "Public schools" means all kindergartens and
24 elementary schools, junior high schools and middle schools, high
25 schools, charter schools and any other schools, classes and
26 educational programs which receive their support through public
27 taxation and, except for charter schools, whose textbooks and
28 courses of study are under the control of the State Board.

29 ~~8.~~ 9. "School bus" has the meaning ascribed to it in
30 NRS 484A.230.

31 ~~9.~~ 10. "School counselor" or "counselor" means a person
32 who holds a license issued pursuant to chapter 391 of NRS and an
33 endorsement to serve as a school counselor issued pursuant to
34 regulations adopted by the Commission on Professional Standards



1 in Education or who is otherwise authorized by the Superintendent
2 of Public Instruction to serve as a school counselor.

3 ~~{10}~~ 11. “School psychologist” or “psychologist” means a
4 person who holds a license issued pursuant to chapter 391 of NRS
5 and an endorsement to serve as a school psychologist issued
6 pursuant to regulations adopted by the Commission on Professional
7 Standards in Education or who is otherwise authorized by the
8 Superintendent of Public Instruction to serve as a school
9 psychologist.

10 ~~{11}~~ 12. “School social worker” or “social worker” means a
11 social worker licensed pursuant to chapter 641B of NRS who holds
12 a license issued pursuant to chapter 391 of NRS and an endorsement
13 to serve as a school social worker issued pursuant to regulations
14 adopted by the Commission on Professional Standards in Education
15 or who is otherwise authorized by the Superintendent of Public
16 Instruction to serve as a school social worker.

17 ~~{12}~~ 13. “State Board” means the State Board of Education.

18 ~~{13}~~ 14. “University school for profoundly gifted pupils” has
19 the meaning ascribed to it in NRS 388C.040.

20 **Sec. 2.** NRS 385.083 is hereby amended to read as follows:

21 385.083 Except as otherwise provided in NRS 385.091:

22 1. All gifts of money which the State Board is authorized to
23 accept must be deposited in a special revenue fund in the State
24 Treasury designated as the Education Gift Fund and reported
25 pursuant to subsection 4. The interest and income earned on the sum
26 of the money in the Education Gift Fund must be credited to the
27 Fund. Any money remaining in the Education Gift Fund at the end
28 of the fiscal year must be carried forward to the next fiscal year.

29 2. The money available in the Education Gift Fund must be
30 used only for the purpose specified by the donor, within the scope of
31 the State Board’s powers and duties.

32 3. If all or part of the money accepted by the State Board from
33 a donor is not expended before the end of any fiscal year, the
34 remaining balance of the amount donated must remain in
35 the Education Gift Fund until needed for the purpose specified by
36 the donor.

37 4. Except as otherwise provided in subsection 5, the State
38 Board shall record each gift of money deposited in the Education
39 Gift Fund pursuant to this section and prepare a report which
40 includes, for each such gift:

41 (a) The amount of the gift;

42 (b) Except as otherwise provided in subsection 6, the name of
43 the donor of the gift;

44 (c) Any instructions provided by the donor concerning the use of
45 the gift; and



1 (d) Information concerning any connection between the donor
2 and the State Board or the administration of the system of public
3 education in this State, including, without limitation:

4 (1) Any contract between the donor and the State Board;

5 (2) Any contract between the donor and the State Public
6 Charter School Authority;

7 (3) *Any contract between the donor and the Department;*

8 ~~(4)~~ (4) Any bid by the donor for a contract with the State Board;

9 ~~(4)~~ (5) Any bid by the donor for a contract with the State
10 Public Charter School Authority;

11 ~~(5)~~ (6) *Any bid by the donor for a contract with the*
12 *Department;*

13 (7) If the donor is a lobbyist as defined in NRS 218H.080, a
14 statement of whether the donor lobbies on issues of interest to the
15 State Board or relating to the system of public education in this
16 State; and

17 ~~(6)~~ (8) Any service by the donor on a committee to form a
18 charter school created pursuant to NRS 388A.240.

19 5. This section does not apply to any gift of money:

20 (a) In an amount less than \$100,000, unless the cumulative total
21 by the same donor within a 12-month period is equal to or more than
22 \$100,000; or

23 (b) That is intended for a public broadcasting service.

24 6. A donor may remain anonymous for purposes of the report
25 prepared pursuant to subsection 4, unless the donor is required to
26 provide information pursuant to paragraph (d) of subsection 4.

27 7. The State Board may submit a form to each donor that
28 requires the donor to provide the information required for inclusion
29 in the report prepared pursuant to subsection 4. If the State Board
30 uses such a form, the State Board may rely upon the information
31 provided by the donor on the form for purposes of the report
32 required of the State Board pursuant to subsection 4 and the State
33 Board is not otherwise required to verify the contents of the
34 information provided by the donor on the form.

35 8. The State Board shall include the report prepared pursuant to
36 subsection 4 on the agenda of the next regular meeting of the State
37 Board held pursuant to NRS 385.040 and review all transactions
38 involving a gift listed on the report that have taken place since the
39 previous meeting of the State Board.

40 9. On or before February 1 of each year, the State Board shall
41 transmit each report prepared pursuant to subsection 4 in the
42 immediately preceding year:

43 (a) In odd-numbered years, to the Director of the Legislative
44 Counsel Bureau for transmittal to the next regular session of the
45 Legislature; and



1 (b) In even-numbered years, to the Joint Interim Standing
2 Committee on Education.

3 **Sec. 3.** NRS 385.620 is hereby amended to read as follows:

4 385.620 The Advisory Council shall:

5 1. Review the policy of parental involvement adopted by the
6 State Board and the policy of parental involvement and family
7 engagement adopted by the board of trustees of each school district
8 pursuant to NRS 392.457;

9 2. Review the information relating to communication with and
10 participation, involvement and engagement of parents and families
11 that is included in the annual report of accountability for each school
12 district pursuant to NRS 385A.320 and similar information in the
13 annual report of accountability prepared by the State Public Charter
14 School Authority , *the Department* and a college or university
15 within the Nevada System of Higher Education that sponsors a
16 charter school pursuant to subsection 3 of NRS 385A.070;

17 3. Review any effective practices carried out in individual
18 school districts to increase parental involvement and family
19 engagement and determine the feasibility of carrying out those
20 practices on a statewide basis;

21 4. Review any effective practices carried out in other states to
22 increase parental involvement and family engagement and
23 determine the feasibility of carrying out those practices in this State;

24 5. Identify methods to communicate effectively and provide
25 outreach to parents, legal guardians and families of pupils who have
26 limited time to become involved in the education of their children
27 for various reasons, including, without limitation, work schedules,
28 single-parent homes and other family obligations;

29 6. Identify the manner in which the level of parental
30 involvement and family engagement affects the performance,
31 attendance and discipline of pupils;

32 7. Identify methods to communicate effectively with and
33 provide outreach to parents, legal guardians and families of pupils
34 who are English learners;

35 8. Determine the necessity for the appointment of a statewide
36 parental involvement and family engagement coordinator or a
37 parental involvement and family engagement coordinator in each
38 school district, or both;

39 9. Work in collaboration with the Office of Parental
40 Involvement and Family Engagement created by NRS 385.630 to
41 carry out the duties prescribed in NRS 385.635; and

42 10. On or before February 1 of each year, submit a report to the
43 Director of the Legislative Counsel Bureau for transmission to the
44 Legislature in odd-numbered years and to the Legislative



1 Commission in even-numbered years, describing the activities of the
2 Advisory Council and any recommendations for legislation.

3 **Sec. 4.** NRS 385.800 is hereby amended to read as follows:

4 385.800 1. The Office of Science, Innovation and
5 Technology established by NRS 223.600 shall:

6 (a) In consultation with the board of trustees of each school
7 district, develop a standardized, statewide system of gathering data
8 from pupils and their families to assess the ability of pupils to access
9 the Internet at their homes. The statewide system must:

10 (1) Be able to be replicated each year;

11 (2) Be developed with consideration of existing processes
12 and systems for gathering data on pupils and their families and, to
13 the greatest extent possible, use such processes and systems;

14 (3) Provide data on access to the Internet at the permanent or
15 temporary address of a pupil; and

16 (4) To the extent authorized by the Family Educational
17 Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any
18 regulations adopted pursuant thereto, be able to disaggregate data
19 based on the name of the pupil, the name of the family of the pupil
20 and other appropriate personally identifiable information.

