
SENATE BILL NO. 207—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

MARCH 4, 2013

Referred to Committee on Education

SUMMARY—Revises provisions relating to education.
(BDR 34-196)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; eliminating and revising requirements for certain reports, summaries and compilations of reports, reviews and evaluations; eliminating certain provisions relating to the analysis and reporting of information relating to certain national examinations; reorganizing various provisions relating to the high school proficiency examination and criterion-referenced examinations; eliminating the Program of Empowerment Schools; requiring the Department of Education to compile and analyze certain reports regarding the number of incidents resulting in the suspension or expulsion of a pupil for bullying, cyberbullying, harassment or intimidation; requiring the Commission on Educational Technology to include certain assessments in the assessment of needs of each school district relating to educational technology that is conducted by the Commission in the spring semester of 2014; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Commission on Educational Excellence to prepare an
- 2 annual report describing the activities of the Commission and certain analyses
- 3 relating to public schools. (NRS 385.3789) Existing law also requires the



4 Superintendent of Public Instruction to submit to certain entities a compilation of
5 certain reports made by the governing body of each charter school. (NRS 386.600)
6 Further, existing law requires: (1) the Department of Education to prepare a written
7 report describing any discrepancy in the proficiency of pupils on certain
8 examinations; and (2) the Council to Establish Academic Standards for Public
9 Schools to review and evaluate the report. (NRS 389.012) Existing law also
10 requires a school attendance council established by the board of trustees of certain
11 school districts to prepare an annual report relating to truancy. (NRS 392.129)
12 Further, existing law requires the principal of each public school to establish a plan
13 relating to the discipline of pupils and requires additional reports relating to those
14 plans. (NRS 392.4644) **Sections 14, 18, 22, 38 and 39** of this bill eliminate those
15 requirements.

16 Existing law requires the Superintendent of Public Instruction to prepare a
17 written compilation of certain assessments relating to educational technology and
18 transmit it to certain entities. (NRS 388.795) **Section 19** of this bill revises the date
19 on which the compilation must be transmitted and additionally requires the
20 Superintendent of Public Instruction to transmit the compilation to the Governor
21 and the Budget Division of the Department of Administration.

22 Existing law requires the State Board of Education to prescribe the high school
23 proficiency examination and requires the board of trustees of each school district
24 and the governing body of each charter school that enrolls pupils in high school
25 grade levels to administer that examination. Existing law also requires the State
26 Board, in consultation with the Council to Establish Academic Standards for Public
27 Schools, to prescribe criterion-referenced examinations for grades 3 through 8 and
28 requires the board of trustees of each school district and the governing body of each
29 charter school to administer those examinations. Existing law further provides for
30 the reporting of results of the high school proficiency examination and the
31 criterion-referenced examinations. (NRS 389.015, 389.017, 389.550, 389.560)
32 **Sections 25 and 26** of this bill incorporate the provisions currently contained in
33 NRS 389.550 and 389.560, which relate to the criterion-referenced examinations,
34 into NRS 389.015 and 389.017, which relate to the high school proficiency
35 examination. **Sections 1, 2, 4-12, 15-17, 20, 21, 25-37 and 40** of this bill make
36 conforming technical changes.

37 Existing law requires the State Board of Education to prepare an annual report
38 of accountability and to prepare a summary of that report. (NRS 385.3469,
39 385.34692) **Section 3** of this bill eliminates the requirement that the State Board
40 prepare a summary of the report.

41 Existing law requires the Council to Establish Academic Standards for Public
42 Schools to review and evaluate the results of pupils on criterion-referenced
43 examinations. (NRS 389.570) **Section 41** also eliminates that requirement.

44 Existing law establishes the Program of Empowerment Schools. (NRS 386.700-
45 386.780) **Section 41** also eliminates the Program.

46 **Section 42** of this bill requires the Department of Education to: (1) compile and
47 analyze information regarding incidents of bullying, cyber-bullying, harassment or
48 intimidation reported by each school and determine if the information reported is
49 accurate and reliable; and (2) report its findings to the Legislative Committee on
50 Education.

51 **Section 43** of this bill requires the Commission on Educational Technology to
52 include in the assessment of the needs of each school district relating to educational
53 technology that is conducted in the spring semester of 2014 an assessment of the
54 extent to which each school district has: (1) access to broadband service; (2) access
55 to an external Internet connection to an Internet service provider; and (3) an internal
56 wide-area network connection from the school district to each school in the district
57 and among schools of the district.



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

1 **Section 1.** NRS 385.3469 is hereby amended to read as
2 follows:

3 385.3469 1. The State Board shall prepare an annual report
4 of accountability that includes, without limitation:

5 (a) Information on the achievement of all pupils based upon the
6 results of the examinations administered pursuant to NRS 389.015 ,
7 ~~and 389.550,~~ reported for each school district, including, without
8 limitation, each charter school in the district, and for this State as a
9 whole.

10 (b) Except as otherwise provided in subsection 2, pupil
11 achievement, reported separately by gender and reported separately
12 for the following groups of pupils:

13 (1) Pupils who are economically disadvantaged, as defined
14 by the State Board;

15 (2) Pupils from major racial and ethnic groups, as defined by
16 the State Board;

17 (3) Pupils with disabilities;

18 (4) Pupils who are limited English proficient; and

19 (5) Pupils who are migratory children, as defined by the State
20 Board.

21 (c) A comparison of the achievement of pupils in each group
22 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
23 annual measurable objectives of the State Board.

24 (d) The percentage of all pupils who were not tested, reported
25 for each school district, including, without limitation, each charter
26 school in the district, and for this State as a whole.

27 (e) Except as otherwise provided in subsection 2, the percentage
28 of pupils who were not tested, reported separately by gender and
29 reported separately for the groups identified in paragraph (b).

30 (f) The most recent 3-year trend in the achievement of pupils in
31 each subject area tested and each grade level tested pursuant to NRS
32 389.015 , ~~and 389.550,~~ reported for each school district, including,
33 without limitation, each charter school in the district, and for this
34 State as a whole, which may include information regarding the trend
35 in the achievement of pupils for more than 3 years, if such
36 information is available.

37 (g) Information on whether each school district has made
38 adequate yearly progress, including, without limitation, the name of
39 each school district, if any, designated as demonstrating need for
40 improvement pursuant to NRS 385.377 and the number of
41 consecutive years that the school district has carried that
42 designation.



1 (h) Information on whether each public school, including,
2 without limitation, each charter school, has made:

3 (1) Adequate yearly progress, including, without limitation,
4 the name of each public school, if any, designated as demonstrating
5 need for improvement pursuant to NRS 385.3623 and the number of
6 consecutive years that the school has carried that designation.

7 (2) Progress based upon the model adopted by the
8 Department pursuant to NRS 385.3595, if applicable for the grade
9 level of pupils enrolled at the school.

10 (i) Information on the results of pupils who participated in the
11 examinations of the National Assessment of Educational Progress
12 required pursuant to NRS 389.012.

