

Nevada Charter School

Application and Operation Manual



Nevada Department of Education

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INTRODUCTION

Charter schools are public elementary, middle and/or secondary schools that are relatively autonomous schools of choice that operate under a charter or contract issued by a public entity such as a local school board or state board of education. Individual states determine in their charter school legislation what rules must be adhered to, what rules may be waived, and what procedures must be followed to obtain a charter. In return for the autonomy, charter schools are held accountable for student performance. If the goals of the school set forth in the charter are not reached, the school's charter may be revoked or not renewed.

Nevada's Charter School Legislation was enacted in 1997. The intent of the legislation is to provide teachers and other educational personnel, parents, legal guardians, and other persons who are interested in public education in Nevada the opportunity to:

1. Improve the learning of students, and, by extension, improve the system of public education;
2. Increase the opportunities for learning and for access to quality education by students;
3. Encourage the use of different and innovative teaching methods;
4. Establish appropriate measures for and assessments of learning achieved by students who are enrolled in charter schools;
5. Provide a more thorough and efficient system of accountability of the results achieved in public education in the state; and
6. Create new professional opportunities for teachers and other educational personnel.

The purpose of this manual is to provide both general and specific information about charter schools. It provides a time line for the application process, application materials, an application checklist, assurances, state-level contact persons, and instructions for completing an application; it lists resources for additional information about charter schools.

In addition to using this manual as a guide, charter school applicants and operators are encouraged to review the Nevada Revised Statutes (NRS) relating to charter schools (NRS 386.500 to 386.610); the Nevada Administrative Code (NAC) relating to charter schools (NAC 386.010 to 386.445); and the Nevada Department of Education's Non-Regulatory Guidance (NRG) for Charter Schools. NRS and NAC can be found on the Nevada Legislature's website (see Law Library): <http://www.leg.state.nv.us/>. The NRG's can be found in Appendix I.

APPLICATION PROCESS

The following identifies critical steps in the application process and provides the applicant with a quick overview of important dates and procedures. Greater detail is provided in the “General Charter School Application Instructions” section of this manual. The NRS (Nevada Revised Statutes) and NAC (Nevada Administrative Code) cited below may be read on the Nevada Legislature’s website: <http://www.leg.state.nv.us/>

- Initial Step** Establish a committee to form a charter school which consists of at least three Nevada licensed teachers, each with a minimum of two years of teaching experience. Parents and representatives of nonprofit organizations and businesses may also be on the Committee. (NRS 386.520, NAC 386.090, NAC 386.130)
- Letter of Intent** A letter of intent to form a charter school must be submitted in the same fiscal year (July 1 through June 30) in which the application is submitted, and must be received by the Nevada Department of Education (NDE) no fewer than 15 days before the application is submitted. (NAC 386.125)
- September 1** A charter school application must first be submitted to the NDE, and approved by the NDE for completeness (or completeness and compliance for an application for State Board sponsorship), before it may be submitted to the proposed sponsor.
- Consistent with NAC 386.130(2), an application may be submitted to the NDE at any time. An application must be received by the NDE by 5:00 PM on September 1 of any year if the intended startup date of the school is fall of the following year. Twelve (12) copies of the application are required. An application may not be submitted earlier than two fiscal years immediately preceding the fiscal year in which the school will begin operation. (NAC 386.130)
- 30 Days** NDE has 30 days after the receipt of an application to review it for completeness and reply in writing to the applicant. If the application is determined to be complete, the applicant is notified in writing and a copy of the notification is submitted to the potential sponsor. (NAC 386.190)
- Applicants sometimes confuse the NDE with the State Board of Education. An application for State Board sponsorship that has been submitted to the NDE for the NDE’s NRS 386.520 review for completeness has not been submitted to the State Board or the State Board Subcommittee on Charter Schools. The application may not be submitted to the proposed sponsor, including the State Board, until it has been deemed complete, or complete and compliant, as applicable, by NDE.

If the Application Fails to Attain Approval by NDE for Completeness

Should NDE determine that the application is not complete, the applicant has thirty days to correct deficiencies and resubmit the application to NDE (NRS 386.520). Just as 12 copies of the application were required for the original submission, 12 bound copies of any resubmission are also required. Paginate and date each page of the resubmission. Use bold, italics or color to indicate new language that was added for the resubmission; use “strikethroughs” to indicate language to be removed from the original application. Do not alter language that has been approved by the NDE.

Applicants whose original application was denied because it was incomplete and/or noncompliant will be invited to meet with NDE Application Review Team members before they resubmit their application. The meeting will clarify NDE expectations for the resubmission of the application.

An application that is being reviewed by NDE for completeness and found incomplete may be resubmitted not more than once in a fiscal year (LCB File R169-07, Sec. 2). If the one application resubmission allowed by statute and regulation is deemed incomplete, the application will be denied and becomes inactive. If the applicant wishes to continue pursuing the charter application and approval process, he/she may again resubmit the application, but not until expiration of the fiscal year. The September 1 deadline discussed above would apply to an application resubmitted in the next fiscal year, for example: If an application submitted by September 1, 2008, for a fall, 2009, startup were denied because it was incomplete, and was resubmitted and again found incomplete, it could not be resubmitted until July 1, 2009. At this point, the application could no longer be for a fall, 2009, startup. The earliest the school could start up would be fall, 2010.

To prevent submission of a “new” application that is essentially the same application that was denied and has become inactive, the following criteria will be used to determine if an application is a new one or not. If:

- The liaison for the “new” application is the same person as the liaison for the denied, inactive application; or
- The committee submitting the “new” application consists of two or more of the same persons as the committee that submitted the denied, inactive application; or
- The “new” application is essentially the same as the denied, inactive application; or
- The educational management organization/charter management organization (EMO/CMO) for the “new” application is the same as the EMO/CMO for the denied, inactive application; or
- The name of the “new” school is the same or similar to the name of the school whose application was denied and is inactive; then the “new” application will be reviewed beginning the next July 1.

December 15

December 15 of the fiscal year immediately preceding the fiscal year in which the proposed school would begin operation is the last date on which an application which has been approved for completeness by NDE can be submitted to the proposed sponsor, be it the board of school trustees of the school district (school district) in which the charter school will be located, the State Board of Education (State Board), or a college or university within the Nevada higher education system. (NAC 386.130)

Consistent with NAC 386.130, an application must be approved by NDE for completeness by December 15 of any year if the intended startup of the school is fall of the following fiscal year. If an application fails to be deemed complete by December 15 of any year, the proposed school will no longer be considered for startup in the following fiscal year.

Application Review by the Proposed Sponsor

Upon approval by NDE of an application for completeness, the application may be submitted to:

- The school district in which the charter school would be located;
- The college or university; or
- The State Board's Charter School Subcommittee.

The school district, college, university or subcommittee must meet within 45 days of receipt of the application to consider it for approval or denial.

If the application is denied, the applicant must be informed of the reasons for denial and the deficiencies in the application. The applicant must be given 30 days to correct the deficiencies and resubmit the application.

If an application for sponsorship by a school district, college or university is denied, resubmitted and denied again, the application may be submitted to the State Board's Charter School Subcommittee for consideration for sponsorship by the State Board. If the State Board denies a resubmitted application, the applicant may appeal the denial to the district court of the county in which the proposed school would be located.

When a sponsor approves an application to form a charter school, it grants a written charter to the applicant. The written charter granted pursuant to NRS 386.527(5) consists of the application as approved by the sponsor and a written agreement signed by the school's governing body and the sponsor (NRS 386.527, NAC 386.050). Pursuant to NRS 386.527(7), a "Subsection 7 Charter" may be granted to an applicant who is not yet prepared to commence operation of the school. Under a Subsection 7 Charter, the school may not commence operation and may not receive state per-pupil funding.

See NAC 386.355 regarding dates for the start of the school year.

See also “First year Charter School Enrollment Requirement” in the General Charter School Application and Operation Instructions section of this manual (NRS 386.570).

GENERAL CHARTER SCHOOL APPLICATION and OPERATION INSTRUCTIONS

School District Authorization to Sponsor Charter Schools

NRS 386.515 requires a school district to obtain authorization from the Nevada Department of Education (NDE) before the district may sponsor a charter school. It does not require a district that chooses not to sponsor charter schools to seek authorization; it only requires a district that chooses to sponsor charter schools to obtain authorization. In other words, if a school district chooses not to sponsor charter schools, it is not required to sponsor charter schools. The following are the only counties in Nevada that have obtained authorization to sponsor charter schools, and will consider new charter school applications for sponsorship:

- Carson City
- Churchill County
- Mineral County

If a charter school applicant wishes to establish a charter school in a county other than those listed above, the applicant could ask the Board of Trustees of the school district in which the school would be located to obtain authorization to sponsor charter schools. Alternatively, the applicant could submit the application to the State Board of Education (State Board) for sponsorship by the State Board, or to a college or university within the Nevada System of Higher Education for sponsorship by the college or university.

Committee to Form a Charter School

A committee to form a charter school must consist of at least three teachers, with at least two of the teachers possessing current licenses to teach in Nevada. The third teacher may be a person who previously held a Nevada teaching license. Each of the three teachers must have at least 2 years of experience as an employed teacher in a position requiring a teacher license. A person who possesses only a substitute teacher license does not qualify as a teacher. (NRS 386.520, NAC 386.090)

Additionally, the committee may consist of members of the general public, representatives of nonprofit organizations, or representatives of a college or university within the University and Community College System of Nevada. A majority of these individuals must be residents of Nevada, at the time the application to form a charter school is submitted. Pursuant to NRS 386.520 and 386.525, only a committee to form a charter school may submit an application to form a charter school.

The NDE will not accept an application from a committee that includes a potential lessor of a facility the school may lease, a potential contractor with the school, or a representative of an educational management organization with which the school may contract (NAC 386.130).

Upon approval of the charter application for either a full charter or a Subsection 7 Charter, the committee to form the school ceases to exist, and a governing body must be formed. Persons identified to serve as members of the governing body are required to sign and submit to the NDE an affidavit form (see Affidavit Form, Appendix E). Affidavits do not need to be submitted with the charter school application.