21 (b) Develop a method to share the data gathered pursuant to
22 paragraph (a), to the extent authorized by the Family Educational
23 Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any
24 regulations adopted pursuant thereto, with providers of
25 telecommunications networks, services or equipment interested in
26 providing access to the Internet to pupils who lack access to the
27 Internet at their homes.

28 (c) Develop recommendations for minimum standards for
29 telecommunications technology owned by a school or school district
30 that will best ensure the capability of the telecommunications
31 technology to connect to the Internet. The recommendations must,
32 without limitation:

33 (1) Evaluate the connectivity capabilities of the
34 telecommunications technology and not other features, including,
35 without limitation, processing power and memory;

36 (2) Require the telecommunications technology to connect to
37 wireless fidelity, fixed wireless and mobile wireless Internet; and

38 (3) Include a list of recommended telecommunications
39 technology that meets the recommended standards.

40 (d) Review each report submitted by the board of trustees of a
41 school district, *the Department* and the State Public Charter School
42 Authority pursuant to NRS 385.810 and, based on the review:

43 (1) Conduct an analysis to identify any gaps in access to the
44 Internet which must, without limitation:



1 (I) Disaggregate any data by school district, charter
2 school, the number of pupils who lack access to the Internet and the
3 number of pupils who lack access to telecommunications
4 technology;

5 (II) Review data gathered in response to the public-health
6 crisis caused by the COVID-19 pandemic; and

7 (III) To the greatest extent possible, use existing
8 mechanisms for gathering data;

9 (2) Develop a fiscal plan to close gaps in access to the
10 Internet and gaps in access to telecommunications technology which
11 may include, without limitation, use of the Lifeline program of the
12 Federal Communications Commission, or its successor program, the
13 Emergency Broadband Benefit program of the Federal
14 Communications Commission, or its successor program, or the
15 Schools and Libraries Universal Service Support program of the
16 Federal Communications Commission, or its successor program;
17 and

18 (3) Develop a plan to assess the speed of uploads and
19 downloads on telecommunications technology to determine the
20 number of pupils who have access to the Internet but lack sufficient
21 speeds to participate in remote learning.

22 2. In carrying out its duties pursuant to subsection 1, the Office
23 shall work with:

24 (a) Private sector providers of telecommunications networks,
25 services or equipment to understand the data and guarantees of
26 payment that may be required to connect to the Internet pupils who
27 lack access to the Internet at their homes;

28 (b) Persons and entities who can inform the Office on current
29 and future standards for wireless fidelity, fixed wireless and mobile
30 wireless Internet and spectrum availability and provide
31 recommendations on the features a telecommunications technology
32 must have to connect with existing and future broadband networks;

33 (c) Persons and entities who can provide information on
34 delivery of access to the Internet that, to the greatest extent possible,
35 will use existing firewall and filter services provided by a school
36 district or charter school;

37 (d) Persons and entities who can provide information on
38 gathering data, data privacy and laws and regulations on data-
39 sharing that could affect the efforts of the Office to identify and
40 provide access to the Internet to pupils who lack access to the
41 Internet at their homes; and

42 (e) Persons and entities, including, without limitation, the
43 Department of Health and Human Services, who can provide
44 information on programs that may be used to provide access to the
45 Internet to pupils who lack access to the Internet at their homes.



1 3. The Department and the Office may adopt any regulations
2 necessary to carry out the provisions of this section.

3 4. As used in this section, “telecommunications technology”
4 includes, without limitation, a laptop computer or tablet device.

5 **Sec. 5.** NRS 385.810 is hereby amended to read as follows:

6 385.810 1. On or before November 1 of each year, the board
7 of trustees of each school district, *the Department* and the State
8 Public Charter School Authority shall submit a report to the Office
9 of Science, Technology and Innovation in a manner prescribed by
10 the Office. The report must include:

11 (a) The number of pupils who lack access to the Internet at their
12 homes and, to the extent authorized by the Family Educational
13 Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any
14 regulations adopted pursuant thereto, the addresses of such pupils;

15 (b) The number of pupils who use a hotspot provided by the
16 school district or charter school to access the Internet;

17 (c) The number of pupils who lack access to
18 telecommunications technology that is capable of facilitating remote
19 learning;

20 (d) The number of pupils who lack both access to the Internet
21 and access to telecommunications technology; and

22 (e) The current requirements of the board of trustees of the
23 school district, *the Department* or the State Public Charter School
24 Authority for telecommunications technology owned by the school
25 district, a school within the school district, the State Public Charter
26 School Authority or a charter school sponsored by the State Public
27 Charter School Authority ~~§~~ *or the Department.*

28 2. As used in this section, “telecommunications technology”
29 includes, without limitation, a laptop computer or tablet device.

30 **Sec. 6.** Chapter 385A of NRS is hereby amended by adding
31 thereto a new section to read as follows:

32 *1. The principal of each public school, including, without*
33 *limitation, each charter school, shall, in consultation with the*
34 *employees of the school, prepare an instructional model for the*
35 *school which must include, without limitation, information about*
36 *the curriculum, grading, planning, assessment, software and*
37 *business decisions of the school.*

38 *2. The principal of each public school shall, in consultation*
39 *with the employees of the school, annually review the instructional*
40 *model prepared pursuant to this section and make revisions as*
41 *necessary.*

42 *3. On or before the date prescribed by regulation of the State*
43 *Board pursuant to subsection 5, the principal of each public*
44 *school shall submit the instructional model or the revised*
45 *instructional model, as applicable, to:*



- 1 (a) *The Department; and*
- 2 (b) *The board of trustees of the school district in which the*
- 3 *school is located or, if the school is a charter school, the governing*
- 4 *body of the charter school.*

5 4. *The Department shall develop and implement a process for*
6 *allowing the principal of each public school to access such*
7 *instructional models from other schools with similar*
8 *demographics, including, without limitation, from schools that*
9 *receive higher ratings according to the statewide system of*
10 *accountability for public schools.*

11 5. *The State Board shall adopt regulations necessary to carry*
12 *out the provisions of this section.*

13 **Sec. 7.** NRS 385A.070 is hereby amended to read as follows:

14 385A.070 1. The board of trustees of each school district in
15 this State, in cooperation with associations recognized by the State
16 Board as representing licensed educational personnel in the district,
17 shall adopt a program providing for the accountability of the school
18 district to the residents of the district and to the State Board for the
19 quality of the schools and the educational achievement of the pupils
20 in the district, including, without limitation, pupils enrolled in
21 charter schools sponsored by the school district. The board of
22 trustees of each school district shall report the information required
23 by NRS 385A.070 to 385A.320, inclusive, for each charter school
24 sponsored by the school district. The information for charter schools
25 must be reported separately.

26 2. The board of trustees of each school district shall, on or
27 before December 31 of each year, prepare for the immediately
28 preceding school year a single annual report of accountability
29 concerning the educational goals and objectives of the school
30 district, the information prescribed by NRS 385A.070 to 385A.320,
31 inclusive, and such other information as is directed by the
32 Superintendent of Public Instruction. A separate reporting for a
33 group of pupils must not be made pursuant to NRS 385A.070 to
34 385A.320, inclusive, if the number of pupils in that group is
35 insufficient to yield statistically reliable information or the results
36 would reveal personally identifiable information about an individual
37 pupil. The Department shall use the mechanism approved by the
38 United States Department of Education for the statewide system of
39 accountability for public schools for determining the minimum
40 number of pupils that must be in a group for that group to yield
41 statistically reliable information.

42 3. The State Public Charter School Authority, *the Department*
43 and each college or university within the Nevada System of Higher
44 Education that sponsors a charter school shall, on or before
45 December 31 of each year, prepare for the immediately preceding



1 school year an annual report of accountability of the charter schools
2 sponsored by the State Public Charter School Authority , *the*
3 *Department* or *the* institution, as applicable, concerning the
4 accountability information prescribed by the Department pursuant to
5 this section. The Department, in consultation with the State Public
6 Charter School Authority and each college or university within the
7 Nevada System of Higher Education that sponsors a charter school,
8 shall prescribe by regulation the information that must be prepared
9 by the State Public Charter School Authority , *the Department* and
10 *the* institution, as applicable, which must include, without
11 limitation, the information contained in subsection 2 and NRS
12 385A.070 to 385A.320, inclusive, as applicable to charter schools.
13 The Department shall provide for public dissemination of the annual
14 report of accountability prepared pursuant to this section by posting
15 a copy of the report on the Internet website maintained by the
16 Department.

17 4. The annual report of accountability prepared pursuant to this
18 section must be presented in an understandable and uniform format
19 and, to the extent practicable, provided in a language that parents
20 can understand.