13 (j) The ratio of pupils to teachers in kindergarten and at each
14 grade level for all elementary schools, reported for each school
15 district, including, without limitation, each charter school in the
16 district, and for this State as a whole, and the average class size for
17 each core academic subject, as set forth in NRS 389.018, for each
18 secondary school, reported for each school district and for this State
19 as a whole.

20 (k) The total number of persons employed by each school
21 district in this State, including without limitation, each charter
22 school in the district. Each such person must be reported as either an
23 administrator, a teacher or other staff and must not be reported in
24 more than one category. In addition to the total number of persons
25 employed by each school district in each category, the report must
26 include the number of employees in each of the three categories
27 expressed as a percentage of the total number of persons employed
28 by the school district. As used in this paragraph:

29 (1) "Administrator" means a person who spends at least 50
30 percent of his or her work year supervising other staff or licensed
31 personnel, or both, and who is not classified by the board of trustees
32 of a school district as a professional-technical employee.

33 (2) "Other staff" means all persons who are not reported as
34 administrators or teachers, including, without limitation:

35 (I) School counselors, school nurses and other employees
36 who spend at least 50 percent of their work year providing
37 emotional support, noninstructional guidance or medical support to
38 pupils;

39 (II) Noninstructional support staff, including, without
40 limitation, janitors, school police officers and maintenance staff; and

41 (III) Persons classified by the board of trustees of a school
42 district as professional-technical employees, including, without
43 limitation, technical employees and employees on the professional-
44 technical pay scale.



1 (3) "Teacher" means a person licensed pursuant to chapter
2 391 of NRS who is classified by the board of trustees of a school
3 district:

4 (I) As a teacher and who spends at least 50 percent of his
5 or her work year providing instruction or discipline to pupils; or

6 (II) As instructional support staff, who does not hold a
7 supervisory position and who spends not more than 50 percent of
8 his or her work year providing instruction to pupils. Such
9 instructional support staff includes, without limitation, librarians
10 and persons who provide instructional support.

11 (l) For each school district, including, without limitation, each
12 charter school in the district, and for this State as a whole,
13 information on the professional qualifications of teachers employed
14 by the school districts and charter schools, including, without
15 limitation:

16 (1) The percentage of teachers who are:

17 (I) Providing instruction pursuant to NRS 391.125;

18 (II) Providing instruction pursuant to a waiver of the
19 requirements for licensure for the grade level or subject area in
20 which the teachers are employed; or

21 (III) Otherwise providing instruction without an
22 endorsement for the subject area in which the teachers are
23 employed;

24 (2) The percentage of classes in the core academic subjects,
25 as set forth in NRS 389.018, in this State that are not taught by
26 highly qualified teachers;

27 (3) The percentage of classes in the core academic subjects,
28 as set forth in NRS 389.018, in this State that are not taught by
29 highly qualified teachers, in the aggregate and disaggregated by
30 high-poverty compared to low-poverty schools, which for the
31 purposes of this subparagraph means schools in the top quartile of
32 poverty and the bottom quartile of poverty in this State;

33 (4) For each middle school, junior high school and high
34 school:

35 (I) The number of persons employed as substitute
36 teachers for 20 consecutive days or more in the same classroom or
37 assignment, designated as long-term substitute teachers, including
38 the total number of days long-term substitute teachers were
39 employed at each school, identified by grade level and subject area;
40 and

41 (II) The number of persons employed as substitute
42 teachers for less than 20 consecutive days, designated as short-term
43 substitute teachers, including the total number of days short-term
44 substitute teachers were employed at each school, identified by
45 grade level and subject area; and



1 (5) For each elementary school:

2 (I) The number of persons employed as substitute
3 teachers for 20 consecutive days or more in the same classroom or
4 assignment, designated as long-term substitute teachers, including
5 the total number of days long-term substitute teachers were
6 employed at each school, identified by grade level; and

7 (II) The number of persons employed as substitute
8 teachers for less than 20 consecutive days, designated as short-term
9 substitute teachers, including the total number of days short-term
10 substitute teachers were employed at each school, identified by
11 grade level.

12 (m) The total expenditure per pupil for each school district in
13 this State, including, without limitation, each charter school in the
14 district. If this State has a financial analysis program that is designed
15 to track educational expenditures and revenues to individual
16 schools, the State Board shall use that statewide program in
17 complying with this paragraph. If a statewide program is not
18 available, the State Board shall use the Department's own financial
19 analysis program in complying with this paragraph.

20 (n) The total statewide expenditure per pupil. If this State has a
21 financial analysis program that is designed to track educational
22 expenditures and revenues to individual schools, the State Board
23 shall use that statewide program in complying with this paragraph.
24 If a statewide program is not available, the State Board shall use the
25 Department's own financial analysis program in complying with
26 this paragraph.

27 (o) For all elementary schools, junior high schools and middle
28 schools, the rate of attendance, reported for each school district,
29 including, without limitation, each charter school in the district, and
30 for this State as a whole.

31 (p) The annual rate of pupils who drop out of school in grade 8
32 and a separate reporting of the annual rate of pupils who drop out of
33 school in grades 9 to 12, inclusive, reported for each school district,
34 including, without limitation, each charter school in the district, and
35 for this State as a whole. The reporting for pupils in grades 9 to 12,
36 inclusive, excludes pupils who:

37 (1) Provide proof to the school district of successful
38 completion of the examinations of general educational development.

39 (2) Are enrolled in courses that are approved by the
40 Department as meeting the requirements for an adult standard
41 diploma.

42 (3) Withdraw from school to attend another school.

43 (q) The attendance of teachers who provide instruction, reported
44 for each school district, including, without limitation, each charter
45 school in the district, and for this State as a whole.



1 (r) Incidents involving weapons or violence, reported for each
2 school district, including, without limitation, each charter school in
3 the district, and for this State as a whole.

4 (s) Incidents involving the use or possession of alcoholic
5 beverages or controlled substances, reported for each school district,
6 including, without limitation, each charter school in the district, and
7 for this State as a whole.

8 (t) The suspension and expulsion of pupils required or
9 authorized pursuant to NRS 392.466 and 392.467, reported for each
10 school district, including, without limitation, each charter school in
11 the district, and for this State as a whole.

12 (u) The number of pupils who are deemed habitual disciplinary
13 problems pursuant to NRS 392.4655, reported for each school
14 district, including, without limitation, each charter school in the
15 district, and for this State as a whole.

16 (v) The number of pupils in each grade who are retained in the
17 same grade pursuant to NRS 392.033 or 392.125, reported for each
18 school district, including, without limitation, each charter school in
19 the district, and for this State as a whole.

20 (w) The transiency rate of pupils, reported for each school
21 district, including, without limitation, each charter school in the
22 district, and for this State as a whole. For the purposes of this
23 paragraph, a pupil is not a transient if the pupil is transferred to a
24 different school within the school district as a result of a change in
25 the zone of attendance by the board of trustees of the school district
26 pursuant to NRS 388.040.

27 (x) Each source of funding for this State to be used for the
28 system of public education.

29 (y) A compilation of the programs of remedial study purchased
30 in whole or in part with money received from this State that are used
31 in each school district, including, without limitation, each charter
32 school in the district. The compilation must include:

33 (1) The amount and sources of money received for programs
34 of remedial study.