Letter of Intent to Form a Charter School

The committee to form a charter school shall submit a letter of intent to the NDE in the same fiscal year (July 1 through June 30) in which the application is submitted. The letter must be received by NDE no fewer than 15 days before the application is submitted. The letter of intent must include (NAC 386.125):

1. The name of the county school district in which the proposed school will be located;
2. Whether or not the proposed school is intended to serve primarily at-risk students;
3. Whether or not the proposed school is exclusively for the enrollment of students who will receive special education;
4. The proposed starting date for the school;
5. Whether the proposed sponsor is the State Board, a college or university within the Nevada System of Higher Education, or the school district identified in 1, above.
6. Name and contact information (e-mail, phone, fax, complete mailing address) of the committee's liaison with the NDE. The liaison must be a member of the committee.

Submission of the Application to the Nevada Department of Education

All applications to form a charter school must be submitted to the NDE in the format prescribed in the 11 page Checklist for New Charter Schools (see Appendix A), and must include Assurances (see Appendix F) that are signed by the certifying charter school official and are notarized. In addition to the signed original, 12 copies of the application must be submitted to:

Nevada Department of Education
Attention: Charter School Consultant
1749 Moody Street, Suite 40
Carson City, NV 89706

Applications transmitted via FAX will not be accepted. Applications must be received by NDE by 5:00 PM, September 1, of the fiscal year immediately preceding the fiscal year in which the proposed charter school will begin operation. (NAC 386.130)

Distance Education (“Cyber”, “On-Line” or “Virtual” Schools)

If the charter school plans to provide distance education courses or programs, the applicant must complete a separate distance education application to be submitted at the same time as the charter school application. Information about distance education can be found on the NDE’s website, <http://www.doe.nv.gov/> (see “Distance Education”).

Also see NRS 388.820 -.874 and NAC 388.800 -.860.

Review of the Application by the Nevada Department of Education

NDE staff will review the application for completeness, or completeness and compliance if the application is for State Board sponsorship, and will reply to the applicant within 30 working days following receipt of the application. If the application is incomplete, the applicant has thirty days after receipt of written notice from NDE to correct deficiencies and resubmit the application to NDE. Only after NDE has approved the application for completeness, or completeness and compliance as applicable, may the applicant submit it to the proposed sponsor. (NRS 386.520(2))

Proposed Sponsor Review of the Application (NRS 386.525, NAC 386.200, NAC 386.202)

After NDE has approved an application for completeness, or completeness and compliance as applicable, the application must be submitted to the proposed sponsor (a local school district, the State Board of Education, or a college or university within the Nevada System of Higher Education) by December 15 of the fiscal year immediately preceding the fiscal year in which the proposed school will begin operation. The proposed sponsor shall consider the application at a regularly scheduled meeting that must be held not later than 45 days after receipt of the application and shall ensure that notice of the meeting has been provided pursuant to Chapter 241 of NRS. The proposed sponsor shall review an application to determine if the application (NRS 386.525(1)(a)(b)):

1. Complies with NRS 386.500 to NRS 386.610 inclusive, and the regulations applicable to charter schools; and
2. Is complete in accordance with the regulations of the Department.

Within five working days of the meeting, the proposed sponsor must provide written notice to the applicant of the proposed sponsor’s findings with regard to completeness and compliance.

The written notice must include either approval of the application for a NRS 386.527(5) charter under which the school may begin operation, or a NRS 386.527(7) charter under which the school may not begin operation.

Application Approval (NRS 386.527)

When the State Board, the board of trustees of a school district, or a college or university within the Nevada System of Higher Education approves an application to form a charter school, it grants a written charter to the applicant. The written charter consists of the application, as approved by the sponsor, and a written agreement, signed by the sponsor and the chairperson of the governing body. See sample of written agreement in Appendix G, Draft Sample Charter School Agreement. If the board of school trustees or a college or university approves the application, the board of school trustees or the college or university, as applicable, shall be deemed the sponsor of the charter school. If the State Board approves the application:

1. The State Board shall be deemed the sponsor of the charter school; and
2. The state of Nevada, the State Board and/or NDE are not employers of the members of the governing body of the charter school and are not employers of any of the employees of the charter school

With the exception of a Subsection 7 Charter approval, a written charter must be granted for a term of six years unless the governing body of a charter school renews its initial charter after three years of operation pursuant to subsection 2 of NRS 386.530. (NAC 386.220)

As a condition of issuance of a written charter, the charter school must agree to comply with all conditions of operation set forth in NRS 386.550. The NDE requires that the sponsor provide the NDE with a copy of the written notice of application approval and the written charter.

Deadline for Approval and Commencement of Operation (NAC 386.355)

Given regulation requiring submission of an application to the NDE a full year prior to anticipated commencement of operation of the school, and regulation requiring submission of the application to the proposed sponsor by December 15, it is unlikely that the status of an application would remain unresolved by July or August of the fiscal year in which the school plans to commence operation; however, it is possible.

The question is often asked, “When’s the very latest that a school can get its charter approved and still become operational in any particular year?” A school must have an approved “full” charter (charter approved pursuant to NRS 386.527(5)) before it may begin operation (“the first day of school”); and it must have a Certificate of Occupancy from local building, fire and health authorities before it can get a full charter. To determine the date of “the first day of school,” note the following:

1. The count day for the charter school is the same as the count day for the school district in which the charter school is located.
2. The count day is the last day of the first school month.
3. The charter school must account for twenty days of operation in the first school month. These twenty days may include days on which class is not in session, such as in-service training days and teacher conference days.

So, to determine the date of the “first day of school,” determine the school district’s count day; this is also the charter school’s count day, and the last day of the first school month. Then, assure that there are at least nineteen school days prior to that date.

Individual students must be enrolled and attend at least one day of school before count day in order to be included in the enrollment count, but the charter school itself must account for 19 days of operation before count day.

Applicants are advised that a meeting of the sponsor’s board is required to approve a full charter. They should coordinate timelines with the sponsor regarding the sponsor’s board’s meeting dates.

School Calendar

The charter school must provide, at a minimum, 180 days of instruction each school year; NRS 386.550(1)(f) does, however, allow schools to request a waiver from this requirement. When a charter school applicant has been granted a charter by a sponsor, the NDE must be provided with a final calendar from the charter school. The calendar must indicate the charter school’s count day as the same count day for the school district in which the charter school is located and must account for twenty days in the first school month. See Appendix N for a sample calendar.

Failure to Become Operational (NAC 386.230)

If a charter school applicant is awarded a “full” charter, but does not become operational, it will need to resubmit a new application if it wishes to become operational in the future. For this reason, it is sometimes advisable for a school with a Subsection 7 Charter, that doesn’t plan to become operational in the upcoming school year, to maintain its Subsection 7 Charter rather than immediately seeking conversion of the Subsection 7 Charter to a full charter. Charter school operators need to consider the expiration date of the Subsection 7 Charter when making these decisions.

Subsection 7 Application Approval (NRS 386.527(7)) (NAC 386.240)

An applicant may be granted a “Subsection 7 Charter” instead of a “full” charter if the applicant is not yet ready to begin operation. The holder of such a charter may not begin operation of the school, and is not eligible to receive state funding for the school.

The Subsection 7 charter is usually used when an applicant has submitted an otherwise complete, compliant application, but has not yet obtained a facility that has been inspected and approved for use as a public school. An applicant who has not yet obtained a Certificate of Occupancy for the facility the proposed school will use can expect to be granted a Subsection 7 charter rather than a full, regular charter. A draft Subsection 7 Charter School Agreement can be found in Appendix H.

Charter Schools for At-Risk Students (NRS 386.500)(NAC 386.410(6))

Nevada law makes a distinction between charter schools serving primarily “at-risk” pupils, and those serving primarily non at-risk pupils, for example, in NRS 386.580(2). The committee to form a charter school declares whether the proposed school will be an at-risk or a non at-risk charter school in its initial application. Operators of charter schools that have been identified as serving at-risk students must assure that the educational programs and services provided by the school are appropriate and carried out effectively.

Charter School Facilities

Part 4 of the Application Checklist and items 1.29 and 1.30 (see Appendix A) must be submitted for the original facility the school uses. Sponsors shall not grant full, regular charters to applicants who are missing the facility inspection and approval items (including a Certificate of Occupancy) required by part 4 and items 1.29 and 1.30.

If a change of facility occurs after the charter has been granted, an amendment (NRS 386.527(6)) to the charter must be submitted to the sponsor, along with the facility-related items for the new facility listed above.

Charter schools and their sponsors have certain responsibilities regarding asbestos hazards in school facilities. See Appendix R for more information.

Amendments to a Written Charter (NRS 386.257)

A charter school may request from the sponsor amendments to the charter. The requested amendment must be approved by the school's governing body in an open meeting before it may be submitted to the sponsor for the sponsor's consideration. If a proposed amendment changes the kind of school, for example, from elementary to middle school, or middle school to high school, the applicant must apply for a new charter.

Reporting Requirements for Charter Schools

Charter school operators are required to complete periodic reports. A description of many, but not all, of the required reports may be found in NRS 386.600 –NRS 386.610 (Reports Required of Governing Body and Sponsor) and in NAC 386.370 – NAC 386.380 (Final Budget, Annual Audit). A more thorough discussion of reporting requirements can be found in the "Charter School Reporting Requirements" manual, available from the Charter School Consultant in the NDE.

Application Denial and Appeal of Denial (NRS 386.525)

If the proposed sponsor denies an application, it shall include in a written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted thirty days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. If a local school district or a college/university denies an application after it has been resubmitted, the applicant may submit a written request for sponsorship by the State Board to the Subcommittee on Charter Schools.

If the State Board denies an application, the applicant may, not more than thirty days after receipt of the written notice from the State Board, appeal the final determination to the district court of the county in which the proposed charter school would be located.