21 **Sec. 8.** NRS 385A.080 is hereby amended to read as follows:

22 385A.080 1. The Superintendent of Public Instruction shall:

23 (a) Prescribe forms for the reports required pursuant to NRS
24 385A.070 and provide the forms to the respective school districts,
25 the State Public Charter School Authority , *the Department* and
26 each college or university within the Nevada System of Higher
27 Education that sponsors a charter school.

28 (b) Provide statistical information and technical assistance to the
29 school districts, the State Public Charter School Authority , *the*
30 *Department* and each college or university within the Nevada
31 System of Higher Education that sponsors a charter school to ensure
32 that the reports provide comparable information with respect to each
33 school in each district, each charter school and among the districts
34 and charter schools throughout this State.

35 (c) Consult with a representative of the:

- 36 (1) Nevada State Education Association;
- 37 (2) Nevada Association of School Boards;
- 38 (3) Nevada Association of School Administrators;
- 39 (4) Nevada Parent Teacher Association;
- 40 (5) Budget Division of the Office of Finance;
- 41 (6) Legislative Counsel Bureau; and
- 42 (7) Charter School Association of Nevada,

43 ↗ concerning the program adopted pursuant to subsection 1 of NRS
44 385A.070 and consider any advice or recommendations submitted
45 by the representatives with respect to the program.



1 2. The Superintendent of Public Instruction may consult with
2 representatives of parent groups other than the Nevada Parent
3 Teacher Association concerning the program adopted pursuant to
4 subsection 1 of NRS 385A.070 and consider any advice or
5 recommendations submitted by the representatives with respect to
6 the program.

7 **Sec. 9.** NRS 385A.090 is hereby amended to read as follows:

8 385A.090 1. On or before September 30 of each year:

9 (a) The board of trustees of each school district, the State Public
10 Charter School Authority , *the Department* and each college or
11 university within the Nevada System of Higher Education that
12 sponsors a charter school shall provide written notice that the report
13 required pursuant to NRS 385A.070 is available on the Internet
14 website maintained by the school district, *the* State Public Charter
15 School Authority , *the Department* or *the* institution, if any, or
16 otherwise provide written notice of the availability of the report. The
17 written notice must be provided to the:

18 (1) Governor;

19 (2) State Board;

20 (3) Department;

21 (4) Committee;

22 (5) Bureau; and

23 (6) The Attorney General, with a specific reference to the
24 information that is reported pursuant to paragraph (e) of subsection
25 1 of NRS 385A.250.

26 (b) The board of trustees of each school district, the State Public
27 Charter School Authority , *the Department* and each college or
28 university within the Nevada System of Higher Education that
29 sponsors a charter school shall provide for public dissemination of
30 the annual report of accountability prepared pursuant to NRS
31 385A.070 by posting a copy of the report on the Internet website
32 maintained by the school district, the State Public Charter School
33 Authority , *the Department* or the institution, if any. If a school
34 district does not maintain a website, the district shall otherwise
35 provide for public dissemination of the annual report by providing a
36 copy of the report to the schools in the school district, including,
37 without limitation, each charter school sponsored by the district, the
38 residents of the district, and the parents and guardians of pupils
39 enrolled in schools in the district, including, without limitation, each
40 charter school sponsored by the district. If the State Public Charter
41 School Authority or the institution does not maintain a website, the
42 State Public Charter School Authority or the institution, as
43 applicable, shall otherwise provide for public dissemination of the
44 annual report by providing a copy of the report to each charter



1 school it sponsors and the parents and guardians of pupils enrolled
2 in each charter school it sponsors.

3 2. Upon the request of the Governor, the Attorney General, an
4 entity described in paragraph (a) of subsection 1 or a member of the
5 general public, the board of trustees of a school district, the State
6 Public Charter School Authority, *the Department* or a college or
7 university within the Nevada System of Higher Education that
8 sponsors a charter school, as applicable, shall provide a portion or
9 portions of the report required pursuant to NRS 385A.070.

10 **Sec. 10.** NRS 385A.240 is hereby amended to read as follows:

11 385A.240 1. The annual report of accountability prepared
12 pursuant to NRS 385A.070 must include information on the
13 attendance, truancy and transiency of pupils, including, without
14 limitation:

15 (a) Records of the attendance and truancy of pupils in all grades,
16 including, without limitation:

17 (1) The average daily attendance of pupils, for each school in
18 the district and the district as a whole, including, without limitation,
19 each charter school sponsored by the district.

20 (2) For each elementary school, middle school and junior
21 high school in the district, including, without limitation, each charter
22 school sponsored by the district that provides instruction to pupils
23 enrolled in a grade level other than high school, information that
24 compares the attendance of the pupils enrolled in the school with the
25 attendance of pupils throughout the district and throughout this
26 State. The information required by this subparagraph must be
27 provided in consultation with the Department to ensure the accuracy
28 of the comparison.

29 (b) The number of pupils in each grade who are retained in the
30 same grade pursuant to NRS 392.033, 392.125 or 392.760, for each
31 school in the district and the district as a whole, including, without
32 limitation, each charter school sponsored by the district.

33 (c) The transiency rate of pupils for each school in the district
34 and the district as a whole, including, without limitation, each
35 charter school sponsored by the district. For the purposes of this
36 paragraph, a pupil is not transient if the pupil is transferred to a
37 different school within the school district as a result of a change in
38 the zone of attendance by the board of trustees of the school district
39 pursuant to NRS 388.040.

40 (d) The number of habitual truants reported for each school in
41 the district and for the district as a whole, including, without
42 limitation, the number who are:

43 (1) Reported to an attendance officer, a school police officer
44 or a local law enforcement agency pursuant to paragraph (a) of
45 subsection 2 of NRS 392.144;



1 (2) Referred to an advisory board to review school
2 attendance pursuant to paragraph (b) of subsection 2 of NRS
3 392.144; and

4 (3) Referred for the imposition of administrative sanctions
5 pursuant to paragraph (c) of subsection 2 of NRS 392.144.

6 2. The information included pursuant to subsection 1 must
7 allow such information to be disaggregated by:

8 (a) Pupils who are economically disadvantaged;

9 (b) Pupils from major racial and ethnic groups;

10 (c) Pupils with disabilities;

11 (d) Pupils who are English learners;

12 (e) Pupils who are migratory children;

13 (f) Gender;

14 (g) Pupils who are homeless;

15 (h) Pupils in foster care; and

16 (i) Pupils whose parent or guardian is a member of the Armed
17 Forces of the United States, a reserve component thereof or the
18 National Guard.

19 3. On or before September 30 of each year:

20 (a) The board of trustees of each school district shall submit to
21 each advisory board to review school attendance created in the
22 county pursuant to NRS 392.126 the information required by
23 paragraph (a) of subsection 1.

24 (b) The State Public Charter School Authority , *the Department*
25 and each college or university within the Nevada System of Higher
26 Education that sponsors a charter school shall submit to each
27 advisory board to review school attendance created in a county
28 pursuant to NRS 392.126 the information regarding the records of
29 the attendance and truancy of pupils enrolled in the charter school
30 located in that county, if any, in accordance with the regulations
31 prescribed by the Department pursuant to subsection 3 of
32 NRS 385A.070.

33 **Sec. 11.** NRS 385A.720 is hereby amended to read as follows:

34 385A.720 1. Except as otherwise provided in subsection 3:

35 (a) Based upon the information received from the Department
36 pursuant to NRS 385A.670, the board of trustees of each school
37 district shall, on or before August 15 of each year, issue a
38 preliminary rating for each public school in the school district in
39 accordance with the statewide system of accountability for public
40 schools, excluding charter schools sponsored by the State Public
41 Charter School Authority , *the Department* or a college or
42 university within the Nevada System of Higher Education.

43 (b) The board of trustees shall make preliminary ratings for all
44 charter schools that are sponsored by the board of trustees.



1 (c) The Department shall make preliminary ratings for all
2 charter schools sponsored by the State Public Charter School
3 Authority *and the Department* and all charter schools sponsored by
4 a college or university within the Nevada System of Higher
5 Education.

6 2. Except as otherwise provided in subsection 3:

7 (a) Before making a final rating for a school, the board of
8 trustees of the school district or the Department, as applicable, shall
9 provide the school an opportunity to review the data upon which the
10 preliminary rating is based and to present evidence.

11 (b) If the school is a public school of the school district or a
12 charter school sponsored by the board of trustees, the board of
13 trustees of the school district shall, in consultation with the
14 Department, make a final determination concerning the rating for
15 the school on September 15.

