

Amendment No. 424

Assembly Amendment to Assembly Bill No. 419	(BDR 34-751)
<b>Proposed by:</b> Assembly Committee on Education	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





ASSEMBLY BILL NO. 419—COMMITTEE ON EDUCATION

MARCH 25, 2021

Referred to Committee on Education

SUMMARY—Revises provisions governing charter schools. (BDR 34-751)

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

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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; establishing various provisions relating to the sponsorship and governance of charter schools; requiring the disclosure of certain information relating to the management of charter schools; setting forth certain requirements for charter schools that have received certain low ratings of performance on the statewide system of accountability for public schools; ~~prohibiting the approval of an application to form a charter school if the charter school is proposed to be managed by certain operators;~~ and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, the State Public Charter School Authority is required to sponsor  
 2 charter schools whose applications have been approved by the State Public Charter School  
 3 Authority. The Department of Education is authorized to approve an application by the board  
 4 of trustees of a school district or a college or university within the Nevada System of Higher  
 5 Education to sponsor charter schools. (NRS 388A.220) ~~Section 2 of this bill requires the~~  
 6 ~~Department to adopt regulations that prescribe a framework for determining the qualifications~~  
 7 ~~of an applicant to sponsor charter schools.~~ **Section 3** of this bill requires the ~~State Public~~  
 8 ~~Charter School Authority~~ **sponsor of a charter school** to ~~(1)~~ establish standards for the  
 9 governance of **each** charter ~~schools;~~ and ~~(2)~~ publish a list of training programs approved by  
 10 the State Public Charter School Authority for governance of charter schools. **school which it**  
 11 **sponsors.** Under **section 3**, the ~~State Public Charter School Authority is authorized to~~  
 12 **sponsor of a charter school is required to** provide ~~a~~ training ~~program for~~ **to the**  
 13 **governing body of each charter school it sponsors on the** governance of charter schools.  
 14 **Section 3** also requires each member of the governing body of a charter school to complete  
 15 training on the governance of charter schools at certain times. **Section 4** of this bill requires  
 16 each member of the State Public Charter School Authority to complete training on the  
 17 responsibilities of the member ~~(the authorization of sponsors of charter schools)~~ and the  
 18 governance of charter schools.  
 19 **Section 5** of this bill requires the governing body of a charter school to disclose certain  
 20 information regarding a charter management organization ~~or~~ **or** educational management  
 21 organization ~~for other person~~ with which the charter school has entered into a contract to  
 22 provide services to the charter school. **Section 6** of this bill requires the governing body of a  
 23 charter school that receives services from an educational management organization to disclose  
 24 certain information regarding the educational management organization **and certain**  
 25 **contracts held by members of the governing body of the charter school** on the Internet

26 website of the charter school and to the sponsor of the charter school. Section 6 also  
 27 authorizes the sponsor of a charter school to request certain information and conduct  
 28 investigations.

29 Existing law establishes a statewide system of accountability for public schools. (NRS  
 30 385A.600-385A.840) Under existing law, the governing body of a charter school is authorized  
 31 to request a change in the sponsorship of the charter school. (NRS 388A.231) Existing law  
 32 also authorizes the sponsor of a charter school to reconstitute the governing body of a charter  
 33 school or terminate a charter contract in certain circumstances. (NRS 388A.330) ~~Section 8 of~~  
 34 ~~this bill clarifies that the governing body of a charter school is authorized to request to be~~  
 35 ~~sponsored by the State Public Charter School Authority.] Section 7 of this bill requires the~~  
 36 sponsor of a charter school that has received one of the two lowest ratings of performance  
 37 pursuant to the statewide system of accountability for public schools in each of the last 3  
 38 consecutive years and has not requested a change in sponsorship to submit a report to the  
 39 Legislative Committee on Education of information relating to actions the sponsor of the  
 40 charter school has taken to reconstitute the governing body of the charter school or terminate  
 41 the charter contract.