35 (2) An identification of each program of remedial study,
36 listed by subject area.

37 (z) The percentage of pupils who graduated from a high school
38 or charter school in the immediately preceding year and enrolled in
39 remedial courses in reading, writing or mathematics at a university,
40 state college or community college within the Nevada System of
41 Higher Education, reported for each school district, including,
42 without limitation, each charter school in the district, and for this
43 State as a whole.

44 (aa) The technological facilities and equipment available for
45 educational purposes, reported for each school district, including,



1 without limitation, each charter school in the district, and for this
2 State as a whole.

3 (bb) For each school district, including, without limitation, each
4 charter school in the district, and for this State as a whole, the
5 number and percentage of pupils who received:

6 (1) A standard high school diploma, reported separately for
7 pupils who received the diploma pursuant to:

8 (I) Paragraph (a) of subsection 1 of NRS 389.805; and

9 (II) Paragraph (b) of subsection 1 of NRS 389.805.

10 (2) An adult diploma.

11 (3) An adjusted diploma.

12 (4) A certificate of attendance.

13 (cc) For each school district, including, without limitation, each
14 charter school in the district, and for this State as a whole, the
15 number and percentage of pupils who failed to pass the high school
16 proficiency examination.

17 (dd) The number of habitual truants who are reported to a school
18 police officer or local law enforcement agency pursuant to
19 paragraph (a) of subsection 2 of NRS 392.144 and the number of
20 habitual truants who are referred to an advisory board to review
21 school attendance pursuant to paragraph (b) of subsection 2 of NRS
22 392.144, reported for each school district, including, without
23 limitation, each charter school in the district, and for this State as a
24 whole.

25 (ee) Information on the paraprofessionals employed at public
26 schools in this State, including, without limitation, the charter
27 schools in this State. The information must include:

28 (1) The number of paraprofessionals employed, reported for
29 each school district, including, without limitation, each charter
30 school in the district, and for this State as a whole; and

31 (2) For each school district, including, without limitation,
32 each charter school in the district, and for this State as a whole, the
33 number and percentage of all paraprofessionals who do not satisfy
34 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
35 requirements of this subparagraph apply to paraprofessionals who
36 are employed in programs supported with Title I money and to
37 paraprofessionals who are not employed in programs supported with
38 Title I money.

39 (ff) An identification of appropriations made by the Legislature
40 to improve the academic achievement of pupils and programs
41 approved by the Legislature to improve the academic achievement
42 of pupils.

43 (gg) A compilation of the special programs available for pupils
44 at individual schools, listed by school and by school district,
45 including, without limitation, each charter school in the district.



1 (hh) For each school district, including, without limitation, each
2 charter school in the district and for this State as a whole,
3 information on pupils enrolled in career and technical education,
4 including, without limitation:

5 (1) The number of pupils enrolled in a course of career and
6 technical education;

7 (2) The number of pupils who completed a course of career
8 and technical education;

9 (3) The average daily attendance of pupils who are enrolled
10 in a program of career and technical education;

11 (4) The annual rate of pupils who dropped out of school and
12 were enrolled in a program of career and technical education before
13 dropping out;

14 (5) The number and percentage of pupils who completed a
15 program of career and technical education and who received a
16 standard high school diploma, an adjusted diploma or a certificate of
17 attendance; and

18 (6) The number and percentage of pupils who completed a
19 program of career and technical education and who did not receive a
20 high school diploma because the pupils failed to pass the high
21 school proficiency examination.

22 (ii) The number of incidents resulting in suspension or expulsion
23 for bullying, cyber-bullying, harassment or intimidation, reported
24 for each school district, including, without limitation, each charter
25 school in the district, and for the State as a whole.

26 2. A separate reporting for a group of pupils must not be made
27 pursuant to this section if the number of pupils in that group is
28 insufficient to yield statistically reliable information or the results
29 would reveal personally identifiable information about an individual
30 pupil. The State Board shall prescribe a mechanism for determining
31 the minimum number of pupils that must be in a group for that
32 group to yield statistically reliable information.

33 3. The annual report of accountability must:

34 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
35 adopted pursuant thereto;

36 (b) Be prepared in a concise manner; and

37 (c) Be presented in an understandable and uniform format and,
38 to the extent practicable, provided in a language that parents can
39 understand.

40 4. On or before October 15 of each year, the State Board shall:

41 (a) Provide for public dissemination of the annual report of
42 accountability by posting a copy of the report on the Internet
43 website maintained by the Department; and



1 (b) Provide written notice that the report is available on the
2 Internet website maintained by the Department. The written notice
3 must be provided to the:

- 4 (1) Governor;
- 5 (2) Committee;
- 6 (3) Bureau;
- 7 (4) Board of Regents of the University of Nevada;
- 8 (5) Board of trustees of each school district; and
- 9 (6) Governing body of each charter school.

10 5. Upon the request of the Governor, an entity described in
11 paragraph (b) of subsection 4 or a member of the general public, the
12 State Board shall provide a portion or portions of the annual report
13 of accountability.

14 6. As used in this section:

15 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

16 (b) "Cyber-bullying" has the meaning ascribed to it in
17 NRS 388.123.

18 (c) "Harassment" has the meaning ascribed to it in
19 NRS 388.125.

20 (d) "Highly qualified" has the meaning ascribed to it in 20
21 U.S.C. § 7801(23).

22 (e) "Intimidation" has the meaning ascribed to it in
23 NRS 388.129.

24 (f) "Paraprofessional" has the meaning ascribed to it in
25 NRS 391.008.

26 **Sec. 2.** NRS 385.34691 is hereby amended to read as follows:

27 385.34691 1. The State Board shall prepare a plan to improve
28 the achievement of pupils enrolled in the public schools in this
29 State. The plan:

30 (a) Must be prepared in consultation with:

31 (1) Employees of the Department;

32 (2) At least one employee of a school district in a county
33 whose population is 100,000 or more, appointed by the Nevada
34 Association of School Boards;

35 (3) At least one employee of a school district in a county
36 whose population is less than 100,000, appointed by the Nevada
37 Association of School Boards; and

38 (4) At least one representative of the Statewide Council for
39 the Coordination of the Regional Training Programs created by NRS
40 391.516, appointed by the Council; and

41 (b) May be prepared in consultation with:

42 (1) Representatives of institutions of higher education;

43 (2) Representatives of regional educational laboratories;

44 (3) Representatives of outside consultant groups;



1 (4) Representatives of the regional training programs for the
2 professional development of teachers and administrators created by
3 NRS 391.512;

4 (5) The Bureau; and

5 (6) Other persons who the State Board determines are
6 appropriate.

7 2. A plan to improve the achievement of pupils enrolled in
8 public schools in this State must include:

9 (a) A review and analysis of the data upon which the report
10 required pursuant to NRS 385.3469 is based and a review and
11 analysis of any data that is more recent than the data upon which the
12 report is based.

13 (b) The identification of any problems or factors common
14 among the school districts or charter schools in this State, as
15 revealed by the review and analysis.

16 (c) Strategies based upon scientifically based research, as
17 defined in 20 U.S.C. § 7801(37), that will strengthen the core
18 academic subjects, as set forth in NRS 389.018.