16 (c) If the school is a charter school sponsored by the State Public
17 Charter School Authority , *the Department* or a college or
18 university within the Nevada System of Higher Education, the
19 Department shall make a final determination concerning the rating
20 for the school on September 15.

21 3. The Department may temporarily waive or otherwise pause
22 the requirement to make ratings for public schools that comply with
23 20 U.S.C. § 6311(c) pursuant to this section if the United States
24 Department of Education grants a waiver from or otherwise pauses
25 the requirements of 20 U.S.C. § 6311(c).

26 4. On or before September 15 of each year, the Department
27 shall post on the Internet website maintained by the Department the
28 determinations and final ratings made for all schools in this State.

29 **Sec. 12.** NRS 388.795 is hereby amended to read as follows:

30 388.795 1. The Commission shall establish a plan for the use
31 of educational technology in the public schools of this State. In
32 preparing the plan, the Commission shall consider:

33 (a) Plans that have been adopted by the Department and the
34 school districts and charter schools in this State;

35 (b) Plans that have been adopted in other states;

36 (c) The information reported pursuant to NRS 385A.310 and
37 similar information included in the annual report of accountability
38 information prepared by the State Public Charter School Authority ,
39 *the Department* and a college or university within the Nevada
40 System of Higher Education that sponsors a charter school pursuant
41 to subsection 3 of NRS 385A.070;

42 (d) The results of the assessment of needs conducted pursuant to
43 subsection 6; and

44 (e) Any other information that the Commission or the
45 Committee deems relevant to the preparation of the plan.



1 2. The plan established by the Commission must include
2 recommendations for methods to:

3 (a) Incorporate educational technology into the public schools of
4 this State;

5 (b) Increase the number of pupils in the public schools of this
6 State who have access to educational technology;

7 (c) Increase the availability of educational technology to assist
8 licensed teachers and other educational personnel in complying with
9 the requirements of continuing education, including, without
10 limitation, the receipt of credit for college courses completed
11 through the use of educational technology;

12 (d) Facilitate the exchange of ideas to improve the achievement
13 of pupils who are enrolled in the public schools of this State; and

14 (e) Address the needs of teachers in incorporating the use of
15 educational technology in the classroom, including, without
16 limitation, the completion of training that is sufficient to enable the
17 teachers to instruct pupils in the use of educational technology.

18 3. The Department shall provide:

19 (a) Administrative support;

20 (b) Equipment; and

21 (c) Office space,

22 ↪ as is necessary for the Commission to carry out the provisions of
23 this section.

24 4. The following entities shall cooperate with the Commission
25 in carrying out the provisions of this section:

26 (a) The State Board.

27 (b) The board of trustees of each school district.

28 (c) The superintendent of schools of each school district.

29 (d) The Department.

30 5. The Commission shall:

31 (a) Develop technical standards for educational technology and
32 any electrical or structural appurtenances necessary thereto,
33 including, without limitation, uniform specifications for computer
34 hardware and wiring, to ensure that such technology is compatible,
35 uniform and can be interconnected throughout the public schools of
36 this State.

37 (b) Allocate money to the school districts from the Trust Fund
38 for Educational Technology created pursuant to NRS 388.800 and
39 any money appropriated by the Legislature for educational
40 technology, subject to any priorities for such allocation established
41 by the Legislature.

42 (c) Establish criteria for the board of trustees of a school district
43 that receives an allocation of money from the Commission to:

44 (1) Repair, replace and maintain computer systems.



1 (2) Upgrade and improve computer hardware and software
2 and other educational technology.

3 (3) Provide training, installation and technical support related
4 to the use of educational technology within the district.

5 (d) Submit to the Governor, the Committee and the Department
6 its plan for the use of educational technology in the public schools
7 of this State and any recommendations for legislation.

8 (e) Review the plan annually and make revisions as it deems
9 necessary or as directed by the Committee or the Department.

10 (f) In addition to the recommendations set forth in the plan
11 pursuant to subsection 2, make further recommendations to the
12 Committee and the Department as the Commission deems
13 necessary.

14 6. During the spring semester of each even-numbered school
15 year, the Commission shall conduct an assessment of the needs of
16 each school district relating to educational technology. In
17 conducting the assessment, the Commission shall consider:

18 (a) The recommendations set forth in the plan pursuant to
19 subsection 2;

20 (b) The plan for educational technology of each school district,
21 if applicable;

22 (c) Evaluations of educational technology conducted for the
23 State or for a school district, if applicable; and

24 (d) Any other information deemed relevant by the Commission.

25 ↪ The Commission shall submit a final written report of the
26 assessment to the Superintendent of Public Instruction on or before
27 April 1 of each even-numbered year.

28 7. The Superintendent of Public Instruction shall prepare a
29 written compilation of the results of the assessment conducted by
30 the Commission and transmit the written compilation on or before
31 June 1 of each even-numbered year to the Committee and to the
32 Director of the Legislative Counsel Bureau for transmission to the
33 next regular session of the Legislature.

34 8. The Commission may appoint an advisory committee
35 composed of members of the Commission or other qualified persons
36 to provide recommendations to the Commission regarding standards
37 for the establishment, coordination and use of a telecommunications
38 network in the public schools throughout the various school districts
39 in this State. The advisory committee serves at the pleasure of the
40 Commission and without compensation unless an appropriation or
41 other money for that purpose is provided by the Legislature.

42 9. As used in this section, "public school" includes the Caliente
43 Youth Center, the Nevada Youth Training Center and any other
44 state facility for the detention of children that is operated pursuant to
45 title 5 of NRS.



1 **Sec. 13.** Chapter 388A of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 14 to 27, inclusive, of this
3 act.

4 **Sec. 14.** *“Charter school” does not include a Department*
5 *charter school, except to the extent provided by section 25 of this*
6 *act.*

7 **Sec. 15.** *As used in sections 15 to 27, inclusive, of this act,*
8 *unless the context otherwise requires, the words and terms defined*
9 *in sections 16, 17 and 18 of this act have the meanings ascribed to*
10 *them in those sections.*

11 **Sec. 16.** *“Charter management organization” means a*
12 *nonprofit corporation, organization or other entity that provides*
13 *services relating to the operation and management of charter*
14 *schools.*

15 **Sec. 17.** *“Educational management organization” means a*
16 *for-profit corporation, business, organization or other entity that*
17 *provides services relating to the operation and management of*
18 *charter schools.*

19 **Sec. 18.** *“Public school” does not include a charter school or*
20 *a university school for profoundly gifted pupils.*

21 **Sec. 19.** 1. *The Account for Department Charter Schools is*
22 *hereby created in the State General Fund, to be administered by*
23 *the Superintendent of Public Instruction.*

24 2. *The interest and income earned on the money in the*
25 *Account must be credited to the Account.*

26 3. *The money in the Account may be used only for the*
27 *establishment and maintenance of Department charter schools.*

28 4. *Any money remaining in the Account at the end of a fiscal*
29 *year does not revert to the State General Fund, and the balance in*
30 *the Account must be carried forward to the next fiscal year.*

31 5. *The Department may accept gifts, grants, donations and*
32 *bequests to carry out the responsibilities of the Department*
33 *pursuant to sections 15 to 27, inclusive, of this act. Any money*
34 *from gifts, grants, donations and bequests must be deposited in the*
35 *Account and may be expended in accordance with the terms and*
36 *conditions of the gift, grant or bequest, or in accordance with this*
37 *section.*

38 6. *Claims against the Account must be paid as other claims*
39 *against the State are paid.*

40 **Sec. 20.** 1. *The Department shall take over the*
41 *responsibility for a public school and convert the public school to*
42 *a Department charter school if, for 3 consecutive years, based*
43 *upon the annual reports of the statewide system of accountability*
44 *for public schools, the public school was rated in the lowest 5*



1 *percent of public schools in this State in pupil achievement and*
2 *school performance.*

3 2. *The Department shall notify a public school which will be*
4 *converted to a Department charter school pursuant to subsection*
5 *1, and notify the school district in which the public school is*
6 *located, not later than 60 days after determining that conversion is*
7 *required.*

8 **Sec. 21.** 1. *For each public school which is converted to a*
9 *Department charter school pursuant to section 20 of this act, the*
10 *Superintendent of Public Instruction shall:*

11 (a) *Solicit applications from educational management*
12 *organizations, charter management organizations and other*
13 *persons to operate the Department charter school.*