42 Existing law sets forth various requirements for a proposed sponsor of a charter school to  
 43 review an application to form a charter school. (NRS 388A.249) Existing law authorizes the  
 44 governing body of a charter school to request to amend its charter contract. (NRS  
 45 388A.276) Section 9 of this bill requires the proposed sponsor to ~~inform the Executive~~  
 46 ~~Director of the State Public Charter School Authority.]~~ consider the academic, financial and  
 47 organizational performance of charter schools that currently hold a contract with the  
 48 proposed operators of a proposed charter school. [If the Executive Director determines that the  
 49 proposed operators of a proposed charter school are the same as or substantially similar to the  
 50 operators of an existing charter school that has received one of the two lowest ratings of  
 51 performance pursuant to the statewide system of accountability for public schools in the last 3  
 52 consecutive years, section 9 requires the proposed sponsor of the charter school to deny the  
 53 application.

54 ~~Sections 10-12 of this bill make conforming changes relating to the requirement to deny~~  
 55 ~~an application to form a charter school if the charter school will be operated by certain~~  
 56 ~~operators.] Section 11.3 of this bill imposes similar requirements on the sponsor of a~~  
 57 charter school that requests to amend its charter contract.

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

1 **Section 1.** Chapter 388A of NRS is hereby amended by adding thereto the  
 2 provisions set forth as sections 2 to 7, inclusive, of this act.

3 **Sec. 2.** ~~[The Department shall adopt regulations that prescribe a~~  
 4 ~~framework for determining whether an applicant to sponsor charter schools is~~  
 5 ~~qualified to sponsor charter schools and on the evaluation of applications to form~~  
 6 ~~charter schools. The Department shall evaluate an application to sponsor charter~~  
 7 ~~schools submitted to the Department pursuant to NRS 388A.220 based on the~~  
 8 ~~framework adopted pursuant to this section.] (Deleted by amendment.)~~

9 **Sec. 3. 1.** ~~The [State Public Charter School Authority] sponsor of a~~  
 10 charter school shall ~~;~~

11 ~~(a) Establish] establish standards for the governance of each charter~~  
 12 ~~schools; and~~

13 ~~(b) Publish a list of training programs on the governance of charter schools~~  
 14 ~~approved by the State Public Charter School Authority on the Internet website~~  
 15 ~~maintained by the State Public Charter School Authority.] school which it~~  
 16 sponsors.

17 **2.** ~~The [State Public Charter School Authority may] sponsor of a charter~~  
 18 school shall provide training on the governance of charter schools to the  
 19 governing body of ~~[a] each charter school~~ ~~;~~ which it sponsors.

1           3. Each member of the governing body of a charter school must complete  
2 ~~[a] the training [program approved pursuant to subsection 1 or]~~ provided  
3 pursuant to subsection 2 on the governance of a charter school:

4           (a) Before the opening of the charter school; and

5           (b) Every 3 years thereafter. ~~[and~~

6 ~~—(c) Each year in which the governing body is composed of two or more new~~  
7 ~~members.]~~

8           Sec. 4. Each member of the State Public Charter School Authority must  
9 complete training:

10           1. At the time the member is appointed to the State Public Charter School  
11 Authority, on the responsibilities of the member and any framework used by the  
12 State Public Charter School Authority in performing its duties. ~~;~~ ~~[including~~  
13 ~~without limitation, the framework adopted pursuant to section 2 of this act,]~~ and

14           2. Each year, on the evaluation of applications to form charter schools and  
15 the governance of charter schools.

16           Sec. 5. Each year, each governing body of a charter school shall post on its  
17 Internet website ~~[a disclosure of~~

18 ~~—1. Any conflicts of interest concerning a member of the governing body or~~  
19 ~~sponsor of the charter school and a charter management organization,~~  
20 ~~educational management organization or other person with which the governing~~  
21 ~~body of the charter school has entered into a contract to provide any services at~~  
22 ~~the charter school in the immediately preceding year; and~~

23 ~~—2. Whether] the definition of a charter management organization and an~~  
24 educational management organization and whether the charter school is  
25 operated by a charter management organization or receives services from an  
26 educational management organization and, if so, the name of the charter  
27 management organization or educational management organization.