19 (d) Strategies to improve the academic achievement of pupils
20 enrolled in public schools in this State, including, without limitation,
21 strategies to:

22 (1) Instruct pupils who are not achieving to their fullest
23 potential, including, without limitation:

24 (I) The curriculum appropriate to improve achievement;

25 (II) The manner by which the instruction will improve the
26 achievement and proficiency of pupils on the examinations
27 administered pursuant to NRS 389.015 ; ~~and 389.550;~~ and

28 (III) An identification of the instruction and curriculum
29 that is specifically designed to improve the achievement and
30 proficiency of pupils in each group identified in paragraph (b) of
31 subsection 1 of NRS 385.361;

32 (2) Increase the rate of attendance of pupils and reduce the
33 number of pupils who drop out of school;

34 (3) Integrate technology into the instructional and
35 administrative programs of the school districts;

36 (4) Manage effectively the discipline of pupils; and

37 (5) Enhance the professional development offered for the
38 teachers and administrators employed at public schools in this State
39 to include the activities set forth in 20 U.S.C. § 7801(34) and to
40 address the specific needs of the pupils enrolled in public schools in
41 this State, as deemed appropriate by the State Board.

42 (e) Strategies designed to provide to the pupils enrolled in
43 middle school, junior high school and high school, the teachers and
44 counselors who provide instruction to those pupils, and the parents
45 and guardians of those pupils information concerning:



1 (1) The requirements for admission to an institution of higher
2 education and the opportunities for financial aid;

3 (2) The availability of Governor Guinn Millennium
4 Scholarships pursuant to NRS 396.911 to 396.945, inclusive; and

5 (3) The need for a pupil to make informed decisions about
6 his or her curriculum in middle school, junior high school and high
7 school in preparation for success after graduation.

8 (f) An identification, by category, of the employees of the
9 Department who are responsible for ensuring that each provision of
10 the plan is carried out effectively.

11 (g) A timeline for carrying out the plan, including, without
12 limitation:

13 (1) The rate of improvement and progress which must be
14 attained annually in meeting the goals and benchmarks established
15 by the State Board pursuant to subsection 3; and

16 (2) For each provision of the plan, a timeline for carrying out
17 that provision, including, without limitation, a timeline for
18 monitoring whether the provision is carried out effectively.

19 (h) For each provision of the plan, measurable criteria for
20 determining whether the provision has contributed toward
21 improving the academic achievement of pupils, increasing the rate
22 of attendance of pupils and reducing the number of pupils who drop
23 out of school.

24 (i) Strategies to improve the allocation of resources from this
25 State, by program and by school district, in a manner that will
26 improve the academic achievement of pupils. If this State has a
27 financial analysis program that is designed to track educational
28 expenditures and revenues to individual schools, the State Board
29 shall use that statewide program in complying with this paragraph.
30 If a statewide program is not available, the State Board shall use the
31 Department's own financial analysis program in complying with
32 this paragraph.

33 (j) Based upon the reallocation of resources set forth in
34 paragraph (i), the resources available to the State Board and the
35 Department to carry out the plan, including, without limitation, a
36 budget for the overall cost of carrying out the plan.

37 (k) A summary of the effectiveness of appropriations made by
38 the Legislature to improve the academic achievement of pupils and
39 programs approved by the Legislature to improve the academic
40 achievement of pupils.

41 (l) A 5-year strategic plan which identifies the recurring issues
42 in improving the achievement and proficiency of pupils in this State
43 and which establishes strategic goals to address those issues. The
44 5-year strategic plan must be:



1 (1) Based upon the data from previous years which is
2 collected by the Department for the plan developed pursuant to this
3 section; and

4 (2) Designed to track the progress made in achieving the
5 strategic goals established by the Department.

6 (m) Any additional plans addressing the achievement and
7 proficiency of pupils adopted by the Department.

8 3. The State Board shall:

9 (a) In developing the plan to improve the achievement of pupils
10 enrolled in public schools, establish clearly defined goals and
11 benchmarks for improving the achievement of pupils, including,
12 without limitation, goals for:

13 (1) Improving proficiency results in core academic subjects;

14 (2) Increasing the number of pupils enrolled in public middle
15 schools and junior high schools, including, without limitation,
16 charter schools, who enter public high schools with the skills
17 necessary to succeed in high school;

18 (3) Improving the percentage of pupils who enroll in grade 9
19 and who graduate from a public high school, including, without
20 limitation, a charter school, with a standard or higher diploma upon
21 completion;

22 (4) Improving the performance of pupils on standardized
23 college entrance examinations;

24 (5) Increasing the percentage of pupils enrolled in high
25 schools who enter postsecondary educational institutions or who are
26 career and workforce ready; and

27 (6) Reengaging disengaged youth who have dropped out of
28 high school or who are at risk of dropping out of high school,
29 including, without limitation, a mechanism for tracking and
30 maintaining communication with those youth who have dropped out
31 of school or who are at risk of doing so;

32 (b) Review the plan annually to evaluate the effectiveness of the
33 plan;

34 (c) Examine the timeline for implementing the plan and each
35 provision of the plan to determine whether the annual goals and
36 benchmarks have been attained; and

37 (d) Based upon the evaluation of the plan, make revisions, as
38 necessary, to ensure that:

39 (1) The goals and benchmarks set forth in the plan are being
40 attained in a timely manner; and

41 (2) The plan is designed to improve the academic
42 achievement of pupils enrolled in public schools in this State.

43 4. On or before January 31 of each year, the State Board shall
44 submit the plan or the revised plan, as applicable, to the:

45 (a) Governor;



- 1 (b) Committee;
- 2 (c) Bureau;
- 3 (d) Board of Regents of the University of Nevada;
- 4 (e) Council to Establish Academic Standards for Public Schools
- 5 created by NRS 389.510;
- 6 (f) Board of trustees of each school district; and
- 7 (g) Governing body of each charter school.

8 **Sec. 3.** NRS 385.34692 is hereby amended to read as follows:

9 385.34692 1. The ~~{State Board shall prepare a}~~ summary of
10 the annual report of accountability prepared *by the board of trustees*
11 *of a school district or the State Public Charter School Authority*
12 *and each college or university within the Nevada System of Higher*
13 *Education that sponsors a charter school* pursuant to NRS
14 ~~{385.3469 that includes,}~~ **385.349 must include**, without limitation,
15 a summary of the following information : ~~{for each school district,~~
16 ~~each charter school and the State as a whole:}~~

17 (a) Demographic information of pupils, including, without
18 limitation, the number and percentage of pupils:

19 (1) Who are economically disadvantaged, as defined by the
20 State Board;

21 (2) Who are from major racial or ethnic groups, as defined
22 by the State Board;

23 (3) With disabilities;

24 (4) Who are limited English proficient; and

25 (5) Who are migratory children, as defined by the State
26 Board;

27 (b) The average daily attendance of pupils, reported separately
28 for the groups identified in paragraph (a);

29 (c) The transiency rate of pupils;

30 (d) The percentage of pupils who are habitual truants;