Revocation of Written Charter (NRS 386.535, NAC 386.330)

The sponsor of a charter school may revoke a written charter prior to the expiration date if the charter school, officers, or employees fail to comply with:

1. Terms or conditions of the written charter;
2. Generally accepted standards of accounting and fiscal management; and
3. The provisions of NRS 386.500 to 386.610 or any other statutes that apply to charter schools.

Additionally, a written charter may be revoked if the charter school has filed for a voluntary bankruptcy, is adjudicated bankrupt or insolvent, or is otherwise financially impaired such that the charter school cannot continue to operate, or a charter may be revoked if there is reasonable cause to believe that revocation is necessary to protect the health and safety of the pupils who are enrolled or of the persons who are employed by the charter school.

Charging Fees for Charter School-Related Programs

NRS 386.550(1)(c) prohibits charter schools from charging tuition or fees. Under certain circumstances, however, and subject to limitations, charter schools may charge for services. Specifically, charter schools may charge for participation in programs (for-charge programs) for which the school would not receive Distributive School Account (DSA) funds, and for which no other state or federal funds are received. An example of an allowable for-charge program is a summer program that is not funded by state or federal sources. Programs for which DSA funds or other state or federal funds are received must remain free of charge.

The following circumstances and limitations must also be considered when determining whether a charter school may charge for a particular program:

1. A for-charge program may not be an integral part of the charter school program. Participation in the program may not be a requirement for successful completion of the school's free-of-charge program. Services provided by the for-charge program may not be prerequisite for successful completion of the free-of-charge program.
2. Free-of-charge programs at the school and accounting for these programs must be kept separate from for-charge programs.
3. There must be no priority treatment in the free-of-charge program for pupils participating in the for-charge program. There may be no priority in enrollment in the free-of-charge program for pupils participating in the for-charge programs.
4. For-charge programs that can be construed as child-care programs or private schools must be licensed as such and must adhere to statutes and regulations pertaining to those programs.

Reimbursement from Charter Schools to Sponsors

NRS 386.570(3)(4) gives permission to charter school sponsors to request reimbursement from charter schools for administrative costs associated with sponsorship of the charter school. Sponsors may request up to 2 percent of the total amount of money apportioned to the school for the first year of the charter school's operation, and up to 1 percent (1.5 percent for State Board-sponsored schools or schools sponsored by a college or university) of the total amount of money apportioned to the school for any year after the first year of operation of the charter school.

The amount against which the sponsorship fee can be charged is the amount of basic support per student, pursuant to NRS 387.124, plus “the amount of local funds available per student.” The local funds include the \$0.50 property tax, the franchise tax, and the Basic Government Services (Motor Vehicle Privilege) taxes on a per student basis.

No other charter school revenues should be considered when calculating the sponsorship fee. Additional money the charter school receives for special education should not be included in the amount against which the fee can be assessed, because it is not technically part of the “total amount of money apportioned....pursuant to NRS 387.124.” See Appendix M, Sponsorship Fee Accounting.

Enrollment Procedures and Lotteries

Charter schools are public schools and must accept the same types of students other public schools accept. Except under special circumstances, charter schools may not in any way “pick and choose” the pupils they enroll in the school, nor may they manipulate the enrollment lottery to select or exclude particular students or a particular type of student. Additionally, charter schools must adhere to all federal mandates pertaining to the provision of special education services for eligible students under the Individuals with Disabilities Education Act (IDEA). See Appendix J, Charter Schools and Special Education, for information in regard to enrollment of pupils who are in need of special education services.

NRS 386.580(1) states “...a charter school shall enroll pupils...in the order in which applications are received...If more pupils who are eligible for enrollment apply for enrollment in the charter school than the number of spaces which are available, the charter school shall determine which applicants to enroll on the basis of a lottery system.” Two options for conducting charter school enrollment lotteries have evolved, and either option may be used by charter school operators. In addition to the guidance provided below, charter schools are advised to review guidance provided in Appendix K of this manual (Charter Schools Program; Applying Federal Civil Rights Laws to Charter Schools, Questions 9 –13).

Lottery Option #1

The school enrolls pupils in the order in which pupils’ applications are received, up to the point at which the school reaches its maximum capacity per grade. The names of pupils who submit enrollment applications that are received after the grade’s capacity has been reached are put on a waiting list. As spaces become available in particular grades, due to pupils leaving the school, pupils on the waiting list for enrollment in that grade are chosen by lottery. If there is a waiting list, the school is expected to fill vacancies as they are created. A lottery is not conducted until the school has reached capacity per grade, and then the only pupils who are subject to the lottery are the ones on the waiting list.

Example: A charter school that can accommodate 30 pupils in the fifth grade: The first 30 fifth grade students who submit an enrollment application are admitted. If 10 more fifth grade pupils submit enrollment applications, the names of those 10 pupils are placed on a waiting list. When a vacancy is created in the fifth grade because a pupil leaves the school, a lottery is conducted to choose who from the 10 pupils on the waiting list will be admitted to the school.

Lottery Option #2

The charter school designates an enrollment period and collects enrollment applications during the entire period. If more applications are received than there are spaces available, a lottery is conducted at the end of the enrollment period to determine which students will be enrolled in the school. Each applicant is assigned a number based on the established lottery drawing.

Example: A charter school that can accommodate 30 pupils in the fifth grade but has received 40 applications for the fifth grade during the enrollment period: At the close of the enrollment period, a lottery is conducted, to which all 40 applications are subject. Each application is assigned a unique number, based on the order determined by the established lottery. When the lottery is applied, all 40 applications will be rank ordered, with the first 30 (1–30) applications being admitted to the fifth grade. The remaining applications, which are in rank order determined by the lottery, will be placed on a waiting list. If an opening occurs in the fifth grade, the next applicant on the list (31) will be admitted; if another opening occurs, applicant 32 is admitted, and so on. In Lottery Option #2, recording the date and time of receipt of the application is important in order to verify that the application was received during the enrollment period.

A charter school's target enrollment is stated in the charter. Charter schools, like other public schools, are expected to enroll pupils who wish to enroll up to the target enrollment figure, regardless whether count day has passed. The only exception to this is if the school's facility, by building officials' determination, cannot accommodate the number of pupils identified in the charter. In this case, the charter requires amendment, consistent with the facility's limitations. If a charter school loses pupils at any time during the school year, the school is expected to replace those pupils from the school's enrollment waiting list, using one of the lottery methods described above. See NRG 101 and 202, Appendix I.

First Year Charter School Enrollment Requirement (NRS 386.570(5))

For charter schools in the first year of operation, the count of enrolled pupils must be determined 30 days before the beginning of the school year of the school district in which the charter school is located. New schools must send a list of enrolled pupils' names, by grade level, to the NDE's Distributive School Account (DSA) Administrator. The signature page of the enrollment form, with the pupils' parent or guardian signature, must accompany the list. The enrollment form must also be signed by a school official indicating that the pupil has been accepted by the school for enrollment; ask the DSA Administrator at the beginning of May for the due date for all information that must be submitted to him.

Application/enrollment forms must be completely filled out with the student's information: full name, address, location information (including exact county of residence), date of birth, and any unique information (SSN, student number, etc.) available. Provide the grade the student is entering. Submit the information to the DSA Administrator in hard copy as well as an electronic file (MS Excel) so that sorting and analysis can be done. Pupil names will be submitted to the school district(s) in which the charter school claims to have students to ensure no double counting of students. See NRG 204, Appendix I.

The process and statute cited above (NRS 386.570(5)) also address early payments for which first year schools are eligible.

SAIN Automated Student Information System

1. NRS 386.650 specifically requires charter school participation in the SAIN system.
2. NAC 386.365 clarifies that a charter school must report data required by NRS 386.650 to its sponsor by the beginning of the charter school's first year of operation. This means that data must be in the state student information system by the first day of instruction for the school.
3. A charter school should use software, hardware and telecommunications that are compatible with its sponsor to fulfill data transfer requirements between the charter school and the sponsor. Charter schools sponsored by the State Board of Education or a college or university must use PowerSchool that is hosted as an ASP (Application Service Provider) by the Department of Education.
4. Charter school applicants should contact the school district in which they plan to operate (or, for State Board-sponsored schools or schools sponsored by a college or university, contact the NDE) very early in the application process to learn about SAIN requirements and to obtain an estimate of the startup and ongoing costs associated with SAIN. These costs should be included in the Year 1 budget that is submitted with the application.
5. For applicants for State Board sponsorship: When you contact the NDE regarding SAIN startup costs, you will receive a list of SAIN costs. In addition to these costs, the following SAIN costs apply to all State Board-sponsored charter schools and must be included in your year one budget:
 - Initial Training
 - Ongoing Training
 - Annual Maintenance
 - Customization as needed
 - NDE Contractor: \$5,000

Insurance (NAC 386.215, NAC 386.350(5))

Documentation regarding the charter school's insurance coverage must be submitted under Part 4, Facilities, of the charter school application. A full charter will not be granted without evidence of adequate insurance coverage. It is the sponsor of the charter school who, based on NAC 386.215, determines whether the type and amount of coverage obtained by the charter school is adequate.

If an applicant does not yet have a facility, he must submit an estimate of the cost of insurance coverage under item 4.3(e) of the charter school application. The estimate must be provided by a qualified insurance provider, and may be in the form of a letter from the insurance provider. The letter must state that the insurance estimate is based on the types and amounts of insurance that are required by NAC 386.215.

If the applicant does have a facility, he must submit under item 1.2(g) or 1.3, documentation indicating that the proposed sponsor is satisfied with the type and amount of insurance obtained by the charter school. The documentation must be in the form of a letter from the proposed sponsor. Estimated or actual insurance costs must also be included in the budget that is submitted under item 5.5 of the charter school application.

The types and amounts of coverage required for schools are stated in NAC 386.215 and in the Affidavit for Provision of Insurance Coverage for a Public Charter School found in Appendix C of this Manual.

Applicants for State Board sponsorship must submit the signed (by the insurance provider) and notarized affidavit along with a copy of the school's insurance coverage before a full charter will be approved. Applicants need not submit the affidavit if they do not yet have a facility; when they get a facility, and are attempting to get a full charter, they will need to submit the affidavit.