28           Sec. 6. 1. The governing body of a charter school that receives services  
29 from an educational management organization shall:

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

31           (1) Each financial audit and each performance audit of the charter  
32 school required by the Department pursuant to NRS 388A.105 or 388A.110;  
33 ~~[and]~~

34           (2) Information on the contract with the charter management  
35 organization or the educational management organization, including, without  
36 limitation:

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

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

43           (III) An identification of each contract, transaction and agreement  
44 entered into by the educational management organization relating to carrying out  
45 the contract with the charter school, including, without limitation, contracts,  
46 transactions and agreements with parent organizations, subsidiaries and  
47 partnerships of the educational management organization; and

48           (3) To the extent practicable, information on any contract between a  
49 member of the governing body of the charter school or any member of the family  
50 of the member of the governing body and another charter school, sponsor of a  
51 charter school, charter management organization or educational management  
52 organization.

1 (b) Submit information on the contract with the educational management  
2 organization and a letter describing whether the governing body of the charter  
3 school is satisfied with the contractual relationship with the educational  
4 management organization to the sponsor of the charter school.

5 2. The sponsor of a charter school may, after reviewing the information  
6 provided pursuant to paragraph (b) of subsection 1, request additional  
7 information, conduct an investigation or otherwise take action relating to the  
8 information received by the sponsor of the charter school.

9 3. On or before December 15 of each odd-numbered year, the sponsor of a  
10 charter school that receives information on a contract between the governing  
11 body of a charter school and an educational management organization pursuant  
12 to subsection 1 shall submit a report of such information to the Legislative  
13 Committee on Education.

14 **Sec. 7.** On or before December 15 of each odd-numbered year, the sponsor  
15 of a charter school must submit a report describing any actions the sponsor of the  
16 charter school has taken pursuant to NRS 388A.330 to the Legislative Committee  
17 on Education if:

18 1. The charter school has received, within each of the immediately  
19 preceding 3 ~~for more~~ consecutive school years, one of the two lowest ratings of  
20 performance pursuant to the statewide system of accountability for public  
21 schools; and

22 2. The governing body of the charter school does not plan to close the  
23 charter school pursuant to NRS 388A.306 or change the sponsorship of the  
24 charter school ~~[to the sponsorship of the State Public Charter School Authority]~~  
25 pursuant to NRS 388A.231.

26 **Sec. 8.** ~~[NRS 388A.231 is hereby amended to read as follows:~~

27 ~~— 388A.231 — The governing body of a charter school may request, at any time, a~~  
28 ~~change in the sponsorship of the charter school to an entity that is authorized to~~  
29 ~~sponsor charter schools pursuant to NRS 388A.220 [.] , including, without~~  
30 ~~limitation, the State Public Charter School Authority. The State Board shall adopt:~~

31 ~~— 1. A process for a charter school that requests a change in the sponsorship of~~  
32 ~~the charter school, which must not require the charter school to undergo all the~~  
33 ~~requirements of an initial application to form a charter school; and~~

34 ~~— 2. Objective criteria for the conditions under which such a request may be~~  
35 ~~granted.] (Deleted by amendment.)~~

36 **Sec. 9.** NRS 388A.249 is hereby amended to read as follows:

37 388A.249 1. A committee to form a charter school or charter management  
38 organization may submit the application to the proposed sponsor of the charter  
39 school. If an application proposes to convert an existing public school, homeschool  
40 or other program of home study into a charter school, the proposed sponsor shall  
41 deny the application.

