

# NEVADA

(Law passed in 1997; 20th weakest of the nation's 43 charter laws)



Nevada's charter school law is below average despite multiple authorizers, like universities, who have had the power to authorize since 2007, but none have chosen to do so. Many school districts have vocally opposed charters or imposed their own moratoriums, and as a result only 38 schools have opened. The governor is supportive of education reform, and charter advocates plan legislative improvements for 2015, but it will take more time to improve the charter school environment.

## INDEPENDENT OR MULTIPLE AUTHORIZERS - YES (3)

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| APPROVAL | School boards, the State Public Charter School Authority (a quasi-independent state board that works with the Nevada Department of Education to review and assess applications), and any college or university within the Nevada System of Higher Education can be authorizers. School boards and colleges or universities must apply to be an authorizer, and be approved by the State Department of Education. No college or university has yet been an authorizer. |
| APPEAL   | Yes. If the local board or a college or university denies an application, it may be appealed to the State Public Charter School Authority, and they would become the sponsor if approved. If the State Public Charter School Authority denies an application, the decision may be appealed to the district county court in which the proposed charter will be located.  |

## OPERATIONAL AUTONOMY

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| STATE           | Limited. Schools do not receive a blanket waiver and must comply with many rules relating to curriculum and governance. Charters may submit a written request to the state superintendent for a waiver for only the mandatory days of instruction required by state law. Additional exemptions may be negotiated with an authorizer and specified in the charter. Virtual schools are allowed. Management contracts with ESPs are not restricted, but there are rules and regulations to follow such as requiring a performance contract and disclosing any conflicts of interest. Also, public, private or home school conversions are not allowed in Nevada. |
| LOCAL           | Limited. There is little flexibility from rules and regulations. Schools must get permission from their authorizer for various decisions regarding operations.   |
| TEACHER FREEDOM | Yes. Charter school employees are exempt from district collective bargaining agreements. Charter employees must participate in their school district's retirement system.  |

## NUMBER OF SCHOOLS ALLOWED

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| CAP | There is no cap on the number of charters that can open statewide. However, Clark County still has a moratorium in place, so an alternative authorizer can only approve charter applicants in this district. |
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## EQUITY

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| <p>STUDENT FUNDING</p>  | <p>Charter school funds pass through the state. Each charter student is included in the district’s student count for purposes of funding calculations from the state. A charter school is entitled to receive a proportionate share of any other money available from federal, state or local sources that the school or the pupils who are enrolled in the school are eligible to receive. All authorizers may deduct up to two percent for administrative fees, but charters meeting certain requirements can request to lower it to one percent. Authorizers can also request reimbursements from charters for administrative costs.</p> <p>“Each pupil who is enrolled in a charter school, including, without limitation, a pupil who is enrolled in a program of special education in a charter school, must be included in the count of pupils in the school district for the purposes of apportionments and allowances from the state distributive school account pursuant to NRS 387.121 to 387.126, inclusive, unless the pupil is exempt from compulsory attendance pursuant to NRS 392.070. A charter school is entitled to receive its proportionate share of any other money available from federal, state or local sources that the school or the pupils who are enrolled in the school are eligible to receive.” [Nev. Rev. Stat. Ann. § 386.570]</p> |
| <p>FACILITIES FUNDS</p> | <p>Within the law, there is a section for facilities funding if a charter meets criteria. However, it must be funded by the state legislature and that has yet to happen. Nev. Rev. Stat. Ann. § 386.5515 (West).</p>   |

## IMPLEMENTATION POINTS

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| <p>- 2</p> | <p>Two points are deducted because the state has not encouraged or worked hard enough to improve charter environment.</p> |
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LINK TO THE  
NEVADA CHARTER  
SCHOOL LAW