If the charter school provides driver education classes, see NAC 386.350(5).

Educational Management Organizations/Educational Service Providers (NAC 386.033)

If a charter school contracts with a corporation, business, or other entity to provide educational services to the school, the charter school is using an Educational Management Organization (EMO). A corporation, business or other entity that employs and provides the administrator or any of the educational personnel of a charter school is also considered an EMO. Several regulations apply to EMOs: NAC 386.033, 386.130(4), 386.345, 386.400, 386.405, and 386.407. Please also see Appendix D for a list of resources that provide information about working with EMOs. Also see NRG 401, Appendix I.

If a charter school intends to contract with an EMO, the committee to form the school (or governing body, as applicable) is expected to “shop around” for an EMO that can provide the services desired by the school. The school chooses the EMO; the EMO doesn’t choose the school. The committee or governing body should be prepared to explain how it chose the EMO, and which other EMOs it considered before making its decision.

Employees’ Criminal Histories (NRS 386.588)

Each applicant for employment in a position with a charter school, that does not require a license issued by the Superintendent of Public Instruction, is required to submit to the governing body of the charter school a complete set of his fingerprints and written permission authorizing the forwarding of the fingerprints to the Central Repository for Nevada Records of Criminal History (Nevada Department of Public Safety, Records and Technology Division, 775-684-6262; <http://www.nvrepository.state.nv.us/>, click on “useful information”) and to the Federal Bureau of Investigation as a condition of employment. If a report on the criminal history indicates that the applicant has been convicted of a felony or an offense involving moral turpitude, and the governing body does not disqualify the applicant from further consideration of employment, the governing body must, upon the written authorization of the applicant, forward a copy of the report to the Superintendent of Public Instruction. If the applicant refuses to provide his written authorization to forward a copy of the report, the charter school shall not employ the applicant.

The Superintendent must review the criminal history report of an applicant for employment with a charter school if that applicant has been convicted of a felony or an offense involving moral turpitude. If the Superintendent determines that the conviction of the applicant is unrelated to the position with the charter school for which the applicant has applied, the governing body of the charter school may employ the applicant for that position.

Charter schools should be prepared to prove to their sponsors that they have complied with this statute. Documentation from the Nevada Department of Public Safety of receipt of fingerprints of applicable persons would meet this requirement for proof.

Charter School Duty Regarding Truancy

A charter school has a duty to inform the proper authorities if it detects truancy on the part of any of its pupils. NRS 392.180 states that a charter school in which a truant child is enrolled must “...make and file in the proper court a criminal complaint against the parent, guardian or other person, charging the violation, and shall see that the charge is prosecuted by the proper authority.”

No Child Left Behind Requirements

Both state and federal laws require public schools to move 100% of their students to “proficient” or better levels of performance by the 2013-2014 school year. School performance is evaluated based on test scores of the students and on different subgroups within the entire student population of the school. These groups include students who are economically disadvantaged, disabled, limited English proficient and from each major ethnic group. Other criteria such as the percentage of students taking the tests, their attendance and graduation rates are also considered. If one of these subgroups does not meet its performance target, the school will be identified as not having made adequate yearly progress (AYP). Every school is required to make AYP annually. If a school does not make AYP for one year, it is placed on a “watch list.” If a school does not make AYP for two or more consecutive years, in the same subject, it will be identified as “in need of improvement.” Once a school has this designation, it must make AYP for two consecutive years to be removed from the list.

Home Schooling and Charter Schools

NRS 386.505 prohibits home schooling charter schools. The NDE urges charter schools to clarify to parents of home-schooled pupils that they must withdraw their child from home schooling prior to enrolling the child in a charter school. Pupils “enrolled” in your schools will be disallowed for per-pupil apportionment if their names also appear on school district lists of home schooled pupils unless a hand-written statement from the parent/guardian has been submitted to the NDE. The statement must clarify that the parent/guardian has withdrawn the pupil from home schooling, and that the parent acknowledges he/she is enrolling the pupil in a public charter school.

Tax Exemption for Charter School Property (NRS 361.096)

All real and personal property that is leased or rented to a charter school is deemed to be used for educational purposes and is exempt from taxation. To qualify for this exemption, the amount of payment required by the charter school pursuant to the lease or rental agreement must be reduced in an amount which is at least equal to the amount of the tax that would have been imposed if the property were not exempt.

Charter School Tax Exempt Documentation

The Nevada Department of Taxation does not issue tax exemption identification numbers but will provide other documentation that charter schools, as public schools, may use to demonstrate their tax exempt status. A form that charter schools may use to obtain tax exempt status documentation from the Nevada Department of Taxation can be found in Appendix L. The form is also available from the Department of Taxation’s website: <http://www.tax.state.nv.us/>

Federal Charter Schools Program (CSP) Grant

The U.S. Department of Education (USDE) provides planning and dissemination grants to charter school developers and operators. If the State of Nevada receives a CSP grant, individual schools apply to the state for a subgrant. If the state does not receive the grant, individual schools may apply directly to USDE for a grant. For more information, see: <http://www.ed.gov/programs/charter/index.html>

Draft Model Student, Financial and Personnel Policies

The Nevada Department of Education provides draft, model student financial, and personnel policies charter school planners and operators may refer to and, if appropriate, adopt. Note that a charter school should seek its own legal counsel before adopting any such policies, and should never automatically adopt policies developed by others. Also, charter school policies are subject to approval by the school's sponsor. Draft, model policies can be found at: http://nde.doe.nv.gov/SD_CharterSchools_Forms.htm

School Security Resources and Requirements

Federal Emergency Management Agency (<http://training.fema.gov>)

Keep Schools Safe (<http://www.keepschoolssafe.org/>)

National Crime Prevention Council (<http://www.ncpc.org/>)

National Education Association (<http://www.nea.org/tools/16364.htm>)

Teenangels (<http://www.teenangels.org/>)

US Department of Education (<http://www.ed.gov/admins/landing.jhtml>)

US Department of Homeland Security (<http://www.fema.gov/kids/schdizr.htm>)

Also see Appendix Q.

Purchasing

Nevada's Local Government Purchasing laws apply to charter schools. See Appendix P for more information.

Pupil and Family Rights

The Family Educational Rights and Privacy Act, The Protection of Pupil Rights Amendment, and the Military Recruiter Provisions of the No Child Left Behind Act of 2001 all clarify rights of families and pupils enrolled in public schools, including charter schools. See Appendix S for more information.

Open Meetings of the Governing Body

All charter school governing body meetings must abide by Nevada's Open Meeting Law, and must follow Roberts' Rules of Order. All meetings must be audio-taped and the recordings must be available for inspection by members of the public. For a copy of the Nevada Open Meeting Law Manual, see the Nevada Attorney General's website: <http://www.ag.state.nv.us/>

Private School Conversion to a Charter School

In order for a private school to convert to a charter school, a charter school application must be submitted to and approved by the NDE and the proposed sponsor. The private school must completely disband and become a newly created public school open to all students using a lottery if more students apply than the school can accommodate. No former or "previously enrolled" private school pupils may be "grandfathered in" to the new school. The school would "belong to" the school's governing body, not to the former private school owner.

Physical Examinations of Pupils (NRS 392.420)

Charter schools, like other public schools, are required to conduct physical examinations of pupils pursuant to NRS 392.420. Part 4 of the charter school application addresses the provision of health services to pupils.

Legal Counsel

NDE recommends that a charter school obtain an attorney to advise it regarding matters related to public school operation. A partial list of these matters follows:

- 1) Preparation of contracts;
- 2) Preparation of policies and governing body bylaws;
- 3) Familiarization with applicable laws and regulations;
- 4) Open meeting law;
- 5) Purchasing and bids;
- 6) Budgets; and
- 7) Workplace issues.

Employee Files

The following documents must be in each employee's file:

- 1) Copy of teacher's license;
- 2) Copy of the W-4 form;
- 3) Copy of Drivers License;
- 4) Copy of Social Security Card;
- 5) Form I-9;
- 6) Copy of the original job application;
- 7) Fingerprint information for any staff not teacher-licensed; and
- 8) Appraisal of the employee.

Public Employees and PERS

Employees of charter schools (but not employees of educational management organizations) are considered public employees. Because of this, charter schools are required to apply for membership in the Nevada Public Employee Retirement System (PERS) and enroll their employee in PERS.

Charter School Enrollment to Occur At Any Time During the School Year

Site-based ("brick and mortar") charter school enrollment capacity is determined by two things, 1) the capacity of the school's facility as determined by local and/or state fire, health and/or building officials, and 2) enrollment limits, if any, identified in the school's charter. If the lower of either of those capacity/enrollment numbers has not yet been reached for a school, the school is required to enroll and provide instruction for pupils who seek enrollment.

A school that has reached capacity must place pupils who seek enrollment on an enrollment waiting list. Pupils who have withdrawn from a school that had reached capacity must be replaced with new pupils from the school's waiting list. If there is no waiting list, and the school drops below capacity, and a pupil arrives seeking enrollment, the pupil must be enrolled.

Pupils seeking enrollment in a site-based charter school that is not enrolled to capacity must be enrolled at the time they seek enrollment, regardless whether the school year has partly or mostly passed. They cannot be put on a waiting list or otherwise be required to wait until the beginning of the next school year.

Regarding the transfer or earning of credit for a pupil enrolling in the charter school, if the pupil has transferring credit, then the school must accept it. If the enrollment in the charter school is too late to earn a full credit in the course (as in high school), the school can award units of partial credit.

APPLICATION CHECKLIST GUIDELINES

It is imperative that applicants review the Nevada statutes (NRS, Nevada Revised Statute) and regulations (NAC, Nevada Administrative Code) that pertain to charter schools and other public schools prior to completing an application to form a charter school. Statutes and regulations can be found on the Nevada State Legislature's website, <http://www.leg.state.nv.us/> (see Law Library). In particular, the following should be reviewed:

1. Nevada Revised Statutes (NRS) 386.500 to 386.610; and
2. Nevada Administrative Code (NAC) 386.010 to 386.445;
3. NRS Chapters 385-395 and Chapter 399;
4. NRS Chapters 63, 288, 332, 354;
5. NRS Sections 49.290 and 49.291; and 218.5351 to 218.5356; and
6. NAC Chapters 385 to 395.