42 2. The proposed sponsor of a charter school shall, in reviewing an application  
43 to form a charter school:

44 (a) Assemble a team of reviewers, which may include, without limitation,  
45 natural persons from different geographic areas of the United States who possess  
46 the appropriate knowledge and expertise with regard to the academic, financial and  
47 organizational experience of charter schools, to review and evaluate the application;

48 (b) Conduct a thorough evaluation of the application, which includes an in-  
49 person interview with the applicant designed to elicit any necessary clarifications or  
50 additional information about the proposed charter school and determine the ability  
51 of the applicants to establish a high-quality charter school;

1 (c) Consider the degree to which the proposed charter school will address the  
2 needs identified in the evaluation prepared by the proposed sponsor pursuant to  
3 subsection 5 or 6 of NRS 388A.220, as applicable;

4 (d) If the proposed sponsor is not the board of trustees of a school district,  
5 solicit input from the board of trustees of the school district in which the proposed  
6 charter school will be located;

7 (e) Base its determination on documented evidence collected through the  
8 process of reviewing the application; ~~and~~

9 (f) Adhere to the policies and practices developed by the proposed sponsor  
10 pursuant to subsection 2 of NRS 388A.223 ~~;~~ **and**

11 **(g) ~~[Notify the Executive Director]~~ Consider the academic, financial and**  
12 **organizational performance of any charter schools that currently hold a contract**  
13 **with the proposed operators, including, without limitation, a charter management**  
14 **organization or educational management organization, of the proposed charter**  
15 **school.**

16 3. The proposed sponsor of a charter school may approve an application to  
17 form a charter school only if the proposed sponsor determines that:

18 (a) The application:

19 (1) Complies with this chapter and the regulations applicable to charter  
20 schools; and

21 (2) Is complete in accordance with the regulations of the Department and  
22 the policies and practices of the sponsor;

23 (b) The applicant has demonstrated competence in accordance with the criteria  
24 for approval prescribed by the sponsor pursuant to subsection 2 of NRS 388A.223  
25 that will likely result in a successful opening and operation of the charter school;

26 (c) Based on the most recent evaluation prepared by the proposed sponsor  
27 pursuant to subsection 5 or 6 of NRS 388A.220, as applicable, the proposed charter  
28 school will address one or more of the needs identified in the evaluation; and

29 (d) It has received sufficient input from the public, including, without  
30 limitation, input received at the meeting held pursuant to subsection 1 of NRS  
31 388A.252 or subsection 1 of NRS 388A.255, as applicable.

32 4. The identity of each member of the team of reviewers assembled by a  
33 proposed sponsor of a charter school is confidential for 5 years after the review of  
34 an application to form a charter school is complete and must not be disclosed unless  
35 ordered by a district court in an action brought pursuant to subsection 3 of NRS  
36 388A.255.

37 ~~5. If, after receiving notice of the proposed operators of a proposed charter~~  
38 ~~school pursuant to paragraph (g) of subsection 2, the Executive Director~~  
39 ~~determines that the proposed operators of a proposed charter school are the same~~  
40 ~~or substantially similar to the operators of an existing charter school that has~~  
41 ~~received, within the immediately preceding 3 or more consecutive school years,~~  
42 ~~one of the two lowest ratings of performance pursuant to the statewide system of~~  
43 ~~accountability for public schools, the proposed sponsor shall deny the~~  
44 ~~application.~~

45 ~~6.~~ On or before January 1 of each odd-numbered year, the Superintendent of  
46 Public Instruction shall submit a written report to the Director of the Legislative  
47 Counsel Bureau for transmission to the next regular session of the Legislature. The  
48 report must include:

49 (a) A list of each application to form a charter school that was submitted to the  
50 board of trustees of a school district, the State Public Charter School Authority, a  
51 college or a university during the immediately preceding biennium;

52 (b) The educational focus of each charter school for which an application was  
53 submitted;

- 1 (c) The current status of the application; and  
2 (d) If the application was denied, the reasons for the denial.