14 (b) *Provide information to parents of pupils enrolled at the*
15 *public school concerning programs of instruction that applicants*
16 *to operate the Department charter school have proposed to offer at*
17 *the Department charter school and, in accordance with any*
18 *regulations adopted pursuant to section 27 of this act, solicit the*
19 *input of such parents concerning the needs of such pupils and the*
20 *ability of the proposed programs of instruction to address those*
21 *needs.*

22 (c) *Taking into consideration the input provided pursuant to*
23 *paragraph (b), evaluate the applications submitted to operate the*
24 *Department charter school and approve an application that the*
25 *Department determines is high quality, meets the identified*
26 *educational needs of pupils and is likely to improve pupil*
27 *achievement and school performance.*

28 (d) *Negotiate and enter into a contract to operate the*
29 *Department charter school directly with a charter management*
30 *organization, educational management organization or other*
31 *person whose application is approved pursuant to paragraph (c).*
32 *Such a contract must not:*

33 (1) *Contain any provision that would delay or prevent the*
34 *approval of an application by the governing body of the*
35 *Department charter school or the Department for an exemption*
36 *from federal taxation pursuant to 26 U.S.C. § 501(c)(3);*

37 (2) *Require the Department to pay any costs associated with*
38 *ensuring that services comply with state and federal law;*

39 (3) *Provide that the charter management organization,*
40 *educational management organization or other person, as*
41 *applicable, is not liable for failing to comply with the requirements*
42 *of the contract; or*

43 (4) *Provide for the enforcement of terms of the contract*
44 *that conflict with an applicable charter contract or federal or state*
45 *law.*



1 (e) Monitor and evaluate pupil achievement and school
2 performance of each Department charter school.

3 2. The Department shall adopt regulations that prescribe the
4 process by which a charter management organization, educational
5 management organization or other person may apply to operate a
6 Department charter school. Such regulations must, without
7 limitation:

8 (a) Require each application to include a plan to involve and
9 engage the parents and families of pupils enrolled at the
10 Department charter school; and

11 (b) Authorize a charter management organization, educational
12 management organization or other person to submit one
13 application to operate more than one Department charter school.

14 3. If a charter management organization, educational
15 management organization or other person applies to operate more
16 than one Department charter school pursuant to paragraph (b) of
17 subsection 2, the Department must not approve the application
18 unless any Department charter school currently operated by the
19 charter management organization, educational management
20 organization or other person, as applicable, meets specific criteria
21 for pupil achievement and school performance established for
22 each such school by the Department.

23 **Sec. 22.** 1. After a contract is entered into pursuant to
24 section 21 of this act, the Department shall be deemed the sponsor
25 of the Department charter school for all purposes, including,
26 without limitation, receipt of the sponsorship fee prescribed by
27 NRS 388A.414.

28 2. The charter management organization, educational
29 management organization or other person with whom the
30 Superintendent of Public Instruction enters into a contract to
31 operate the Department charter school shall appoint the governing
32 body of the Department charter school, consisting of such persons
33 as deemed appropriate by the charter management organization,
34 educational management organization or other person, as
35 applicable, and who meet the requirements set forth in subsection

36 3. The governing body has such powers and duties as assigned
37 pursuant to sections 15 to 27, inclusive, of this act and any other
38 applicable law or regulation and by the Superintendent of Public
39 Instruction.

40 3. At least two members of the governing body of a
41 Department charter school must reside in the community in which
42 the Department charter school is located. A person who is
43 employed by the charter management organization, educational
44 management organization or other person with whom the
45 Superintendent of Public Instruction has entered into a contract to



1 *operate the Department charter school may not serve as a voting*
2 *member of the governing body of the Department charter school.*

3 *4. The Superintendent of Public Instruction may terminate a*
4 *contract to operate a Department charter school before the*
5 *expiration of the contract under circumstances prescribed by*
6 *regulation of the Department.*

7 **Sec. 23.** *1. After the governing body of a Department*
8 *charter school is appointed pursuant to section 22 of this act, the*
9 *governing body shall select the principal of the Department*
10 *charter school. The principal shall review each employee of the*
11 *public school that was converted to a Department charter school to*
12 *determine whether to offer the employee a position in the*
13 *Department charter school based on the needs of the school and*
14 *the ability of the employee to effectively meet those needs. The*
15 *board of trustees of the school district in which the Department*
16 *charter school is located may terminate the employment of or*
17 *reassign any employee who is not offered a position in the*
18 *Department charter school or does not accept such a position.*

19 *2. A public school which is converted to a Department*
20 *charter school pursuant to section 20 of this act must continue to*
21 *operate in the same building in which the school operated before*
22 *being converted to a Department charter school. The board of*
23 *trustees of the school district in which the school is located must*
24 *provide such use of the building without compensation. While the*
25 *school is operated as a Department charter school, the governing*
26 *body of the Department charter school shall pay all costs related to*
27 *the maintenance and operation of the building and the board of*
28 *trustees shall pay all capital expenses.*

29 *3. The board of trustees of a school district:*

30 *(a) Is not required to give priority to a capital project at a*
31 *public school that is selected for conversion to a Department*
32 *charter school; and*

33 *(b) Shall not reduce the priority of such a capital project that*
34 *existed before the school was selected for conversion.*

35 *4. Any pupil who was enrolled at a public school before the*
36 *school was converted to a Department charter school pursuant to*
37 *section 20 of this act must be enrolled in the Department charter*
38 *school, unless the parent or guardian of the pupil submits a*
39 *written notice to the principal of the Department charter school*
40 *that the pupil will not continue to be enrolled in the Department*
41 *charter school.*

42 *5. The governing body of a Department charter school shall*
43 *not authorize the payment of loans, advances or other monetary*
44 *charges to the charter management organization, educational*
45 *management organization or other person with whom the*



1 *Superintendent of Public Instruction has entered into a contract to*
2 *operate the Department charter school which are greater than 15*
3 *percent of the total expected funding to be received by the*
4 *Department charter school from the State Education Fund.*

5 **Sec. 24.** 1. *Each Department charter school is hereby*
6 *deemed a local educational agency for the purpose of receiving*
7 *any money available from federal grant programs. A Department*
8 *charter school that receives money pursuant to such a grant*
9 *program shall comply with any applicable reporting requirements*
10 *to receive the grant.*

11 2. *As used in this section, "local educational agency" has the*
12 *meaning ascribed to it in 20 U.S.C. § 7801(30)(A).*

13 **Sec. 25.** 1. *Except as otherwise provided in this section, the*
14 *provisions of this chapter are not applicable to a Department*
15 *charter school.*

16 2. *The provisions of NRS 388A.090, 388A.095, 388A.100,*
17 *388A.171, 388A.226, 388A.247, 388A.323, 388A.345, 388A.348,*
18 *388A.352 to 388A.355, inclusive, 388A.363 to 388A.369, inclusive,*
19 *subsection 1 of NRS 388A.3934, NRS 388A.405 to 388A.420,*
20 *inclusive, and 388A.471 to 388A.695, inclusive, apply to a*
21 *Department charter school.*

22 **Sec. 26.** 1. *Upon request of the Superintendent of Public*
23 *Instruction, the board of trustees of the school district in which a*
24 *Department charter school is located shall provide facilities to*
25 *operate the Department charter school, in addition to and not*
26 *including the building in which the Department charter school*
27 *operates pursuant to section 23 of this act, or perform any service*
28 *relating to the operation of the Department charter school,*
29 *including, without limitation, transportation, the provision of food*
30 *services and health services for pupils who are enrolled in the*
31 *Department charter school and the provision of school police*
32 *officers. The governing body of the Department charter school*
33 *shall reimburse the board of trustees for the cost of such facilities*
34 *and services. If a dispute arises between the governing body of a*
35 *Department charter school or the Department and the board of*
36 *trustees of a school district concerning the cost of such facilities*
37 *and services to be reimbursed, the Superintendent of Public*
38 *Instruction must determine the cost to be reimbursed.*

39 2. *To the extent money is available from legislative*
40 *appropriation or otherwise, a Department charter school that does*
41 *not meet the requirements of subsection 1 of NRS 388A.405 may*
42 *apply to the Department for money for facilities if the Department*
43 *charter school meets the requirements prescribed by regulation of*
44 *the Department.*



1 3. A school district that provides school police officers to a
2 Department charter school pursuant to this section is immune
3 from civil and criminal liability for any act or omission of a school
4 police officer that provides services to the Department charter
5 school.