Charter School applicants and operators should also familiarize themselves with the Nevada Department of Education's Non-Regulatory Guidance (NRG) which can be found in Appendix I. Finally see http://nde.doe.nv.gov/SD_CharterSchools_Forms.htm for budget forms, model governing body bylaws, school policies, and Title IX documents. Note, however that model policies and bylaws should not be wholly, automatically adopted by any school; they are provided for guidance only.

The Nevada Department of Education (NDE) has devised a Checklist for New Charter Schools (see Appendix A), which must be used in completing the application. To help the applicant complete the application, instructions for completing the Checklist are provided below; they identify pertinent NRS and/or NAC. Additionally, each section shows the contact person who may be used as a resource if the applicant has questions when responding to a particular section of the application. A list of contacts can be found under Charter School Application Contact Persons in Appendix B.

Instructions for Completing the 'Checklist for New Charter Schools'

The application consists of 1) each item in Parts 1 to 6 of the 11-page Checklist for New Charter Schools in Appendix A; 2) the Checklist itself with all applicable information provided; and 3) the signed and notarized Assurances (see Appendix F, Statement of Assurances). The Assurances must be signed by the chairperson of the committee to form the charter school. The Checklist will become the Table of Contents of the completed application. Provide page numbers where indicated.

Submit your original application and any resubmissions of the application in a binder, with labeled tabs separating major sections and appendices. Paginate and date each page of the original application and any resubmissions. Print your application and any resubmissions single-sided only on white paper. Submit 12 copies of the original and any resubmissions.

Expect to revise your application after it is reviewed by the NDE and the proposed sponsor. Use word processing hardware and software that will allow you to revise the application with “strike-throughs,” and bold, colored, and/or italicized text. Upon review of your application, the Department may ask you to strike-through inappropriate text, and add text in either italics, color, or bold.

Paginate the entire application. The following “Item” numbers refer to items in the Checklist for New Charter Schools.

PART 1: CONTACT, ADMINISTRATIVE AND GOVERNANCE INFORMATION

For questions regarding Part 1 items:	Contact:
1.1 – 1.9; 1.15 – 1.26; 1.29 – 1.30; 1.32; 1.35	Charter School Consultant
1.10 – 1.12; 1.33	Auditor
1.13; 1.34	Social Studies Consultant
1.14	Special Education Consultant
1.27 – 1.28; 1.31	School Health Consultant

Items 1.1 – 1.3: Provide the name of the proposed charter school, county school district of location, and proposed sponsor for the charter school.

Items 1.4 – 1.8: Provide contact information for the Liaison for the Committee to Form the School. The contact information must be for the Liaison, not a contractor (including a Charter Management Organization or Education Management Organization) with the school. Provide the Liaison’s complete postal address, e-mail address, telephone and fax numbers.

Item 1.9: NRS 388.020, kinds of public schools:

- An elementary school is a public school in which work is not given above that included in the eighth grade, according to the regularly adopted state course of study.
- A junior high or middle school is a public school in which sixth, seventh, eighth, and ninth grades are taught under a course of study prescribed and approved by the State Board. The school is an elementary or secondary school for the purpose of licensure of teachers.
- A high school is a public school in which subjects above the eighth grade, according to the state course of study, may be taught. The school is a secondary school for the purpose of licensure of teachers.

An applicant may submit an application only for the kind of school that will be operated in the first year of operation (NAC 386.130(5)).

Items 1.10 – 1.12: See NAC 387.120–387.153, calendar and school days in session. The calendar must be submitted in a “reporting periods” format. See Appendix O, Sample Calendar, for an example.

Because the NDE may not know a school district's count day for the next school year at the time the charter school's original application is submitted, the NDE cannot give final approval to the calendar that is submitted as part of the original charter school application. The Department will review the calendar submitted with the application, approve it for completeness only, and advise the applicant of any substantial errors in it.

When the charter school applicant has been granted a charter by a sponsor, the NDE will request another, final calendar from the charter school. This calendar must indicate the charter school's count day as the same count day for the school district in which the charter school is located, and must account for twenty days prior to the count day, as discussed in NAC 386.355.

See NRS 386.550 (1)(f), number of days of instruction.

See NRS 236.015 (1) and (2), legal holidays requiring closure of public schools.

Charter schools may not close enrollment after count day. See NRG 202, Appendix I.

Item 1.13: See NAC 389.700, transcript of high school record.

Note that, if a charter school offers a diploma, which is the result of offering a program that is less than the requirements for high school graduation imposed by the school district in which the charter school is located, then the charter school may issue a high school diploma that clearly indicates that it is a diploma from a charter school. If the charter school offers a program that satisfies or exceeds the requirements for high school graduation imposed by the sponsor, then the charter school may issue a high school diploma of the school district or a high school diploma of the charter school. In the event the charter school issues a diploma that differs from the school district, the charter school must submit the form to the Nevada Department of Education for approval. The charter school is not authorized to impose requirements for graduation that are less than the state statutes and regulations. (NRS 386.584)

See NRS 386.582, transfer of credit.

Item 1.14: See Appendix J, Charter Schools and Special Education. Also see NAC 386.350(2) and (8).

Item 1.15: See NRS 386.520, membership of committee to form a charter school. Indicate who on the committee are the three Nevada licensed teachers and provide a photocopy of each of the teachers' licenses. Assure that the resumes of the three teachers indicate at least two years of teaching experience requiring state teacher licensure. Indicate the legal, registered state of residence for each member of the committee. Note that no one on the committee may have an ownership interest in the facility the school will lease. Also see NAC 386.090, and NAC 386.130(4).

Item 1.19: See NRS 386.590(6), administrator qualifications:

- Valid Nevada teacher license with an administrative endorsement, or

- Master’s Degree in school administration, public administration or business administration, or
- Baccalaureate Degree with five years experience in school administration, public administration, or business administration.

A person who has been convicted of a felony or a crime involving moral turpitude may not serve as an administrator (NAC 386.100(4)).

If the name, title, address, and telephone number of the administrative head is not submitted as part of the original application, this information must be submitted to the Department within five days following the selection of the administrator. See NAC 386.100.

A charter school administrator who otherwise meets the statutory and regulatory requirements for a charter school administrator, but does not have a public school administrator’s license, is entitled to perform all the duties that an administrator traditionally performs, including evaluating staff and administering state mandated tests, except as dictated by applicable collective bargaining agreements.

The Department recommends that charter school administrators be recruited, hired and employed by the governing body of the charter school, and not by an Educational Management Organization or Charter Management Organization. It is further expected that the administrator reside and be a Nevada resident, and will be located in Nevada.

Item 1.22: See NRS 386.590 (1) – (5), and NRS 386.593, licensed and non-licensed personnel. See also NRS 391.092 and NRS 391.146-.158. See also <http://nvteachers.doe.nv.gov/> including “Correlation Directory” on left side of screen page.

See also http://nde.doe.nv.gov/Accountability_NCLB.htm for NCLB Highly Qualified Teacher Requirements.

Item 1.25: Submit a copy of the governing body’s rules of governance, also called bylaws (see http://nde.doe.nv.gov/SD_CharterSchools_Forms.htm Bylaws). See NRS 386.549, membership, duties, and powers of the governing body. See also NAC 386.345, and 386.350.

Also see Appendix D, General Charter School Information, for a list of charter school resources that provide excellent information about charter school governance.

The model bylaws on the NDE website should not be wholly, automatically adopted; they are provided for guidance only.

Proposed bylaws/rules of governance should be reviewed by legal counsel for the proposed school. In particular, the bylaws/rules of governance should be reviewed for compliance with Nevada’s Open Meeting Law (NRS Chapter 241). An Open Meeting Law Manual is available from the Nevada Attorney General’s website, <http://www.ag.state.nv.us/>.

Additionally, the bylaws/rules of governance should:

- Contain no reference to incorporation of the charter school or the school's governing body (see NAC 386.227);
- Identify a specific number of governing body members, not a range of numbers;
- Address the types of governing body training that will be required of members;
- Address the types of expertise that will be provided by governing body members (legal, financial, real estate, fundraising, etc.);
- Assure that Robert's Rules of Order will be followed when conducting meetings;
- Include a description of how the Committee to Form the School will transition into the school's governing body when a charter is granted. For example, who on the Committee will be on the school's first governing body?
- Identify staggered terms for members so that the entire membership does not turn over at the same time.

Provide a letter from the Committee's legal counsel on his/her letterhead stating that the bylaws/rules of governance were reviewed by him/her and that they are legally sufficient as to form and content.

Item 1.26: In the event a dispute arises between a charter school and the Department of Education, or between a charter school and the State Board of Education if the State Board is the sponsor of the school, the charter school shall submit, in writing, a statement outlining its complaint and proposed resolution to the Department's Deputy Superintendent of Administrative and Fiscal Services, or his designee, for review. The Department will respond to the complaint and proposed resolution, in writing, within 30 calendar days outlining whether or not it agrees with the complaint and whether it accepts the proposed resolution or offers an alternative resolution to the complaint. If the charter school is not satisfied with the response from the Deputy Superintendent, it may request, in writing, a review by the Superintendent of Public Instruction. The Superintendent will respond, in writing, within 15 calendar days stating whether or not he/she agrees with the complaint and if so, which resolution is proposed, or proposing an alternative resolution to the charter school. In the event these representatives are unable to resolve the dispute informally, pursuant to this procedure, the complaint and proposed resolution will be submitted to the State Board of Education at the next available meeting for its consideration. The State Board will decide whether or not it agrees with the complaint or any proposed resolution. Any decision by the State Board of Education is final.

Item 1.27: See NAC 392.300- .410, transportation; NAC 392.400 -.420, drivers of school buses; NAC 392.500 -.621 and 392.647 -.689, school bus standards.