31 (e) The percentage of pupils who are deemed habitual
32 disciplinary problems pursuant to NRS 392.4655;

33 (f) The number of incidents resulting in suspension or expulsion
34 for:

35 (1) Violence to other pupils or to school personnel;

36 (2) Possession of a weapon;

37 (3) Distribution of a controlled substance;

38 (4) Possession or use of a controlled substance;

39 (5) Possession or use of alcohol; and

40 (6) Bullying, cyber-bullying, harassment or intimidation;

41 (g) For kindergarten through grade 8, the number and
42 percentage of pupils who are retained in the same grade;

43 (h) For grades 9 to 12, inclusive, the number and percentage of
44 pupils who are deficient in the number of credits required for
45 promotion to the next grade or graduation from high school;



- 1 (i) The pupil-teacher ratio for kindergarten and grades 1 to 8,
2 inclusive;
- 3 (j) The average class size for the subject area of mathematics,
4 English, science and social studies in schools where pupils rotate to
5 different teachers for different subjects;
- 6 (k) The number and percentage of pupils who graduated from
7 high school;
- 8 (l) The number and percentage of pupils who received a:
9 (1) Standard diploma;
10 (2) Adult diploma;
11 (3) Adjusted diploma; and
12 (4) Certificate of attendance;
- 13 (m) The number and percentage of pupils who graduated from
14 high school and enrolled in remedial courses at the Nevada System
15 of Higher Education;
- 16 (n) Per pupil expenditures;
- 17 (o) Information on the professional qualifications of teachers;
- 18 (p) The average daily attendance of teachers and licensure
19 information;
- 20 (q) Information on the adequate yearly progress of the schools
21 and school districts;
- 22 (r) Pupil achievement based upon the ~~†~~
23 ~~—(1) Examinations† examinations~~ administered pursuant to
24 NRS ~~†389.550,†~~ **389.015**, including, without limitation, whether
25 public schools have made progress based upon the model adopted
26 by the Department pursuant to NRS 385.3595; and
27 ~~†(2) High school proficiency examination administered~~
28 ~~pursuant to NRS 389.015; and†~~
- 29 (s) Other information required by the Superintendent of Public
30 Instruction in consultation with the Bureau.
- 31 2. ~~†The summary prepared pursuant to subsection 1 must:~~
32 ~~—(a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations~~
33 ~~adopted pursuant thereto;~~
34 ~~—(b) Be prepared in a concise manner; and~~
35 ~~—(c) Be presented in an understandable and uniform format and,~~
36 ~~to the extent practicable, provided in a language that parents will~~
37 ~~likely understand.~~
- 38 ~~—3. On or before October 20 of each year, the State Board shall:~~
39 ~~—(a) Provide for public dissemination of the summary prepared~~
40 ~~pursuant to subsection 1 by posting the summary on the Internet~~
41 ~~website maintained by the Department; and~~
42 ~~—(b) Submit a copy of the summary in an electronic format to the:~~
43 ~~—(1) Governor;~~
44 ~~—(2) Committee;~~
45 ~~—(3) Bureau;~~



- 1 ~~— (4) Board of Regents of the University of Nevada;~~
2 ~~— (5) Board of trustees of each school district; and~~
3 ~~— (6) Governing body of each charter school.~~
4 ~~— 4. The board of trustees of each school district and the~~
5 ~~governing body of each charter school shall ensure that the parents~~
6 ~~and guardians of pupils enrolled in the school district or charter~~
7 ~~school, as applicable, have sufficient information concerning the~~
8 ~~availability of the summary prepared by the State Board pursuant to~~
9 ~~subsection 1, including, without limitation, information that~~
10 ~~describes how to access the summary on the Internet website~~
11 ~~maintained by the Department. Upon the request of a parent or~~
12 ~~guardian of a pupil, the Department shall provide the parent or~~
13 ~~guardian with a written copy of the summary.~~
14 ~~— 5. The Department shall, in consultation with the Bureau and~~
15 ~~the school districts, prescribe a form for the summary required by~~
16 ~~this section.~~
17 ~~— 6.†~~ *The summary of accountability information prepared by*
18 *the principal of a public school pursuant to NRS 385.358 must*
19 *include the information set forth in subsection 1, as applicable for*
20 *that school.*
21 **3.** As used in this section:
22 (a) “Bullying” has the meaning ascribed to it in NRS 388.122.
23 (b) “Cyber-bullying” has the meaning ascribed to it in
24 NRS 388.123.
25 (c) “Harassment” has the meaning ascribed to it in
26 NRS 388.125.
27 (d) “Intimidation” has the meaning ascribed to it in
28 NRS 388.129.
29 **Sec. 4.** NRS 385.347 is hereby amended to read as follows:
30 385.347 1. The board of trustees of each school district in
31 this State, in cooperation with associations recognized by the State
32 Board as representing licensed educational personnel in the district,
33 shall adopt a program providing for the accountability of the school
34 district to the residents of the district and to the State Board for the
35 quality of the schools and the educational achievement of the pupils
36 in the district, including, without limitation, pupils enrolled in
37 charter schools sponsored by the school district. The board of
38 trustees of each school district shall report the information required
39 by subsection 2 for each charter school sponsored by the school
40 district. The information for charter schools must be reported
41 separately.
42 2. The board of trustees of each school district shall, on or
43 before September 30 of each year, prepare an annual report of
44 accountability concerning:
45 (a) The educational goals and objectives of the school district.



1 (b) Pupil achievement for each school in the district and the
2 district as a whole, including, without limitation, each charter school
3 sponsored by the district. The board of trustees of the district shall
4 base its report on the results of the examinations administered
5 pursuant to NRS 389.015 ~~and 389.550~~ and shall compare the
6 results of those examinations for the current school year with those
7 of previous school years. The report must include, for each school in
8 the district, including, without limitation, each charter school
9 sponsored by the district, and each grade in which the examinations
10 were administered:

11 (1) The number of pupils who took the examinations.

12 (2) A record of attendance for the period in which the
13 examinations were administered, including an explanation of any
14 difference in the number of pupils who took the examinations and
15 the number of pupils who are enrolled in the school.

16 (3) Except as otherwise provided in this paragraph, pupil
17 achievement, reported separately by gender and reported separately
18 for the following groups of pupils:

19 (I) Pupils who are economically disadvantaged, as
20 defined by the State Board;

21 (II) Pupils from major racial and ethnic groups, as defined
22 by the State Board;

23 (III) Pupils with disabilities;

24 (IV) Pupils who are limited English proficient; and

25 (V) Pupils who are migratory children, as defined by the
26 State Board.

27 (4) A comparison of the achievement of pupils in each group
28 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
29 annual measurable objectives of the State Board.

30 (5) The percentage of pupils who were not tested.

31 (6) Except as otherwise provided in this paragraph, the
32 percentage of pupils who were not tested, reported separately by
33 gender and reported separately for the groups identified in
34 subparagraph (3).

35 (7) The most recent 3-year trend in pupil achievement in
36 each subject area tested and each grade level tested pursuant to NRS
37 389.015, ~~and 389.550~~, which may include information regarding
38 the trend in the achievement of pupils for more than 3 years, if such
39 information is available.

