

Class-Size Reduction funding is based upon the projected enrollment for grades 1-3, the desired class-sizes (16:1 for grades 1 and 2, and 19:1 for grade 3), the number of teachers needed, the current number of teachers and the average teacher salary (and benefits). This funding is in addition to the unrestricted and special education funding.

From the revenue side, local taxes are subtracted from the total of the expenditures listed above (primarily Local School Support Tax and Public School Operating Property Tax). State general funds make up the majority of what is left with a few other minor revenues rounding out the funding.

F(2): Ensuring Successful Conditions For High-Performing Charter Schools And Other Innovative Schools (40 points)

The extent to which—

(i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;

(ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;

(iii) The State's charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;

(iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition,

access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and

(v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State's success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for F(2)(i):

- *A description of the State's applicable laws, statutes, regulations, or other relevant legal documents.*
- *The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.*
- *The number and types of charter schools currently operating in the State.*

Evidence for F(2)(ii):

- *A description of the State's approach to charter school accountability and authorization, and a description of the State's applicable laws, statutes, regulations, or other relevant legal documents.*
- *For each of the last five years:*
 - *The number of charter school applications made in the State.*
 - *The number of charter school applications approved.*
 - *The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).*
 - *The number of charter schools closed (including charter schools that were not reauthorized to operate).*

Evidence for F(2)(iii):

- *A description of the State's applicable statutes, regulations, or other relevant legal documents.*
- *A description of the State's approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.*

Evidence for F(2)(iv):

- *A description of the State's applicable statutes, regulations, or other relevant legal documents.*
- *A description of the statewide facilities supports provided to charter schools, if any.*

Evidence for F(2)(v):

- *A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.*

Recommended maximum response length: Six pages

F(2): Success For High-Performing Charter Schools And Other Innovative Schools

F(2)(i): High-performing Charter Schools in the State

Nevada has no cap on the number of charter schools in the State and no restriction on the number of students who may enroll in charter schools (NRS 386.500 – 386.610) (see Appendix F(2)(i)-1). As of the current school year, there are 28 charter schools operating in Nevada (see Appendix F(2)(i)-2 for list of schools). More than 12,500 (2.86%) students are currently enrolled in these schools. This reflects an increase from approximately 2.3% during the previous school year and is consistent with the overall trend of expansion of Nevada’s charter schools.

Charter schools are public schools, responsible for their own governance and operation. There is an increased emphasis on accountability for their performance. The first charter school legislation in Nevada was enacted in 1997, and Nevada’s charter school law was substantially amended in subsequent sessions (see Appendix F(2)(i)-1).

In 2011, a Senate Bill will be presented at the legislature to establish a Nevada Charter School Institute. The proposed Institute will create an 18th LEA to further expand charter schools.

Upon establishment, all charter schools sponsored by the Nevada State Board of Education will be transferred to the Institute for sponsorship. All other charter schools sponsored by school districts or higher education will have the opportunity to change their sponsorship to the Institute.

Currently, local school boards and institutions of the Nevada System of Higher Education are authorized to be sponsors of charter schools. Each charter school is overseen by a governing body, which includes teachers and may include parents, or representatives of nonprofit organizations, businesses, or high education institutions.

F(2)(ii): Laws Supporting Charter School Authorization And Accountability

The "charter" consists of the charter school application and a signed agreement between the school and its sponsor. The application includes a statement of goals including "the time by which certain academic or educational results will be achieved" (NRS 386.520(2)(m))(see

Appendix F(2)(i)-1). A charter may be revoked for noncompliance with the terms or conditions of the charter, including improper fiscal management (NRS 386.535) (see Appendix F(2)(i)-1): Nevada Revised Statutes, Charter School Application Process and Authorization).

Therefore, if the academic or educational results identified in the application are not met by the time identified in the application, the charter can be revoked. Furthermore, the quality of the application, including the quality of the school's educational goals, determines whether the application will be approved or not. Due process is afforded; the applicant has the right to appeal, should the application be denied. Table F(2)(ii)-1 summarizes the status of charter schools in Nevada over the past five years, 2006-2010. Five ineffective charter schools have had charters revoked.

To provide better support and accountability for Nevada’s charter schools, the NDE has provided the framework for a Charter School Office.

Table F(2)(ii)-1: Status Of Charter Schools In Nevada Over The Past Five Years, 2006-2010

YEAR	# Charter School Applications	# Charter School Application Approved	# Charter Schools Application Denied	Reason For Denial (Academic, Financial, Low-Enrollment, Other)	# Charter Schools Closed
2010	1	N/A	N/A	A	0
2009	12	1	11	B	0
2008	8	3	5	C	0
2007	10	3	7	D	2
2006	7	6	1	E	1

LEGEND: Reason for Denial of Charter School Applications, Table F(2)(ii)-1. “Status of Charter Schools”

- A. Not applicable; the 2010 application was received on 4/30/10 and is currently being reviewed by the Department.