If the school will provide transportation, provide details of any contract and the details of any plan developed in consultation with the parents and guardians of pupils. A concise and clear statement of how transportation will be provided for charter school students along with the proposed plan needs to be included. In addition, if a contract is entered into for provision of transportation, a copy of the contract or a synopsis of the details must be included.

If the school will not provide transportation, provide a plan for transportation (such as bus schedules or a parent who will organize car pools) to ensure that pupils have access to transportation.

Item 1.28: Describe how the charter school will provide health services for pupils. See NRS 392.420. In addition, if health services are contracted, provide a detailed synopsis of the contract. Describe how the charter school will handle health emergencies.

Describe how immunization records will be maintained. Include who will be responsible for reviewing and updating records, and location of records. See NRS 392.435.

Item 1.29: In addition to fire and health inspection/approval, documentation must include an official Certificate of Occupancy issued by the city or county in which the charter school is located.

Item 1.30: A letter from the Division of Industrial Relations, Department of Business and Industry, acknowledging the charter school applicant's communication with the Division, will provide the required evidence. See also NAC 386.341 regarding OSHA inspection.

Item 1.31: Describe the procedure that faculty and students will follow during a drill. If applicable, include maps. See NRS 392.450, drills.

Item 1.32: See Appendix K, USDE Non-Regulatory Guidance, Charter Schools Program. Also see "Enrollment Procedures and Lotteries" section in the General Charter School Application and Operation Instructions section of this manual.

Item 1.33: See NAC 392.301 - 392.360, confidentiality of education records and NAC 386.360, maintenance of records. Provide assurance that the school will forward all permanent student records to the office of student records of the school district of residence of each pupil upon closure of the charter school or upon a pupil's graduation or withdrawal from the charter school.

Item 1.34: See NRS 386.585 (6), truancy rules. Also see NRS 392.040 – 392.122.

Item 1.35: The applicant should summarize, in narrative form, how he will carry out the charter school laws, for example, by:

- Knowing the law and regulation;
- Attending conferences and technical assistance meetings;
- Avoiding conflicts of interest;
- Assigning students' interests and academic achievement as the top priority of the school;
- Maintaining a diverse governing body representative of the entire community served by the school;
- Asking for assistance when in doubt;
- Maintaining accountability and transparency in all operations; and
- Cooperating with the school's sponsor and the Nevada Department of Education.

PART 2: EDUCATIONAL PROGRAM

For questions regarding Part 2 items:	Contact:
2.1; 2.5 – 2.8	Science, Math, English, and Social Studies Consultant
2.2; 2.3; 2.4	Charter School Consultant

Item 2.4: NAC 386.130(5): An application may be submitted only for the kind of school (elementary, middle, or high school) that will be operated during the first year of operation.

Item 2.5: See NRS 386.584 and NRS 386.520(2)(g) regarding requirements for high school graduation and diplomas.

See NAC 389.655, 389.659, 389.664, requirements for diploma.

See NAC 389.445, requirements for promotion to high school.

See NAC 389.450, prescribed courses of study for graduation (high school).

See NRS 386.550(1)(i), required instruction. All charter schools must provide instruction in the core academic subjects (see NRS 389.018(1)) as applicable for grade levels.

See NAC 389.040: 1 credit = 120 hours of instruction

Because of course requirements for high school graduation, charter high schools, in addition to the core academic subjects listed above, must also provide instruction in arts and humanities, health, physical education, and use of computers.

Nevada Administrative Code (NAC), Chapter 389, states what students need to know and be able to do by the completion of grades K – 12. Charter schools must, at a minimum, teach the content stated in the Chapter 389 regulations for applicable grade levels and subject areas. They may teach additional content, and they may use any teaching method they choose that isn't prohibited by regulation or statute.

Item 2.6: See NRS 386.550(1)(g) and (h), achievement and proficiency examinations.

See NAC 389.049-.083, administration of achievement and proficiency examinations.

Starting July 1, 2000, the federal regulations for special education require alternative assessment for students not participating in the general statewide assessments. Nevada Department of Education (NDE) has developed such assessments, and school operators are encouraged to contact NDE for more information.

Item 2.7: Provide title, author, publisher, and copyright date. A charter school is not required to use textbooks that are on the state-approved list.

Item 2.8: Mission and goals; timeframes for achieving goals; and a description of how progress will be measured. These three application items all relate to identification of the school’s goals and description of how achievement of those goals will be measured.

The responses to these application items should be integrated, and mutually agreeable to both the applicant and the proposed sponsor: Discuss them with your sponsor prior to completing this part of your application. Although a charter school may have goals of its own, independent of the sponsor’s goals, there should be at least some overlap, particularly in the area of student academic achievement. Your sponsor will need to evaluate your progress in achievement of your goals, and you will need to demonstrate that you are doing at least as good a job educating pupils as your sponsor, so you are advised to identify goals and methods of measuring their achievement that are compatible with – or at least recognizable by – your sponsor. Explain the goals you’ve chosen, and ensure that they are observable, measurable, and significant.

PART 3: BUSINESS PLAN

For questions regarding Part 3 items:	Contact:
3.1	Auditor
3.2 – 3.4	Charter School Consultant
3.5 – 3.6	Fiscal Consultant

Item 3.1: Provide the number of pupils the school expects to enroll.

Item 3.2: NRS 386.550 (1)(c) prohibits charter schools from charging tuition fees. Under certain circumstances, however, and subject to limitations, charter schools may charge for services. Specifically, charter schools may charge for participation in programs (for-charge programs) for which the school would not receive Distributive School Account (DSA) funds, and for which no other state or federal funds are received. An example of an allowable for-charge program is a summer school program that is not funded by state or federal government sources. Programs for which DSA funds or other state or federal funds are received must remain free-of-charge. See the General Charter School Application and Operation Instructions section of this manual, “Charging Fees...” for more information.

Item 3.3: The person designated to draw all orders for the payment of money belonging to the charter school may be the school’s administrator, bookkeeper, finance officer, or a member of the school’s governing body.

Except in the case of the person being a member of the governing body, the Department recommends that the person be recruited, hired and employed by the governing body, not by an Educational Management Organization or other contractor with the school. The person should be a resident of Nevada, located in Nevada.

Item 3.4: See NRS 386.595.

Item 3.5: The following financial documents must be submitted:

- Budget that sets forth the estimated revenues and expenditures of the school for the first two (2) years of operation;
- Budget Narrative (Budget Supplementary Schedules” providing an explanation of each expenditure in each of the Object Codes listed; and
- Cash Flow Statement.

Forms for the budget, budget narrative and cash flow statement and budget instructions can be found on the NDE website: http://nde.doe.nv.gov/SD_CharterSchools_Forms.htm .

Additionally, the following must be submitted:

- Pre-Opening Budget;
- Contingency Plan for less-than-expected enrollment, and
- NCES Chart of Accounts.

Avoid overly optimistic first year enrollment projections. They will give you an inaccurate impression of your school’s expected income. Budgets with overly optimistic enrollment projections will be denied. Funding from state and local sources must be separated. List all state, local and other revenue sources. List Full-Time Equivalent (FTE).

Include in the budget:

- Insurance costs: Include the actual costs if your application is for a “full” charter, and estimated costs if you don’t yet have a facility (see “Insurance” in the preceding section of this manual);
- SAIN automated student information system costs; ask your proposed sponsor for an estimate. See SAIN information in the preceding section of this manual;
- 2%/1%/1.5% administrative fee (see NRS 386.570(3)). See Appendix M, Sponsorship Fee Accounting;
- Distance education program costs, if applicable;
- Salary costs broken out by teacher and administrator salaries;
- Contracted services broken out;

All money received by the school from this state or from the board of school trustees of a school district must be deposited in a financial institution in this state. (NRS 386.570(2)).

Item 3.6: Submit a financial plan for the operation of the charter school. The plan must include, without limitation, procedures for the audit of the programs and finances of the charter school and guidelines for determining the financial liability if the charter school is unsuccessful. Provide the name or position title of the individual at the school, along with the name of the accounting firm, who will be the contact person for handling the school’s financial liability. These persons are responsible for ensuring that any remaining money is returned to the appropriate funding sources, such as state and local authorities.

Also include in the financial plan:

- Closing procedures for the school (see NAC 386.335, 386.342, and 386.360);
- The name of the audit firm the school will use;
- The name of the local, Nevada bank the school will use.

PART 4: FACILITY, PERSONNEL AND EQUIPMENT

(Of 4.1, 4.2 or 4.3 below, only one will apply)

For questions regarding Part 4 items, contact Charter School Consultant.

Item 4.1 – 4.3: Either 4.1, 4.2 or 4.3 will apply to your school’s facility situation. Respond only to the appropriate item or group of items.

Respond to 4.1 If the facility the school will use currently exists; is suitable for use by the charter school; and if the facility is not owned by the school district in which the charter school will be located.

The insurance documentation must be from the proposed sponsor. Submitting an insurance document alone will not satisfy the item. See NAC 386.215 and “Insurance” in the General Charter School Application and Operation Instructions section of this manual.

Respond to 4.2 If the facility is already being used as a public school. See NRS 386.560(2), charter school use of school buildings owned by the school district.

Respond to 4.3 If the proposed charter school has not obtained a facility. Until a Certificate of Occupancy and other inspection/approval documents have been obtained, the application will be considered an application for a Subsection 7 Charter, that is, a charter granted to an applicant who is not yet prepared to commence operation. In order to convert a Subsection 7 Charter granted due to lack of an inspected, approved facility to a charter under which the school may operate, the applicant would need to provide to the sponsor (1) a response to checklist items 4.1(a-g); (2) the inspection documents called for in item 1.29 (including a Certificate of Occupancy) of this application; (3) the OSHA documentation required in tem 1.30; and (4) the description of drills required in item 1.31. NOTE: A holder of a Subsection 7 Charter shall not operate a charter school and is not eligible to receive public school money for the operation of a charter school.

PART 5: CORPORATE AFFILIATION

For questions regarding Part 5 items, contact Charter School Consultant.

Item 5.1: Provide the information requested.

PART 6: CONTRACTOR / PROPOSED CONTRACTOR INFORMATION

For questions regarding Part 6 items, contact Charter School Consultant.