40 (8) Information that compares the results of pupils in the
41 school district, including, without limitation, pupils enrolled in
42 charter schools sponsored by the district, with the results of pupils
43 throughout this State. The information required by this subparagraph
44 must be provided in consultation with the Department to ensure the
45 accuracy of the comparison.



1 (9) For each school in the district, including, without
2 limitation, each charter school sponsored by the district, information
3 that compares the results of pupils in the school with the results of
4 pupils throughout the school district and throughout this State. The
5 information required by this subparagraph must be provided in
6 consultation with the Department to ensure the accuracy of the
7 comparison.

8 (10) Information on whether each school in the district,
9 including, without limitation, each charter school sponsored by the
10 district, has made progress based upon the model adopted by the
11 Department pursuant to NRS 385.3595.

12 ➤ A separate reporting for a group of pupils must not be made
13 pursuant to this paragraph if the number of pupils in that group is
14 insufficient to yield statistically reliable information or the results
15 would reveal personally identifiable information about an individual
16 pupil. The State Board shall prescribe the mechanism for
17 determining the minimum number of pupils that must be in a group
18 for that group to yield statistically reliable information.

19 (c) The ratio of pupils to teachers in kindergarten and at each
20 grade level for each elementary school in the district and the district
21 as a whole, including, without limitation, each charter school
22 sponsored by the district, and the average class size for each core
23 academic subject, as set forth in NRS 389.018, for each secondary
24 school in the district and the district as a whole, including, without
25 limitation, each charter school sponsored by the district.

26 (d) The total number of persons employed for each elementary
27 school, middle school or junior high school, and high school in the
28 district, including, without limitation, each charter school sponsored
29 by the district. Each such person must be reported as either an
30 administrator, a teacher or other staff and must not be reported in
31 more than one category. In addition to the total number of persons
32 employed by each school in each category, the report must include
33 the number of employees in each of the three categories for each
34 school expressed as a percentage of the total number of persons
35 employed by the school. As used in this paragraph:

36 (1) "Administrator" means a person who spends at least 50
37 percent of his or her work year supervising other staff or licensed
38 personnel, or both, and who is not classified by the board of trustees
39 of the school district as a professional-technical employee.

40 (2) "Other staff" means all persons who are not reported as
41 administrators or teachers, including, without limitation:

42 (I) School counselors, school nurses and other employees
43 who spend at least 50 percent of their work year providing
44 emotional support, noninstructional guidance or medical support to
45 pupils;



1 (II) Noninstructional support staff, including, without
2 limitation, janitors, school police officers and maintenance staff; and

3 (III) Persons classified by the board of trustees of the
4 school district as professional-technical employees, including,
5 without limitation, technical employees and employees on the
6 professional-technical pay scale.

7 (3) "Teacher" means a person licensed pursuant to chapter
8 391 of NRS who is classified by the board of trustees of the school
9 district:

10 (I) As a teacher and who spends at least 50 percent of his
11 or her work year providing instruction or discipline to pupils; or

12 (II) As instructional support staff, who does not hold a
13 supervisory position and who spends not more than 50 percent of
14 his or her work year providing instruction to pupils. Such
15 instructional support staff includes, without limitation, librarians
16 and persons who provide instructional support.

17 (e) The total number of persons employed by the school district,
18 including without limitation, each charter school sponsored by the
19 district. Each such person must be reported as either an
20 administrator, a teacher or other staff and must not be reported in
21 more than one category. In addition to the total number of persons
22 employed by the school district in each category, the report must
23 include the number of employees in each of the three categories
24 expressed as a percentage of the total number of persons employed
25 by the school district. As used in this paragraph, "administrator,"
26 "other staff" and "teacher" have the meanings ascribed to them in
27 paragraph (d).

28 (f) Information on the professional qualifications of teachers
29 employed by each school in the district and the district as a whole,
30 including, without limitation, each charter school sponsored by the
31 district. The information must include, without limitation:

32 (1) The percentage of teachers who are:

33 (I) Providing instruction pursuant to NRS 391.125;

34 (II) Providing instruction pursuant to a waiver of the
35 requirements for licensure for the grade level or subject area in
36 which the teachers are employed; or

37 (III) Otherwise providing instruction without an
38 endorsement for the subject area in which the teachers are
39 employed;

40 (2) The percentage of classes in the core academic subjects,
41 as set forth in NRS 389.018, that are not taught by highly qualified
42 teachers;

43 (3) The percentage of classes in the core academic subjects,
44 as set forth in NRS 389.018, that are not taught by highly qualified
45 teachers, in the aggregate and disaggregated by high-poverty



1 compared to low-poverty schools, which for the purposes of this
2 subparagraph means schools in the top quartile of poverty and the
3 bottom quartile of poverty in this State;

4 (4) For each middle school, junior high school and high
5 school:

6 (I) The number of persons employed as substitute
7 teachers for 20 consecutive days or more in the same classroom or
8 assignment, designated as long-term substitute teachers, including
9 the total number of days long-term substitute teachers were
10 employed at each school, identified by grade level and subject area;
11 and

12 (II) The number of persons employed as substitute
13 teachers for less than 20 consecutive days, designated as short-term
14 substitute teachers, including the total number of days short-term
15 substitute teachers were employed at each school, identified by
16 grade level and subject area; and

17 (5) For each elementary school:

18 (I) The number of persons employed as substitute
19 teachers for 20 consecutive days or more in the same classroom or
20 assignment, designated as long-term substitute teachers, including
21 the total number of days long-term substitute teachers were
22 employed at each school, identified by grade level; and

23 (II) The number of persons employed as substitute
24 teachers for less than 20 consecutive days, designated as short-term
25 substitute teachers, including the total number of days short-term
26 substitute teachers were employed at each school, identified by
27 grade level.

28 (g) The total expenditure per pupil for each school in the district
29 and the district as a whole, including, without limitation, each
30 charter school sponsored by the district. If this State has a financial
31 analysis program that is designed to track educational expenditures
32 and revenues to individual schools, each school district shall use that
33 statewide program in complying with this paragraph. If a statewide
34 program is not available, each school district shall use its own
35 financial analysis program in complying with this paragraph.

36 (h) The curriculum used by the school district, including:

37 (1) Any special programs for pupils at an individual school;
38 and

39 (2) The curriculum used by each charter school sponsored by
40 the district.

41 (i) Records of the attendance and truancy of pupils in all grades,
42 including, without limitation:

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



1 (2) For each elementary school, middle school and junior
2 high school in the district, including, without limitation, each charter
3 school sponsored by the district that provides instruction to pupils
4 enrolled in a grade level other than high school, information that
5 compares the attendance of the pupils enrolled in the school with the
6 attendance of pupils throughout the district and throughout this
7 State. The information required by this subparagraph must be
8 provided in consultation with the Department to ensure the accuracy
9 of the comparison.

10 (j) The annual rate of pupils who drop out of school in grade 8
11 and a separate reporting of the annual rate of pupils who drop out of
12 school in grades 9 to 12, inclusive, for each such grade, for each
13 school in the district and for the district as a whole. The reporting
14 for pupils in grades 9 to 12, inclusive, excludes pupils who:

15 (1) Provide proof to the school district of successful
16 completion of the examinations of general educational development.