- B. Eleven applications were denied because a number of items in each application were found incomplete and/or noncompliant.
- C. One application became inactive because the applicant missed a resubmission deadline. Four applications were denied because a number of items in each application were found incomplete and/or noncompliant.
- D. Two applications were withdrawn by the applicant from consideration for sponsorship. Five applications became inactive because the applicants missed resubmission deadlines.
- E. One application became inactive when the applicant determined it was unable to find a facility for the school.

F(2)(iii): Equitable Funding Of Charter Schools

Nevada's charter schools are considered public schools [NRS 385.007(1)] (see Appendix F(2)(iii)-1) and therefore come under the funding obligation of the Nevada Plan guarantee and are paid by the State through the general funds' Distributive School Account (DSA) [NRS 387.124(2)] (see Appendix F(2)(iii)-2).

When the Department determines the DSA payment to be made to a charter school, it includes in the charter school's total apportionment the full amount of the respective school district's basic support per pupil guarantee times the charter school's certified number of the pupils within that school district, plus any special education program funding, plus an additional amount which consists of the respective school district's "outside" revenues on a per pupil basis times the charter school's number of pupils [NRS 387.124(2) or (3)] (see Appendix F(2)(iii)-2). The amount of "outside" revenues per pupil credited to the charter school is based on certain local tax revenues that are not part of the Nevada Plan obligation (i.e., 2/3 PSOPT, governmental services tax, and franchise fees). For multi-district charter schools, the pupil's county of residence determines both the basic support amount and the additional outside revenue payment to be made.

If a charter school has pupils residing in more than one school district, then the calculation of its DSA apportionment will be based on the certified count day weighted apportioned enrollment of pupils residing within each respective school district [NRS 387.124(2)] (see Appendix F(2)(iii)-2).

F(2)(iv): Funding For Charter School Facilities

A charter school may use any public facility located within the school district where the charter school is located. A charter school may use school buildings owned by the school district only upon approval of the board of trustees of the school district and not during regular school hours. Although NRS 386.5515 (see Appendix F(2)(i)-1) allows certain types of charter schools that are performing effectively to access facilities funding, the legislature has not yet appropriated funding for this purpose.

F(2)(v): Empowerment Schools

In accordance with NRS 386.720 (see Appendix F(2)(v)-1), Nevada established a Program of Empowerment Schools for public schools within the state. Additionally, NRS 386.4154 – 386.4158 (see Appendix F(2)(v)-2), states that the “board of trustees of a school district may prescribe rules relating to the creation and administration of a program of school-based decision making for the public schools within the district.”

According a Clark County School District document titled: *Empowerment Schools*, the concept of empowerment is anchored in the belief that critical decisions affecting instruction should be made at the school level by those most closely involved with the children (see Appendix F(2)(v)-3). If schools are to be held accountable for student achievement, they should be given adequate resources and the freedom to determine how to attain targeted, specific goals by deploying those resources effectively and engaging the school community in the process.

The State of Nevada’s Program of Empowerment Schools provides a framework for the control that school personnel exercise over school resources. An empowerment school may control 90% of its apportionment from state and local resources, enroll students who are not zoned to attend school, and create an incentive pay structure for all school personnel.

Based upon Governor Gibbons’ recommendation to establish a Program of Empowerment Schools in Nevada, the 2007 legislative session created a statutory framework for empowerment schools. Table F(2)(v)-1 shows a timeline of the implementation of empowerment schools in Nevada. Although State funding for empowerment schools has been suspended due to budget

reductions, the Clark County School District currently has 17 empowerment schools and is scheduled to support additional 11 empowerment schools in 2011.

Table F(2)(v)-1: Timeline Of Implementation Of Empowerment Schools In Nevada

1993	Legislature approves laws governing school-based decision making. (Nevada Revised Statutes [NRS]386.4154-386.4158)
2007	Clark County School District implements first 4 empowerment schools
2008	2007 Legislature approve laws governing empowerment schools. (Nevada Revised Statutes [NRS]386.700-386.780); Clark County School District operates 8 empowerment schools
2009	Clark County School District operates 14 empowerment schools
2010	Clark County School District operates 17 empowerment schools; 11 new empowerment schools scheduled for 2011

F(3): Demonstrating Other Significant Reform Conditions (5 points)

The extent to which the State, in addition to information provided under other State Reform Conditions Criteria, has created, through law, regulation, or policy, other conditions favorable to education reform or innovation that have increased student achievement or graduation rates, narrowed achievement gaps, or resulted in other important outcomes.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State’s success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for F(3):

- *A description of the State’s other applicable key education laws, statutes, regulations, or relevant legal documents.*

Recommended maximum response length: Two pages