3 **Sec. 10.** ~~[NRS 388A.252 is hereby amended to read as follows:~~

4 ~~— 388A.252 — 1. If the board of trustees of a school district or a college or a~~  
5 ~~university within the Nevada System of Higher Education, as applicable, receives~~  
6 ~~an application to form a charter school, the board of trustees or the institution, as~~  
7 ~~applicable, shall consider the application at a meeting that must be held not later~~  
8 ~~than 60 days after the receipt of the application, or a later period mutually agreed~~  
9 ~~upon by the committee to form the charter school and the board of trustees of the~~  
10 ~~school district or the institution, as applicable, and ensure that notice of the meeting~~  
11 ~~has been provided pursuant to chapter 241 of NRS. The board of trustees, the~~  
12 ~~college or the university, as applicable, shall review an application in accordance~~  
13 ~~with the requirements for review set forth in subsections 2 and 3 of NRS 388A.249.~~  
14 ~~— 2. The board of trustees, the college or the university, as applicable, may~~  
15 ~~approve an application if the requirements of [subsection] **subsections 3 and 5** of~~  
16 ~~NRS 388A.249 are satisfied.~~

17 ~~— 3. The board of trustees, the college or the university, as applicable, shall~~  
18 ~~provide written notice to the applicant of its approval or denial of the application. If~~  
19 ~~the board of trustees, the college or the university, as applicable, denies an~~  
20 ~~application, it shall include in the written notice the reasons for the denial and the~~  
21 ~~deficiencies. The applicant must be granted 30 days after receipt of the written~~  
22 ~~notice to correct any deficiencies identified in the written notice and resubmit the~~  
23 ~~application.~~

24 ~~— 4. If the board of trustees, the college or the university, as applicable, denies~~  
25 ~~an application after it has been resubmitted pursuant to subsection 3, the applicant~~  
26 ~~may submit a written request for sponsorship by the State Public Charter School~~  
27 ~~Authority not more than 30 days after receipt of the written notice of denial. Any~~  
28 ~~request that is submitted pursuant to this subsection must be accompanied by the~~  
29 ~~application to form the charter school.] **(Deleted by amendment.)**~~

30 **Sec. 11.** ~~[NRS 388A.255 is hereby amended to read as follows:~~

31 ~~— 388A.255 — 1. If the State Public Charter School Authority receives an~~  
32 ~~application pursuant to subsection 1 of NRS 388A.249 or subsection 4 of NRS~~  
33 ~~388A.252, it shall consider the application at a meeting which must be held not~~  
34 ~~later than 60 days after receipt of the application or a later period mutually agreed~~  
35 ~~upon by the committee to form the charter school and the State Public Charter~~  
36 ~~School Authority. Notice of the meeting must be posted in accordance with chapter~~  
37 ~~241 of NRS. The State Public Charter School Authority shall review the application~~  
38 ~~in accordance with the requirements for review set forth in subsections 2 and 3 of~~  
39 ~~NRS 388A.249. The State Public Charter School Authority may approve an~~  
40 ~~application only if the requirements of [subsection] **subsections 3 and 5** of NRS~~  
41 ~~388A.249 are satisfied. Not more than 30 days after the meeting, the State Public~~  
42 ~~Charter School Authority shall provide written notice of its determination to the~~  
43 ~~applicant.~~

44 ~~— 2. If the State Public Charter School Authority denies or fails to act upon an~~  
45 ~~application, the denial or failure to act must be based upon a finding that the~~  
46 ~~requirements of [subsection] **subsections 3 and 5** of NRS 388A.249 have not been~~  
47 ~~satisfied. The State Public Charter School Authority shall include in the written~~  
48 ~~notice the reasons for the denial or the failure to act and the deficiencies. The staff~~  
49 ~~designated by the State Public Charter School Authority shall meet with the~~  
50 ~~applicant to confer on the method to correct the identified deficiencies. The~~  
51 ~~applicant must be granted 30 days after receipt of the written notice to correct any~~  
52 ~~deficiencies identified in the written notice and resubmit the application.~~