6 **Sec. 27.** The Department shall adopt any regulations
7 necessary or convenient to carry out the provisions of sections 15
8 to 27, inclusive, of this act. The regulations may prescribe, without
9 limitation:

10 1. The process by which the Superintendent of Public
11 Instruction must solicit the input of parents of pupils enrolled at a
12 public school that will be converted to a Department charter
13 school concerning the needs of such pupils pursuant to section 21
14 of this act before approving an application to operate the
15 Department charter school pursuant to section 20 of this act.

16 2. The process by which the Superintendent of Public
17 Instruction must solicit applications to operate a Department
18 charter school and the procedure and criteria that the
19 Superintendent must use when evaluating such applications
20 pursuant to section 20 of this act.

21 3. The manner in which the Superintendent of Public
22 Instruction must monitor and evaluate pupil achievement and
23 school performance of a Department charter school.

24 4. The process by which a parent or legal guardian of a child
25 may apply for enrollment in a Department charter school,
26 including, without limitation, the required contents of the
27 application and the criteria used to determine which pupils will be
28 enrolled in the Department charter school. A Department charter
29 school shall not accept applications for enrollment in the
30 Department charter school or otherwise discriminate based on the
31 race, gender, religion, ethnicity, disability, sexual orientation or
32 gender identity or expression of a pupil.

33 5. Requirements for annual independent audits of
34 Department charter schools, including, without limitation:

35 (a) Required training for prospective auditors on the
36 expectations and scope of the audits;

37 (b) Annual performance audits and financial audits of
38 Department charter schools that do not satisfy the requirements of
39 subsection 1 of NRS 388A.405; and

40 (c) Performance audits every 3 years and annual financial
41 audits of Department charter schools that satisfy the requirements
42 of subsection 1 of NRS 388A.405.

43 6. Ethics requirements for the governing bodies of charter
44 schools.

45 7. Procedures for accounting and budgeting.



1 **8. The process by which the Superintendent of Public**
2 **Instruction must fulfill the duties prescribed by subsection 1 of**
3 **section 21 of this act.**

4 **Sec. 28.** NRS 388A.010 is hereby amended to read as follows:
5 388A.010 As used in this chapter, the words and terms defined
6 in NRS 388A.015 to 388A.050, inclusive, **and section 14 of this act**
7 have the meanings ascribed to them in those sections.

8 **Sec. 29.** NRS 388A.075 is hereby amended to read as follows:
9 388A.075 ~~[The]~~ **Except as otherwise provided in section 20 of**
10 **this act, the** Legislature declares that by authorizing the formation
11 of charter schools it is not authorizing:

12 1. The conversion of an existing public school, homeschool or
13 other program of home study to a charter school.

14 2. A means for providing financial assistance for private
15 schools or programs of home study. The provisions of this
16 subsection do not preclude:

17 (a) A private school from ceasing to operate as a private school
18 and reopening as a charter school in compliance with the provisions
19 of this chapter.

20 (b) The payment of money to a charter school (b) for the enrollment
21 of children in classes at the charter school pursuant to subsection 1
22 of NRS 388A.471 who are enrolled in a public school of a school
23 district or a private school or who are homeschooled.

24 3. The formation of charter schools on the basis of a single
25 race, religion or ethnicity.

26 **Sec. 30.** NRS 388A.080 is hereby amended to read as follows:
27 388A.080 The provisions of this chapter do not authorize an
28 existing public school, homeschool or other program of home study
29 to convert to a charter school ~~[]~~, **except as otherwise provided in**
30 **section 20 of this act.**

31 **Sec. 31.** NRS 388A.353 is hereby amended to read as follows:
32 388A.353 On or before November 1 of each even-numbered
33 year, the governing body of each charter school that ~~[enters into a~~
34 ~~contract with]~~ **is operated by or receives services from** an
35 educational management organization shall submit to the sponsor of
36 the charter school a report that includes the amount paid to the
37 educational management organization in the current and
38 immediately preceding fiscal years. On or before November 1 of
39 each even-numbered year, each sponsor of a charter school that
40 ~~[enters into a contract with]~~ **is operated by or receives services from**
41 an educational management organization shall submit to the
42 Director of the Legislative Counsel Bureau for transmission to
43 the next regular session of the Legislature a report that includes the
44 amount paid to the educational management organization by the
45 charter school in the current and immediately preceding fiscal years.



1 **Sec. 32.** NRS 388A.354 is hereby amended to read as follows:
2 388A.354 1. The governing body of a charter school that
3 receives services from an educational management organization
4 shall:

5 (a) Post to the Internet website of the charter school:

6 (1) Each financial audit and each performance audit of the
7 charter school required by the Department pursuant to NRS
8 388A.105 or 388A.110 ~~H~~ *or section 27 of this act;*

9 (2) Information on the contract with the charter management
10 organization or the educational management organization,
11 including, without limitation:

12 (I) The amount of money received by the educational
13 management organization from public and private sources to carry
14 out the terms of the contract;

15 (II) The expenditures of the educational management
16 organization relating to carrying out the contract, including, without
17 limitation, the payment of salaries, benefits and bonuses; and

18 (III) An identification of each contract, transaction and
19 agreement entered into by the educational management organization
20 relating to carrying out the contract with the charter school,
21 including, without limitation, contracts, transactions and agreements
22 with parent organizations, subsidiaries and partnerships of the
23 educational management organization; and

24 (3) To the extent practicable, information on any contract
25 between a member of the governing body of the charter school or
26 any member of the family of the member of the governing body and
27 another charter school, sponsor of a charter school, charter
28 management organization or educational management organization.

29 (b) Submit information on the contract with the educational
30 management organization and a letter describing whether the
31 governing body of the charter school is satisfied with the contractual
32 relationship with the educational management organization to the
33 sponsor of the charter school.

34 2. The sponsor of a charter school may, after reviewing the
35 information provided pursuant to paragraph (b) of subsection 1,
36 request additional information, conduct an investigation or
37 otherwise take action relating to the information received by the
38 sponsor of the charter school.

39 3. On or before December 15 of each odd-numbered year, the
40 sponsor of a charter school that receives information on a contract
41 between the governing body of a charter school and an educational
42 management organization pursuant to subsection 1 shall submit a
43 report of such information to the Joint Interim Standing Committee
44 on Education.



1 **Sec. 33.** NRS 388A.405 is hereby amended to read as follows:
2 388A.405 1. To the extent money is available from
3 legislative appropriation or otherwise, a charter school may apply to
4 the Department for money for facilities if:

5 (a) The charter school has been operating in this State for at
6 least 5 consecutive years and is in good financial standing;

7 (b) Each financial audit and each performance audit of the
8 charter school required by the Department pursuant to NRS
9 388A.105 or 388A.110 *or section 27 of this act* contains no major
10 notations, corrections or errors concerning the charter school for at
11 least 5 consecutive years;

12 (c) The charter school has met or exceeded the school
13 achievement targets and performance targets established pursuant to
14 the statewide system of accountability for public schools or has
15 demonstrated improvement in the achievement of pupils enrolled in
16 the charter school, as indicated by those school achievement targets
17 and performance targets, for the majority of the years of its
18 operation; and

19 (d) At least 75 percent of the pupils enrolled in grade 12 in the
20 charter school in the immediately preceding school year have
21 satisfied the requirements of subsection 3 or 4 of NRS 390.600 or
22 the criteria prescribed by the State Board pursuant to subsection 1 of
23 NRS 390.600, if the charter school enrolls pupils at a high school
24 grade level.

25 2. A charter school that satisfies the requirements of subsection
26 1 shall submit to a performance audit as required by the Department
27 one time every 3 years. The sponsor of the charter school and the
28 Department shall not request a performance audit of the charter
29 school more frequently than every 3 years without reasonable
30 evidence of noncompliance in achieving the educational goals and
31 objectives of the charter school based upon the annual report
32 submitted to the Department pursuant to NRS 388A.351. If the
33 charter school no longer satisfies the requirements of subsection 1 or
34 if reasonable evidence of noncompliance in achieving the
35 educational goals and objectives of the charter school exists based
36 upon the annual report, the charter school shall, upon written notice
37 from the sponsor, submit to an annual performance audit.
38 Notwithstanding the provisions of paragraph (b) of subsection 1,
39 such a charter school:

40 (a) May, after undergoing the annual performance audit, reapply
41 to the sponsor to determine whether the charter school satisfies the
42 requirements of paragraphs (a), (c) and (d) of subsection 1.

43 (b) Is not eligible for any available money pursuant to
44 subsection 1 until the sponsor determines that the charter school
45 satisfies the requirements of that subsection.