Item 6.1: Note certain restrictions on the type and number of employees that may be provided to a charter school by an Educational Management Organization: See NAC 386.407.

APPENDIX A

CHECKLIST FOR NEW CHARTER SCHOOLS

Below is a comprehensive checklist of materials and information that must be submitted to (1) the Nevada Department of Education and, after it has been approved for completeness by the Department, (2) the proposed sponsor of the school. Use word processing software that will allow revision of the application with “strike-throughs” and bold or italicized text. For each item submitted (beginning with 1.11), indicate on the checklist the page number where the item can be found in the application binder. This eleven page checklist must accompany the application materials. The materials become official record and are subject to public records inspection. **Submit 12 copies of the entire application, paginated with each page dated, printed single-sided, on white paper in a 3-ring binder with tabs; no faxed applications will be accepted.**

Received by Nevada Department of Education	Received by Proposed Sponsor
<div style="display: flex; justify-content: space-between;"> Date Name & Title </div>	<div style="display: flex; justify-content: space-between;"> Date Name & Title </div>

PART 1: CONTACT, ADMINISTRATIVE AND GOVERNANCE INFORMATION

- 1.1 Name of proposed charter school:

- 1.2 County in which the school will be located:

- 1.3 Proposed sponsor:
 _____ School District (which one?) _____
 _____ State Board of Education
 _____ College or University (which one?) _____

- 1.4 Name of liaison for the Committee to Form the Charter School (must be a member of the Committee, NAC 386.110): _____

- 1.5 Full mailing address (Street, City, State, Zip Code) for liaison. Do not give a contractor’s or Charter Management Organization (CMO) / Educational Management Organization’s (EMO) contact information here:

- 1.6 Telephone (for liaison, not contractor or CMO/EMO): (_____) _____

- 1.7 Fax (for liaison, not contractor or CMO/EMO): (_____) _____

- 1.8 E-Mail (for liaison, not contractor or CMO/EMO): _____

- 1.9 The kind of school, as defined in subsections 1 to 3, inclusive, of NRS 388.020, for which the charter school intends to operate (NRS 386.520(2)(0)):
- _____ Elementary (grades K-8)
 - _____ Junior High or Middle (grades 6, 7, 8 & 9)
 - _____ High School (grades 9 through 12)
- 1.10 First school year beginning date: _____
Ending date: _____
- 1.11 Page ____: A calendar delineating the school year of the charter school. The calendar must set forth:
- a. The number of days of instruction in each school year, which must be in accordance with the requirements set forth in NRS 388.090;
 - b. The number of legal holidays that will be observed by the charter school and the dates on which those holidays fall;
 - c. The beginning and ending date of each term; and
 - d. Other important dates in the school year of the charter school, including, without limitation, school days in which less than a full day of instruction will be administered.
- 1.12 Page ____: The proposed dates of enrollment for the charter school. (NRS 386.520(2)(d)).
- 1.13 Page ____: Information regarding credit for courses completed successfully, including:
- a. Copies of transcripts and diplomas that the charter school will use to indicate that a pupil has completed course work successfully; and
 - b. The written policy of the charter school concerning the transfer of credit to another comparable school.
- 1.14 Page ____: A description of the manner in which the charter school will provide services and programs to pupils with disabilities in accordance with the Individuals with Disabilities Education Act and NRS 388.440 to 388.520 inclusive.
- 1.15 Page ____: The names, addresses and qualifications of the members of the committee to form the charter school, including, without limitation:
- a. A resume of each member;
 - b. A photocopy of the teaching license of each of the three (3) teacher members; and
 - c. The legal state of residence of each member.

- 1.16 Committee to Form the School: Members' association with other charter schools (NAC 386.160(2)). Does the Committee to Form the School include any members who are or have been associated with any other charter school?

yes
 no

Page ____: If yes, on a separate sheet of paper, provide information regarding any and all Committee members' association or affiliation with any charter school, in this or another state. Provide:

- a. The name of the Committee member(s);
 - b. The name and location, including street and mailing address, of the charter school with which the member has been associated or affiliated;
 - c. The inclusive dates of the occurrence of the association or affiliation;
 - d. Whether the association or affiliation has ceased, or is ongoing, and if it has ceased, for what reason; and
 - e. A description of the nature of the association or affiliation.
- 1.17 Committee to Form the School: Compliance with Local Government Purchasing Act (NAC 386.130(4)):
Is any member of the Committee to Form the School a potential lessor of a facility the school may lease, a potential contractor with the school, or a representative of a CMO or EMO with which the school may contract?

yes
 no

- 1.18 Preparation of the Application (NAC 386.180(7)):
Was the application prepared by a person who is not a member of the Committee to Form the School?

yes
 no

Page ____: If the application was prepared by a person who is not a member of the Committee to Form the School, or if it was prepared by another entity, including a CMO or EMO, or if such a person or entity assisted the Committee in preparing the application, on a separate sheet of paper provide:

- a. The name of the person or entity;
- b. The name and location of any public school, private school or charter school with which the person or entity has been or is presently affiliated, including, without limitation, the street address and mailing address of that school;
- c. The dates on which the person or entity was affiliated with the school(s) described in (b) above;

- d. A statement indicating whether the person or entity is presently affiliated with the school described in (b) above, or has ceased the affiliation;
 - e. If the affiliation has ceased, a statement indicating the reason for the cessation; and
 - f. A detailed resume listing the qualifications of the person or entity.
- 1.19 Page ____: If applicable, the name, title, address, telephone number, fax and e-mail of the person selected to function as the administrative head of the charter school pursuant to NAC 386.100.
- 1.20 Page ____: A description of the process that will be used to
- a. Advertise for, select and employ administrators for the charter school; and
 - b. Select new administrators for the charter school in the event of a vacancy in one or more of those positions.
- 1.21 Page ____: A description of the process that will be used to advertise for, select and employ instructional staff and other employees.
- 1.22 Page ____: The qualifications of the persons who will provide instruction at the charter school (NRS 386.520(2)(i)).
- 1.23 Page ____: The procedure for the evaluation of teachers of the charter school, if different from the procedure prescribed in NRS 391.3125. If the procedure is different from the procedure prescribed in NRS 391.3125, the procedure for the evaluation of teachers of the charter school must provide the same level of protection and otherwise comply with the standards for evaluation set forth in NRS 391.3125 (NRS 386.520(2)(m)).
- 1.24 Page ____: If known at the time of the application:
- a. The name, license number and proposed assignment of each licensed staff member; and
 - b. The name, qualifications and proposed assignment of each non-licensed staff member.
- 1.25 Page ____: The proposed system of governance for the charter school, including, without limitation, the number of persons who will govern, the method of selecting the persons who will govern and the term of office for each person (NRS 386.520(2)(e)).
- 1.26 Page ____: The method by which disputes will be resolved between the governing body of the charter school and the sponsor of the charter school (NRS 386.520(2)(f)).

- 1.27 Page ____: A statement of whether the charter school will provide for the transportation of pupils to and from the charter school. If the charter school will provide transportation, the application must include the proposed plan for the transportation of pupils, including the details of any contract that the charter school has entered into pursuant to subsection 1 of NRS 386.560 for the transportation of pupils. Provide the details of any plan developed in consultation with the parents and guardians of pupils for the transportation of pupils. If the charter school will not provide transportation, the application must include a statement that the charter school will work with the parents and guardians of pupils enrolled in the charter school to develop a plan for transportation to ensure that pupils have access to transportation to and from the charter school (NRS 386.520(2)(1)).
- 1.28 Page ____: Descriptions of the manner in which the proposed charter school will:
- a. Provide health services to pupils, including, without limitation, the details of any contract that the charter school has entered into pursuant to NRS 386.560(1) for the provision of health services to pupils; and
 - b. Maintain records related to the immunization of pupils that is required pursuant to NRS 392.435 to ensure that pupils are immunized in a timely manner.
- 1.29 Page ____: Unless the facility that the proposed charter school will occupy is a public school, documents which indicate to the satisfaction of the Department that the facility which the charter school will occupy has been inspected and meets the requirements of any applicable building codes, codes for the prevention of fire and codes pertaining to safety, health and sanitation.
- 1.30 Page ____: Evidence which demonstrates to the satisfaction of the Department that the Committee has communicated with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act (OSHA) of 1970, as amended.
- 1.31 Page ____: A description of the procedures that will be used to provide drills for the pupils in the charter school to instruct those pupils in the appropriate procedures to be followed in the event of a fire or other emergency.
- 1.32 Page ____: A description of the lottery system that the proposed charter school will use pursuant to NRS 386.580 if more eligible pupils apply for enrollment in the charter school than the number of spaces for pupils which are available.
- 1.33 Page ____: Information concerning records of pupils that will be maintained by the proposed charter school in accordance with NAC 386.360, including, without limitation:
- a. The name, title, address, telephone number, fax and e-mail of the person who will be responsible for:
 - 1) Maintaining records of pupils; and

- 2) Providing records of pupils to the school district in which the charter school is located for inclusion in the automated system of accountability information for Nevada that is established and maintained by the Department pursuant to NRS 386.650.
 - b. An example of the manner in which the cumulative record of a pupil is proposed to be stored;
 - c. The proposed location within the charter school in which records of pupils will be stored;
 - d. The name, address, telephone number, fax and e-mail of the person who will be responsible for the records of pupils if the charter school is dissolved or the written charter of the charter school is not renewed; and
 - e. The policy of the charter school regarding the retention of the records of pupils.
- 1.34 Page ____: A list of rules setting forth the policies of the charter school regarding truancy and other situations in which a pupil is absent from school.
- 1.35 Page ____: A written description of how the charter school will carry out the provisions of NRS 386.500 to 386.610, inclusive (NRS 386.520(2)(a)).