17 (2) Are enrolled in courses that are approved by the
18 Department as meeting the requirements for an adult standard
19 diploma.

20 (3) Withdraw from school to attend another school.

21 (k) Records of attendance of teachers who provide instruction,
22 for each school in the district and the district as a whole, including,
23 without limitation, each charter school sponsored by the district.

24 (l) Efforts made by the school district and by each school in the
25 district, including, without limitation, each charter school sponsored
26 by the district, to increase:

27 (1) Communication with the parents of pupils enrolled in the
28 district;

29 (2) The participation of parents in the educational process
30 and activities relating to the school district and each school,
31 including, without limitation, the existence of parent organizations
32 and school advisory committees; and

33 (3) The involvement of parents and the engagement of
34 families of pupils enrolled in the district in the education of their
35 children.

36 (m) Records of incidents involving weapons or violence for
37 each school in the district, including, without limitation, each
38 charter school sponsored by the district.

39 (n) Records of incidents involving the use or possession of
40 alcoholic beverages or controlled substances for each school in the
41 district, including, without limitation, each charter school sponsored
42 by the district.

43 (o) Records of the suspension and expulsion of pupils required
44 or authorized pursuant to NRS 392.466 and 392.467.



1 (p) The number of pupils who are deemed habitual disciplinary
2 problems pursuant to NRS 392.4655, for each school in the district
3 and the district as a whole, including, without limitation, each
4 charter school sponsored by the district.

5 (q) The number of pupils in each grade who are retained in the
6 same grade pursuant to NRS 392.033 or 392.125, for each school in
7 the district and the district as a whole, including, without limitation,
8 each charter school sponsored by the district.

9 (r) The transiency rate of pupils for each school in the district
10 and the district as a whole, including, without limitation, each
11 charter school sponsored by the district. For the purposes of this
12 paragraph, a pupil is not transient if the pupil is transferred to a
13 different school within the school district as a result of a change in
14 the zone of attendance by the board of trustees of the school district
15 pursuant to NRS 388.040.

16 (s) Each source of funding for the school district.

17 (t) A compilation of the programs of remedial study that are
18 purchased in whole or in part with money received from this State,
19 for each school in the district and the district as a whole, including,
20 without limitation, each charter school sponsored by the district. The
21 compilation must include:

22 (1) The amount and sources of money received for programs
23 of remedial study for each school in the district and the district as a
24 whole, including, without limitation, each charter school sponsored
25 by the district.

26 (2) An identification of each program of remedial study,
27 listed by subject area.

28 (u) For each high school in the district, including, without
29 limitation, each charter school sponsored by the district, the
30 percentage of pupils who graduated from that high school or charter
31 school in the immediately preceding year and enrolled in remedial
32 courses in reading, writing or mathematics at a university, state
33 college or community college within the Nevada System of Higher
34 Education.

35 (v) The technological facilities and equipment available at each
36 school, including, without limitation, each charter school sponsored
37 by the district, and the district's plan to incorporate educational
38 technology at each school.

39 (w) For each school in the district and the district as a whole,
40 including, without limitation, each charter school sponsored by the
41 district, the number and percentage of pupils who received:

42 (1) A standard high school diploma, reported separately for
43 pupils who received the diploma pursuant to:

44 (I) Paragraph (a) of subsection 1 of NRS 389.805; and

45 (II) Paragraph (b) of subsection 1 of NRS 389.805.



1 (2) An adult diploma.

2 (3) An adjusted diploma.

3 (4) A certificate of attendance.

4 (x) For each school in the district and the district as a whole,
5 including, without limitation, each charter school sponsored by the
6 district, the number and percentage of pupils who failed to pass the
7 high school proficiency examination.

8 (y) The number of habitual truants who are reported to a school
9 police officer or law enforcement agency pursuant to paragraph (a)
10 of subsection 2 of NRS 392.144 and the number of habitual truants
11 who are referred to an advisory board to review school attendance
12 pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each
13 school in the district and for the district as a whole.

14 (z) The amount and sources of money received for the training
15 and professional development of teachers and other educational
16 personnel for each school in the district and for the district as a
17 whole, including, without limitation, each charter school sponsored
18 by the district.

19 (aa) Whether the school district has made adequate yearly
20 progress. If the school district has been designated as demonstrating
21 need for improvement pursuant to NRS 385.377, the report must
22 include a statement indicating the number of consecutive years the
23 school district has carried that designation.

24 (bb) Information on whether each public school in the district,
25 including, without limitation, each charter school sponsored by the
26 district, has made adequate yearly progress, including, without
27 limitation:

28 (1) The number and percentage of schools in the district, if
29 any, that have been designated as needing improvement pursuant to
30 NRS 385.3623; and

31 (2) The name of each school, if any, in the district that has
32 been designated as needing improvement pursuant to NRS 385.3623
33 and the number of consecutive years that the school has carried that
34 designation.

35 (cc) Information on the paraprofessionals employed by each
36 public school in the district, including, without limitation, each
37 charter school sponsored by the district. The information must
38 include:

39 (1) The number of paraprofessionals employed at the school;
40 and

41 (2) The number and percentage of all paraprofessionals who
42 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
43 reporting requirements of this subparagraph apply to
44 paraprofessionals who are employed in positions supported with



1 Title I money and to paraprofessionals who are not employed in
2 positions supported with Title I money.

3 (dd) For each high school in the district, including, without
4 limitation, each charter school sponsored by the district that operates
5 as a high school, information that provides a comparison of the rate
6 of graduation of pupils enrolled in the high school with the rate of
7 graduation of pupils throughout the district and throughout this
8 State. The information required by this paragraph must be provided
9 in consultation with the Department to ensure the accuracy of the
10 comparison.

11 (ee) An identification of the appropriations made by the
12 Legislature that are available to the school district or the schools
13 within the district and programs approved by the Legislature to
14 improve the academic achievement of pupils.

15 (ff) For each school in the district and the district as a whole,
16 including, without limitation, each charter school sponsored by the
17 district, information on pupils enrolled in career and technical
18 education, including, without limitation:

19 (1) The number of pupils enrolled in a course of career and
20 technical education;

21 (2) The number of pupils who completed a course of career
22 and technical education;

23 (3) The average daily attendance of pupils who are enrolled
24 in a program of career and technical education;

25 (4) The annual rate of pupils who dropped out of school and
26 were enrolled in a program of career and technical education before
27 dropping out;

28 (5) The number and percentage of pupils who completed a
29 program of career and technical education and who received a
30 standard high school diploma, an adjusted diploma or a certificate of
31 attendance; and

32 (6) The number and percentage of pupils who completed a
33 program of career and technical education and who did not receive a
34 high school diploma because the pupils failed to pass the high
35 school proficiency examination.

36 (gg) The number of incidents resulting in suspension or
37 expulsion for bullying, cyber-bullying, harassment or intimidation,
38 for each school in the district and the district as a whole, including,
39 without limitation, each charter school sponsored by the district.

40 (hh) Such other information as is directed by the Superintendent
41 of Public Instruction.