1 3. A charter school that does not satisfy the requirements of
2 subsection 1 shall submit a quarterly report of the financial status of
3 the charter school if requested by the sponsor of the charter school.

4 **Sec. 34.** NRS 388G.050 is hereby amended to read as follows:

5 388G.050 1. There is hereby established a Program of
6 Empowerment Schools for public schools within this State. The
7 Program does not include a university school for profoundly gifted
8 pupils ~~in~~ *or a Department charter school.*

9 2. The board of trustees of a school district which is located:

10 (a) In a county whose population is less than 100,000 may
11 approve public schools located within the school district to operate
12 as empowerment schools.

13 (b) In a county whose population is 100,000 or more but less
14 than 700,000 shall approve not less than 5 percent of the schools
15 located within the school district to operate as empowerment
16 schools.

17 3. The board of trustees of a school district which participates
18 in the Program of Empowerment Schools shall, on or before
19 September 1 of each year, provide notice to the Department of the
20 number of schools within the school district that are approved to
21 operate as empowerment schools for that school year.

22 4. The board of trustees of a school district that participates in
23 the Program of Empowerment Schools may create a design team for
24 the school district. If such a design team is created, the membership
25 of the design team must consist of the following persons appointed
26 by the board of trustees:

27 (a) At least one representative of the board of trustees;

28 (b) The superintendent of the school district, or the
29 superintendent's designee;

30 (c) Parents and legal guardians of pupils enrolled in public
31 schools in the school district;

32 (d) Teachers and other educational personnel employed by the
33 school district, including, without limitation, school administrators;

34 (e) Representatives of organizations that represent teachers and
35 other educational personnel;

36 (f) Representatives of the community in which the school
37 district is located and representatives of businesses within the
38 community; and

39 (g) Such other members as the board of trustees determines are
40 necessary.

41 5. If a design team is created for a school district, the design
42 team shall:

43 (a) Recommend policies and procedures relating to
44 empowerment schools to the board of trustees of the school district;

45 and



1 (b) Advise the board of trustees on issues relating to
2 empowerment schools.

3 6. The board of trustees of a school district may accept gifts,
4 grants and donations from any source for the support of the
5 empowerment schools within the school district.

6 **Sec. 35.** NRS 391.282 is hereby amended to read as follows:

7 391.282 1. The jurisdiction of each school police officer of a
8 school district extends to all school property, buildings and facilities
9 within the school district and, if the board of trustees has entered
10 into a contract with a charter school for the provision of school
11 police officers pursuant to NRS 388A.384 ~~§~~ *or provides school*
12 *police officers to a Department charter school pursuant to section*
13 *26 of this act*, all property, buildings and facilities in which the
14 charter school is located, for the purpose of:

15 (a) Protecting school district personnel, pupils, or real or
16 personal property; or

17 (b) Cooperating with local law enforcement agencies in matters
18 relating to personnel, pupils or real or personal property of the
19 school district.

20 2. In addition to the jurisdiction set forth in subsection 1, a
21 school police officer of a school district has jurisdiction:

22 (a) Beyond the school property, buildings and facilities:

23 (1) When in hot pursuit of a person believed to have
24 committed a crime; or

25 (2) While investigating matters that originated within the
26 jurisdiction of the school police officer relating to personnel, pupils
27 or real or personal property of the school district;

28 (b) At activities or events sponsored by the school district that
29 are in a location other than the school property, buildings or
30 facilities within the school district; and

31 (c) On the streets that are adjacent to the school property,
32 buildings and facilities within the school district to enforce
33 violations of traffic laws and ordinances.

34 3. A law enforcement agency that is contacted for assistance by
35 a public school or private school which does not have school police
36 shall respond according to the protocol of the law enforcement
37 agency established for responding to calls for assistance from the
38 general public.

39 **Sec. 36.** NRS 392.128 is hereby amended to read as follows:

40 392.128 1. Each advisory board to review school attendance
41 created pursuant to NRS 392.126 shall:

42 (a) Review the records of the attendance and truancy of pupils
43 submitted to the advisory board to review school attendance by the
44 board of trustees of the school district, *the Department* or the State
45 Public Charter School Authority or a college or university within the



1 Nevada System of Higher Education that sponsors a charter school
2 pursuant to subsection 3 of NRS 385A.240;

3 (b) Identify factors that contribute to the truancy of pupils in the
4 school district;

5 (c) Establish programs to reduce the truancy of pupils in the
6 school district, including, without limitation, the coordination of
7 services available in the community to assist with the intervention,
8 diversion and discipline of pupils who are truant;

9 (d) At least annually, evaluate the effectiveness of those
10 programs;

11 (e) Establish a procedure for schools and school districts for the
12 reporting of the status of pupils as habitual truants; and

13 (f) Inform the parents and legal guardians of the pupils who are
14 enrolled in the schools within the district of the policies and
15 procedures adopted pursuant to the provisions of this section.

16 2. The chair of an advisory board may divide the advisory
17 board into subcommittees. The advisory board may delegate one or
18 more of the duties of the advisory board to a subcommittee of the
19 advisory board, including, without limitation, holding hearings
20 pursuant to NRS 392.147. If the chair of an advisory board divides
21 the advisory board into subcommittees, the chair shall notify the
22 board of trustees of the school district of this action. Upon receipt of
23 such a notice, the board of trustees shall establish rules and
24 procedures for each such subcommittee. A subcommittee shall abide
25 by the applicable rules and procedures when it takes action or makes
26 decisions.

27 3. An advisory board to review school attendance may work
28 with a family resource center or other provider of community
29 services to provide assistance to pupils who are truant. The advisory
30 board shall identify areas within the school district in which
31 community services are not available to assist pupils who are truant.
32 As used in this subsection, "family resource center" has the meaning
33 ascribed to it in NRS 430A.040.

34 4. An advisory board to review school attendance created in a
35 county pursuant to NRS 392.126 may use money appropriated by
36 the Legislature and any other money made available to the advisory
37 board for the use of programs to reduce the truancy of pupils in the
38 school district. The advisory board to review school attendance
39 shall, on a quarterly basis, provide to the board of trustees of the
40 school district an accounting of the money used by the advisory
41 board to review school attendance to reduce the truancy of pupils in
42 the school district.

43 **Sec. 37.** The preliminary chapter of NRS is hereby amended
44 by adding thereto a new section to read as follows:



1 *Except as otherwise expressly provided in a particular statute*
2 *or required by the context, "charter school" means any public*
3 *school that is formed pursuant to the provisions of chapter 388A*
4 *of NRS.*

5 **Sec. 38.** NRS 280.287 is hereby amended to read as follows:

6 280.287 1. The department may enter into a contract with the
7 board of trustees of the school district located in the county served
8 by the department for the provision and supervision of police
9 services in the public schools within the school district and any
10 charter school with which the board of trustees has entered into a
11 contract for the provision of school police officers pursuant to NRS
12 388A.384 ~~or~~ *or to which the board of trustees provides school*
13 *police officers pursuant to section 26 of this act*, and on property
14 owned by the school district and, if applicable, on property owned
15 or operated by a charter school. If the department enters into a
16 contract pursuant to this section, the department shall create a
17 separate unit designated as the school police unit for this purpose.

18 2. The department may establish different qualifications and
19 training requirements for officers assigned to the school police unit
20 than those generally applicable to officers of the department.

21 **Sec. 39.** NRS 288.150 is hereby amended to read as follows:

22 288.150 1. Except as otherwise provided in subsection 6 and
23 NRS 354.6241, every local government employer shall negotiate in
24 good faith through one or more representatives of its own choosing
25 concerning the mandatory subjects of bargaining set forth in
26 subsection 2 with the designated representatives of the recognized
27 employee organization, if any, for each appropriate bargaining unit
28 among its employees. If either party so requests, agreements reached
29 must be reduced to writing.

30 2. The scope of mandatory bargaining is limited to:

31 (a) Salary or wage rates or other forms of direct monetary
32 compensation.

33 (b) Sick leave.

34 (c) Vacation leave.

35 (d) Holidays.

36 (e) Other paid or nonpaid leaves of absence.

37 (f) Insurance benefits.

38 (g) Total hours of work required of an employee on each
39 workday or workweek.

40 (h) Total number of days' work required of an employee in a
41 work year.

42 (i) Except as otherwise provided in subsections 8, ~~and~~ 11 ~~and~~
43 *and 12*, discharge and disciplinary procedures.

44 (j) Recognition clause.



1 (k) The method used to classify employees in the bargaining
2 unit.