~~3. If the State Public Charter School Authority denies an application after it has been resubmitted pursuant to subsection 2, the applicant may, not more than 30 days after the receipt of the written notice from the State Public Charter School Authority, appeal the final determination to the district court of the county in which the proposed charter school will be located.] (Deleted by amendment.)~~

**Sec. 11.3. NRS 388A.276 is hereby amended to read as follows:**

388A.276 The governing body of a charter school may submit to the sponsor of the charter school a written request for an amendment of the charter contract. **The sponsor of the charter school shall consider the academic, financial and organizational performance of any charter schools that currently hold a contract with the current or proposed operators, including, without limitation, a charter management organization or educational management organization, of the charter school.** If the proposed amendment complies with the provisions of this chapter and any other statute or regulation applicable to charter schools, the sponsor and the governing body of the charter school may amend the charter contract in accordance with the proposed amendment. If the sponsor denies the request for an amendment, the sponsor shall provide written notice to the governing body of the charter school setting forth the reasons for the denial.

**Sec. 11.7. NRS 388A.320 is hereby amended to read as follows:**

388A.320 1. Unless a waiver is granted pursuant to subsection 2 of NRS 388A.243, the governing body of a charter school must consist of:

(a) One member who is a teacher or other person licensed pursuant to chapter 391 of NRS or who previously held such a license and is retired, as long as his or her license was held in good standing.

(b) One member who:

(1) Satisfies the qualifications of paragraph (a); or

(2) Is a school administrator with a license issued by another state or who previously held such a license and is retired, as long as his or her license was held in good standing.

(c) One parent or legal guardian of a pupil enrolled in the charter school who is not a teacher or an administrator at the charter school.

(d) Two members who possess knowledge and experience in one or more of the following areas:

(1) Accounting;

(2) Financial services;

(3) Law; or

(4) Human resources.

2. In addition to the members who serve pursuant to subsection 1, the governing body of a charter school may include, without limitation, parents and representatives of nonprofit organizations and businesses. Unless a waiver is granted pursuant to subsection 2 of NRS 388A.243, not more than two persons who serve on the governing body may represent the same organization or business or otherwise represent the interests of the same organization or business. A majority of the members of the governing body must reside in this State. If the membership of the governing body changes, the governing body shall provide written notice to the sponsor of the charter school within 10 working days after such change.

3. A person may serve on the governing body only if the person submits an affidavit to the sponsor of the charter school indicating that the person:

(a) Has not been convicted of a felony relating to serving on the governing body of a charter school or any offense involving moral turpitude.

(b) Has received training or read and understands material concerning the roles and responsibilities of members of governing bodies of charter schools and other training and material designed to assist the governing bodies of charter schools, if

1 such training and material is provided to the person by the sponsor or an application  
 2 to form a charter school or amend a charter contract provides that the member  
 3 would receive such training or read and understand such material.

4 (c) Complies with the requirements of NRS 388A.323.

5 4. A person who wishes to serve on the governing body shall disclose to the  
 6 sponsor of the charter school any conflicts of interest concerning the person or  
 7 any family member of the person and a charter management organization,  
 8 educational management organization or other person with which the governing  
 9 body of the charter school has entered into a contract to provide any services at  
 10 the charter school in the immediately preceding year.

11 5. The governing body of a charter school is a public body. It is hereby given  
 12 such reasonable and necessary powers, not conflicting with the Constitution and the  
 13 laws of the State of Nevada, as may be requisite to attain the ends for which the  
 14 charter school is established and to promote the welfare of pupils who are enrolled  
 15 in the charter school.

16 ~~5~~ 6. The governing body of a charter school shall, during each calendar  
 17 quarter, hold at least one regularly scheduled public meeting in the county in which  
 18 a facility operated by the charter school where pupils receive instruction is located.  
 19 Upon an affirmative vote of a majority of the membership of the governing body,  
 20 each member is entitled to receive a salary of not more than \$80 for attendance at  
 21 each meeting, as fixed by the governing body, not to exceed payment for more than  
 22 one meeting per month.