PART 2: EDUCATIONAL PROGRAM

- 2.1 Program for at-risk pupils (NAC 386.150(9)):
 Is this school intended to serve primarily at-risk pupils? (See NRS 386.500)
- yes
 no

Page ____: If yes, on a separate sheet of paper describe how the school will:

- a. Recruit at-risk pupils;
 - b. Serve the specific needs of at-risk pupils; and
 - c. Measure its success in educating at-risk pupils.
- 2.2 Vocational education status (NAC 386.415):
 Is this an application for a vocational education charter school?
- yes
 no
- 2.3 Distance education status:
 Has a distance education application been submitted for this charter school?
- yes
 no

- 2.4 Page ____: The grade level or levels proposed to be taught at the charter school and the anticipated enrollment in each such grade level for the first year of operation.
- 2.5 Page ____: Curriculum, course descriptions, grade levels at which courses are offered, schedule of classes:
- a. The proposed curriculum for the school and, if applicable to the grade level of pupils who are enrolled in the charter school, the requirements for the pupils to receive a high school diploma, including, without limitation, whether those pupils will satisfy the requirements of the school district in which the charter school is located for receipt of a high school diploma (NRS 386.520(2)(g)). For each course that will be offered at the school, provide the name and a description of the course, including, without limitation, the grade level at which the course will be offered;
 - b. A designation of the courses that a pupil must complete for graduation and for promotion to each grade level; and
 - c. A schedule of classes which must meet the requirements for prescribed courses and required courses of study that are set forth in chapter 389 of NRS and chapter 389 of NAC.
- 2.6 Page ____: A schedule of examinations of achievement and proficiency that will be administered to pupils at the charter school. The schedule must:
- a. Be aligned with any schedules of examinations of achievement and proficiency which are published by the Department and the school district in which the charter school is located, if available; and
 - b. Meet the requirements of NRS chapter 389 and other applicable federal, state and local laws and regulations.
- 2.7 Page ____: The textbooks that will be used at the charter school (NRS 386.520(2)(h)).
- 2.8 Page ____: Mission, goals, measurement of accomplishment of goals and timeline for accomplishment of goals:
- a. A written description of the mission and goals for the charter school (NRS 386.520(2)(b)). In addition to any other goals identified, the applicant must choose at least one of the following six (6) goals:
 - 1) Improving the opportunities for pupils to learn;
 - 2) Encouraging the use of effective methods of teaching;
 - 3) Providing an accurate measurement of the educational achievement of pupils;
 - 4) Establishing accountability of public schools;
 - 5) Providing a method for public schools to measure achievement based upon the performance of the schools; or
 - 6) Creating new professional opportunities for teachers.

- b. A description of how progress toward the mission and goals of the charter school as described above will be measured.
- c. The time by which certain academic or educational results will be achieved (NRS 386.520(2)(n)).

PART 3: BUSINESS PLAN

- 3.1 Page ____: The projected enrollment of pupils in the charter school (NRS 386.520(2)(c)).
- 3.2 Page ____: A list of any fees, charges and deposits, including, without limitation, fees, charges and deposits for course materials or equipment that;
 - a. Are typically imposed upon pupils or the parents or guardians of pupils attending public schools which are not charter schools; and
 - b. Are anticipated by the Committee to be imposed upon the pupils or the parents or guardians of the pupils of the charter school.
- 3.3 Page ____: The name, title, address, telephone number, fax, e-mail and qualifications of the person who is designated to draw all orders for the payment of money belonging to the charter school pursuant to NRS 386.573.
- 3.4 Page ____: Except as otherwise required by NRS 386.595, the process by which the governing body of the charter school will negotiate employment contracts with the employees of the charter school (NRS 386.520(2)(j)).
- 3.5 Page ____: A proposed budget that sets forth the estimated revenues and expenditures of the charter school for the first two (2) years of operation including the cost of insurance required by NAC 386.215. A cash flow statement and a preopening budget must accompany the budget. Submit a proposed budget, on Nevada Department of Education budget forms, that sets forth the estimated revenues and expenditures of the charter school for the first two (2) years of operation. The Chart of Accounts must accompany the budget. Budget forms can be found at:
<http://www.doe.nv.gov/schools/charters/budget.html>.
- 3.6 Page ____: A financial plan for the operation of the charter school. The plan must include, without limitation, procedures for the audit of the programs and finances of the charter school and guidelines for determining the financial liability if the charter school is unsuccessful (NRS 386.520(2)(k)). The plan must include the name, address, telephone number, fax and e-mail of both the financial officer and the accounting firm handling the school's financial liability.

PART 4: FACILITY, PERSONNEL AND EQUIPMENT
(Of 4.1, 4.2 or 4.3 below, only one will apply)

- 4.1 Page ____: If the facility that the charter school will occupy exists at the time of the application and is suitable for use by the charter school, but is not owned by the school district in which the charter school will be located:
- a. The address of the charter school;
 - b. The type of facility that the school will occupy;
 - c. A floor plan of the facility that the charter school will occupy, including a notation of the size of the facility which is set forth in square feet;
 - d. The name, address, telephone number, fax and e-mail of the owner of the facility that the charter school will occupy;
 - e. If the facility that the charter school will occupy will be leased or rented, a copy of the proposed lease or rental agreement;
 - f. If available at the time that the application is submitted, a copy of the certificate of occupancy for the facility; and
 - g. Documentation which demonstrates that the Committee has obtained the insurance required by NAC 386.215 and that the proposed sponsor of the charter school is satisfied with the type and amount of insurance or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (L) of subsection 1 of NRS 386.550.
- 4.2 Page ____: If the facility that the charter school will occupy is, at the time of application, being used as a public school, the name and location of that school and documentation which:
- a. Sets forth the specific days and times during which the charter school is authorized to use the facility; and
 - b. Demonstrates that the Committee has obtained the insurance required by NAC 386.512 and that the proposed sponsor of the charter school is satisfied with the type and amount of insurance or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (L) of subsection 1 of NRS 386.550.
- 4.3 Page ____: If the proposed charter school has not obtained a suitable facility, personnel or equipment:
- a. A statement in writing describing why the proposed charter school has not obtained a suitable facility, personnel or equipment;
 - b. A plan for obtaining a suitable facility, personnel or equipment including, without limitation, as applicable:
 - 1) A statement in writing that explains whether an existing facility will be remodeled or a new facility will be built; and

- 2) A schedule for completing or obtaining a suitable facility, personnel and equipment, including, without limitation, if application, a description of and time scheduled for any plan to raise funds for completing or obtaining the facility, personnel and equipment.
- c. The date on which it is anticipated that the charter school will be open;
- d. A description of the equipment that will be used at the charter school, including, without limitation:
 - 1) Office furniture and equipment;
 - 2) Computer equipment
 - 3) Musical instruments;
 - 4) Equipment to be used in a machinery shop; and
 - 5) Supplies and other items necessary for the use of equipment described in this paragraph.
- e. A written estimate, prepared by an authorized insurer, of the cost of obtaining insurance required by NAC 386.512 and documentation which demonstrates that the proposed sponsor of the charter school is satisfied with the type and amount of insurance provided for in the written estimate or other means that will be used to indemnify the sponsor against financial loss pursuant to paragraph (L) of subsection 1 of NRS 386.550.
- f. If applicable, evidence in writing that the acceptance of the application by the proposed sponsor of the charter school is necessary to obtain a facility, personnel or equipment.

PART 5: CORPORATE AFFILIATION (NAC 386.227)

5.1 Corporate Affiliation (NAC 386.227):

Is the proposed school a corporation? (Please note that a charter school in Nevada is a public school of the school district and cannot be incorporated.)

- yes
- no

Provide the following information about any corporation affiliated with the proposed school or any member of the Committee to Form the Charter School:

Nature of affiliation: _____

Name of corporation: _____

Complete mailing address (Street, City, State, Zip Code):

Name of Chief Executive Officer(CEO): _____

CEO's telephone number: (_____) _____

CEO's fax number: (_____) _____

CEO's e-mail address: _____

State of incorporation: _____

Date of incorporation: _____

Name of corporation's affiliate on the Committee to Form the Charter School:

**PART 6: CONTRACTOR / PROPOSED CONTRACTOR INFORMATION
(NAC 386.180(6)):**

6.1 Contractor / Proposed Contractor Information (NAC 386.180(6)):

Does the governing body of the school intend to contract with an Educational Management Organization, a Charter Management Organization, a Nevada school district, the University and Community College System of Nevada, or any other for-profit or not-for-profit business, corporation, organization or other entity to provide services of any kind?

yes

no

Page ____: If yes, on a separate sheet of paper provide the following information:

- a. The name of the contractor;
- b. A copy of the contract;
- c. The name of a contact person for the contractor;
- d. The mailing address, telephone number, fax and e-mail of the contractor;
- e. A description of the services to be provided by the contractor; and
- f. A description of the manner in which each person who is employed or hired by the contractor to provide a direct service to the charter school has been notified that the person is not employed by the governing body of the charter school; and that the provisions of NRS 386.595 do not apply to an employee of the contractor or any person hired by the contractor to perform a service to the charter school.

APPENDIX B

Charter School Application Contact Persons

The following contacts can help applicants complete a charter school application. The persons identified below are the “contacts” referred to in the “Application Checklist Guidelines” section of this Manual.

Nevada Department of Education

Charter School Consultant	Tom McCormack, 775-687-9149
Curriculum Consultants	
Mathematics:	Dave Brancamp, 775-687-9133
Science:	Richard Vineyard, 775-687-9195
English:	Tracy Gruber, 775-687-9251
Social Studies:	Stephanie Hartman, 775-687-2450
Textbook Consultant	Bill Strader, 702-486-6627
Special Education Consultant	Janell Rosenberg, 775-687-9146
Auditor	Al Kenneson, 775-687-9121
Fiscal Consultant	Andrea McCalla, 775-687-9209
Child Nutrition and School Health Director	Donnell Barton, 775-687-7284
Vocational Education Consultant	Mike Raponi, 775-687-9196
Distance Education Consultant	Rick Rasmussen, 775-687-9193
Local School District Charter School Contacts	
Clark County School District	Lorraine Alderman, 702-799-1605
Douglas County School District	Nancy Bryant, 775-588-6281
Washoe County School District	Sandi Foster, 775-348-0283
Every Other County	School District Superintendent