3 (l) Deduction of dues for the recognized employee organization.

4 (m) Protection of employees in the bargaining unit from
5 discrimination because of participation in recognized employee
6 organizations consistent with the provisions of this chapter.

7 (n) No-strike provisions consistent with the provisions of this
8 chapter.

9 (o) Grievance and arbitration procedures for resolution of
10 disputes relating to interpretation or application of collective
11 bargaining agreements.

12 (p) General savings clauses.

13 (q) Duration of collective bargaining agreements.

14 (r) Safety of the employee.

15 (s) Teacher preparation time.

16 (t) Materials and supplies for classrooms.

17 (u) Except as otherwise provided in subsections 9 , 11 and ~~11.1~~
18 12, the policies for the transfer and reassignment of teachers.

19 (v) Procedures for reduction in workforce consistent with the
20 provisions of this chapter.

21 (w) Procedures consistent with the provisions of subsection 6
22 for the reopening of collective bargaining agreements for additional,
23 further, new or supplementary negotiations during periods of fiscal
24 emergency.

25 3. Those subject matters which are not within the scope of
26 mandatory bargaining and which are reserved to the local
27 government employer without negotiation include:

28 (a) Except as otherwise provided in paragraph (u) of subsection
29 2, the right to hire, direct, assign or transfer an employee, but
30 excluding the right to assign or transfer an employee as a form of
31 discipline.

32 (b) The right to reduce in force or lay off any employee because
33 of lack of work or lack of money, subject to paragraph (v) of
34 subsection 2.

35 (c) The right to determine:

36 (1) Appropriate staffing levels and work performance
37 standards, except for safety considerations;

38 (2) The content of the workday, including without limitation
39 workload factors, except for safety considerations;

40 (3) The quality and quantity of services to be offered to the
41 public; and

42 (4) The means and methods of offering those services.

43 (d) Safety of the public.

44 4. The provisions of NRS 245.063, 268.4069 and 391.1605 are
45 not subject to negotiations with an employee organization. Any



1 provision of a collective bargaining agreement negotiated pursuant
2 to this chapter which differs from or conflicts in any way with the
3 provisions of NRS 245.063, 268.4069 or 391.1605 is unenforceable
4 and void.

5 5. If the local government employer is a school district, any
6 money appropriated by the State to carry out increases in salaries or
7 benefits for the employees of the school district is subject to
8 negotiations with an employee organization.

9 6. Notwithstanding the provisions of any collective bargaining
10 agreement negotiated pursuant to this chapter, a local government
11 employer is entitled to:

12 (a) Reopen a collective bargaining agreement for additional,
13 further, new or supplementary negotiations relating to compensation
14 or monetary benefits during a period of fiscal emergency.
15 Negotiations must begin not later than 21 days after the local
16 government employer notifies the employee organization that a
17 fiscal emergency exists. For the purposes of this section, a fiscal
18 emergency shall be deemed to exist:

19 (1) If the amount of revenue received by the general fund of
20 the local government employer during the last preceding fiscal year
21 from all sources, except any nonrecurring source, declined by 5
22 percent or more from the amount of revenue received by the general
23 fund from all sources, except any nonrecurring source, during the
24 next preceding fiscal year, as reflected in the reports of the annual
25 audits conducted for those fiscal years for the local government
26 employer pursuant to NRS 354.624; or

27 (2) If the local government employer has budgeted an
28 unreserved ending fund balance in its general fund for the current
29 fiscal year in an amount equal to 4 percent or less of the actual
30 expenditures from the general fund for the last preceding fiscal year,
31 and the local government employer has provided a written
32 explanation of the budgeted ending fund balance to the Department
33 of Taxation that includes the reason for the ending fund balance and
34 the manner in which the local government employer plans to
35 increase the ending fund balance.

36 (b) Take whatever actions may be necessary to carry out its
37 responsibilities in situations of emergency such as a riot, military
38 action, natural disaster or civil disorder. Those actions may include
39 the suspension of any collective bargaining agreement for the
40 duration of the emergency.

41 ➤ Any action taken under the provisions of this subsection must not
42 be construed as a failure to negotiate in good faith.

43 7. The provisions of this chapter, including without limitation
44 the provisions of this section, recognize and declare the ultimate
45 right and responsibility of the local government employer to manage



1 its operation in the most efficient manner consistent with the best
2 interests of all its citizens, its taxpayers and its employees.

3 8. If the sponsor of a charter school reconstitutes the governing
4 body of a charter school pursuant to NRS 388A.330, the new
5 governing body may terminate the employment of any teachers or
6 other employees of the charter school, and any provision of any
7 agreement negotiated pursuant to this chapter that provides
8 otherwise is unenforceable and void.

9 9. The board of trustees of a school district in which a school is
10 designated as a turnaround school pursuant to NRS 388G.400 or the
11 principal of such a school, as applicable, may take any action
12 authorized pursuant to NRS 388G.400, including, without
13 limitation:

14 (a) Reassigning any member of the staff of such a school; or

15 (b) If the staff member of another public school consents,
16 reassigning that member of the staff of the other public school to
17 such a school.

18 10. Any provision of an agreement negotiated pursuant to this
19 chapter which differs from or conflicts in any way with the
20 provisions of subsection 9 or imposes consequences on the board of
21 trustees of a school district or the principal of a school for taking
22 any action authorized pursuant to subsection 9 is unenforceable and
23 void.

24 11. The board of trustees of a school district or the governing
25 body of a charter school or university school for profoundly gifted
26 pupils may use a substantiated report of the abuse or neglect of a
27 child or a violation of NRS 201.540, 201.560, 392.4633 or 394.366
28 obtained from the Statewide Central Registry for the Collection of
29 Information Concerning the Abuse or Neglect of a Child established
30 by NRS 432.100 or an equivalent registry maintained by a
31 governmental agency in another jurisdiction for the purposes
32 authorized by NRS 388A.515, 388C.200, 391.033, 391.104 or
33 391.281, as applicable. Such purposes may include, without
34 limitation, making a determination concerning the assignment,
35 discipline or termination of an employee. Any provision of any
36 agreement negotiated pursuant to this chapter which conflicts with
37 the provisions of this subsection is unenforceable and void.

38 12. *The board of trustees of a school district may terminate*
39 *the employment of or reassign any member of the staff of a school*
40 *that is converted to a Department charter school pursuant to*
41 *sections 15 to 27, inclusive, of this act and any provision of any*
42 *agreement negotiated pursuant to this chapter which provides*
43 *otherwise is unenforceable and void.*

44 13. This section does not preclude, but this chapter does not
45 require, the local government employer to negotiate subject matters



1 enumerated in subsection 3 which are outside the scope of
2 mandatory bargaining. The local government employer shall discuss
3 subject matters outside the scope of mandatory bargaining but it is
4 not required to negotiate those matters.

5 ~~[13.]~~ **14.** Contract provisions presently existing in signed and
6 ratified agreements as of May 15, 1975, at 12 p.m. remain
7 negotiable.

8 ~~[14.]~~ **15.** As used in this section ~~[, “abuse”~~ :

9 (a) *“Abuse* or neglect of a child” has the meaning ascribed to it
10 in NRS 392.281.

11 (b) *“Department charter school” has the meaning ascribed to*
12 *it in NRS 385.007.*

13 **Sec. 40.** The provisions of section 20 of this act apply to any
14 public school regardless of any other designations or programs to
15 which the school may already be included.

16 **Sec. 41.** The provisions of NRS 288.150, as amended by
17 section 39 of this act:

18 1. Apply to any collective bargaining agreement entered into,
19 extended or renewed on or after July 1, 2024, and any provision of
20 the agreement that is in conflict with that section, as amended, is
21 void.

22 2. Do not apply to any collective bargaining agreement entered
23 into before July 1, 2024, during the current term of the agreement.

24 **Sec. 42.** The provisions of subsection 1 of NRS 218D.380 do
25 not apply to any provision of this act which adds or revises a
26 requirement to submit a report to the Legislature.

27 **Sec. 43.** The provisions of NRS 354.599 do not apply to any
28 additional expenses of a local government that are related to the
29 provisions of this act.

30 **Sec. 44.** 1. This section becomes effective upon passage and
31 approval.

32 2. Sections 1 to 43, inclusive, of this act become effective:

33 (a) Upon passage and approval for the purpose of adopting any
34 regulations and performing any other preparatory administrative
35 tasks that are necessary to carry out the provisions of this act; and

36 (b) On July 1, 2024, for all other purposes.