23 ~~6~~ 7. As used in subsection 1, "teacher" means a person who:

24 (a) Holds a current license to teach issued pursuant to chapter 391 of NRS or  
 25 who previously held such a license and is retired, as long as his or her license was  
 26 held in good standing; and

27 (b) Has at least 2 years of experience as an employed teacher.

28 ↘ The term does not include a person who is employed as a substitute teacher.

29 **Sec. 12.** ~~NRS 388A.725 is hereby amended to read as follows:~~

30 ~~388A.725 1. A charter school that is sponsored by the State Public Charter~~  
 31 ~~School Authority, or a committee to form a charter school or charter management~~  
 32 ~~organization that has submitted an application to be sponsored by the State Public~~  
 33 ~~Charter School Authority, may apply to the State Public Charter School Authority~~  
 34 ~~for authorization to operate as a charter school for distance education. The charter~~  
 35 ~~school, committee to form a charter school or charter management organization~~  
 36 ~~shall include in its application to the State Public Charter School Authority a~~  
 37 ~~description of:~~

38 ~~—(a) The support available to each pupil, in his or her home or community,~~  
 39 ~~including, without limitation, the availability and frequency of interactions between~~  
 40 ~~the pupil and teachers;~~

41 ~~—(b) The methods the charter school for distance education will use to~~  
 42 ~~administer any test, exam or assessment required by state or federal law;~~

43 ~~—(c) The methods the charter school for distance education will use to assess the~~  
 44 ~~academic success of pupils; and~~

45 ~~—(d) The criteria pupils must meet to be eligible for enrollment at the charter~~  
 46 ~~school for distance education and the process for accepting pupils.~~

47 ~~2. The State Public Charter School Authority may authorize:~~

48 ~~—(a) A charter school to operate as a charter school for distance education if the~~  
 49 ~~charter school satisfies the requirements of subsection 1.~~

50 ~~—(b) A committee to form a charter school or a charter management organization~~  
 51 ~~to form or operate, as applicable, a charter school for distance education if the~~  
 52 ~~committee to form a charter school or charter management organization satisfies~~

1 ~~the requirements of [subsection] *subsections 1*, [and of subsection] *3 and 5* of NRS~~  
2 ~~388A.249.~~

3 ~~2. The State Public Charter School Authority shall adopt a standard charter~~  
4 ~~contract that meets the requirements for charter contracts pursuant to NRS~~  
5 ~~388A.270 to be used for each charter school for distance education.~~

6 ~~4. In addition to any other provisions required by law, a charter contract to~~  
7 ~~operate a charter school for distance education entered into on or after July 31,~~  
8 ~~2019, must include a description of:~~

9 ~~(a) The support available to each pupil, in his or her home or community,~~  
10 ~~including, without limitation, the availability and frequency of interactions between~~  
11 ~~the pupil and teachers;~~

12 ~~(b) The methods the charter school for distance education will use to~~  
13 ~~administer any test, exam or assessment required by state or federal law;~~

14 ~~(c) The methods the charter school for distance education will use to assess the~~  
15 ~~academic success of pupils; and~~

16 ~~(d) The criteria pupils must meet to be eligible for enrollment at the charter~~  
17 ~~school for distance education and the process for accepting pupils.] **Deleted by**~~  
18 **amendment.**

19 **Sec. 13.** The provisions of subsection 1 of NRS 218D.380 do not apply to  
20 any provision of this act which adds or revises a requirement to submit a report to  
21 the Legislature.

22 **Sec. 14.** 1. This section becomes effective upon passage and approval.

23 2. Sections 1 to 13, inclusive, of this act become effective:

24 (a) Upon passage and approval for the purpose of adopting regulations and  
25 performing any preliminary administrative tasks necessary to carry out the  
26 provisions of this act; and

27 (b) On July 1, 2021, for all other purposes.