42 3. The State Public Charter School Authority and each college
43 or university within the Nevada System of Higher Education that
44 sponsors a charter school shall, on or before September 30 of each
45 year, prepare an annual report of accountability of the charter



1 schools sponsored by the State Public Charter School Authority or
2 institution, as applicable, concerning the accountability information
3 prescribed by the Department pursuant to this section. The
4 Department, in consultation with the State Public Charter School
5 Authority and each college or university within the Nevada System
6 of Higher Education that sponsors a charter school, shall prescribe
7 by regulation the information that must be prepared by the State
8 Public Charter School Authority and institution, as applicable,
9 which must include, without limitation, the information contained in
10 paragraphs (a) to (hh), inclusive, of subsection 2, as applicable to
11 charter schools. The Department shall provide for public
12 dissemination of the annual report of accountability prepared
13 pursuant to this section in the manner set forth in 20 U.S.C. §
14 6311(h)(2)(E) by posting a copy of the report on the Internet website
15 maintained by the Department.

16 4. The records of attendance maintained by a school for
17 purposes of paragraph (k) of subsection 2 or maintained by a charter
18 school for purposes of the reporting required pursuant to subsection
19 3 must include the number of teachers who are in attendance at
20 school and the number of teachers who are absent from school. A
21 teacher shall be deemed in attendance if the teacher is excused from
22 being present in the classroom by the school in which the teacher is
23 employed for one of the following reasons:

24 (a) Acquisition of knowledge or skills relating to the
25 professional development of the teacher; or

26 (b) Assignment of the teacher to perform duties for cocurricular
27 or extracurricular activities of pupils.

28 5. The annual report of accountability prepared pursuant to
29 subsection 2 or 3, as applicable, must:

30 (a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations
31 adopted pursuant thereto; and

32 (b) Be presented in an understandable and uniform format and,
33 to the extent practicable, provided in a language that parents can
34 understand.

35 6. The Superintendent of Public Instruction shall:

36 (a) Prescribe forms for the reports required pursuant to
37 subsections 2 and 3 and provide the forms to the respective school
38 districts, the State Public Charter School Authority and each college
39 or university within the Nevada System of Higher Education that
40 sponsors a charter school.

41 (b) Provide statistical information and technical assistance to the
42 school districts, the State Public Charter School Authority and each
43 college or university within the Nevada System of Higher Education
44 that sponsors a charter school to ensure that the reports provide
45 comparable information with respect to each school in each district,



1 each charter school and among the districts and charter schools
2 throughout this State.

3 (c) Consult with a representative of the:

- 4 (1) Nevada State Education Association;
- 5 (2) Nevada Association of School Boards;
- 6 (3) Nevada Association of School Administrators;
- 7 (4) Nevada Parent Teacher Association;
- 8 (5) Budget Division of the Department of Administration;
- 9 (6) Legislative Counsel Bureau; and
- 10 (7) Charter School Association of Nevada,

11 ↪ concerning the program and consider any advice or
12 recommendations submitted by the representatives with respect to
13 the program.

14 7. The Superintendent of Public Instruction may consult with
15 representatives of parent groups other than the Nevada Parent
16 Teacher Association concerning the program and consider any
17 advice or recommendations submitted by the representatives with
18 respect to the program.

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

20 (a) The board of trustees of each school district shall submit to
21 each advisory board to review school attendance created in the
22 county pursuant to NRS 392.126 the information required in
23 paragraph (i) of subsection 2.

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

32 9. On or before September 30 of each year:

33 (a) The board of trustees of each school district, the State Public
34 Charter School Authority and each college or university within the
35 Nevada System of Higher Education that sponsors a charter school
36 shall provide written notice that the report required pursuant to
37 subsection 2 or 3, as applicable, is available on the Internet website
38 maintained by the school district, State Public Charter School
39 Authority or institution, if any, or otherwise provide written notice
40 of the availability of the report. The written notice must be provided
41 to the:

- 42 (1) Governor;
- 43 (2) State Board;
- 44 (3) Department;
- 45 (4) Committee; and



1 (5) Bureau.

2 (b) The board of trustees of each school district, the State Public
3 Charter School Authority and each college or university within the
4 Nevada System of Higher Education that sponsors a charter school
5 shall provide for public dissemination of the annual report of
6 accountability prepared pursuant to subsection 2 or 3, as applicable,
7 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a
8 copy of the report on the Internet website maintained by the school
9 district, the State Public Charter School Authority or the institution,
10 if any. If a school district does not maintain a website, the district
11 shall otherwise provide for public dissemination of the annual report
12 by providing a copy of the report to the schools in the school
13 district, including, without limitation, each charter school sponsored
14 by the district, the residents of the district, and the parents and
15 guardians of pupils enrolled in schools in the district, including,
16 without limitation, each charter school sponsored by the district. If
17 the State Public Charter School Authority or the institution does not
18 maintain a website, the State Public Charter School Authority or the
19 institution, as applicable, shall otherwise provide for public
20 dissemination of the annual report by providing a copy of the report
21 to each charter school it sponsors and the parents and guardians of
22 pupils enrolled in each charter school it sponsors.

23 10. Upon the request of the Governor, an entity described in
24 paragraph (a) of subsection 9 or a member of the general public, the
25 board of trustees of a school district, the State Public Charter School
26 Authority or a college or university within the Nevada System of
27 Higher Education that sponsors a charter school, as applicable, shall
28 provide a portion or portions of the report required pursuant to
29 subsection 2 or 3, as applicable.

30 11. As used in this section:

31 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

32 (b) "Cyber-bullying" has the meaning ascribed to it in
33 NRS 388.123.

34 (c) "Harassment" has the meaning ascribed to it in
35 NRS 388.125.

36 (d) "Highly qualified" has the meaning ascribed to it in 20
37 U.S.C. § 7801(23).

38 (e) "Intimidation" has the meaning ascribed to it in
39 NRS 388.129.

40 (f) "Paraprofessional" has the meaning ascribed to it in
41 NRS 391.008.

42 **Sec. 5.** NRS 385.357 is hereby amended to read as follows:

43 385.357 1. Except as otherwise provided in NRS 385.37603
44 and 385.37607, the principal of each school, including, without
45 limitation, each charter school, shall, in consultation with the



1 employees of the school, prepare a plan to improve the achievement
2 of the pupils enrolled in the school.

3 2. The plan developed pursuant to subsection 1 must include:

4 (a) A review and analysis of the data pertaining to the school
5 upon which the report required pursuant to subsection 2 or 3 of NRS
6 385.347, as applicable, is based and a review and analysis of any
7 data that is more recent than the data upon which the report is based.

8 (b) The identification of any problems or factors at the school
9 that are revealed by the review and analysis.

10 (c) Strategies based upon scientifically based research, as
11 defined in 20 U.S.C. § 7801(37), that will strengthen the core
12 academic subjects, as defined in NRS 389.018.

13 (d) Policies and practices concerning the core academic subjects
14 which have the greatest likelihood of ensuring that each group of
15 pupils identified in paragraph (b) of subsection 1 of NRS 385.361
16 who are enrolled in the school will make adequate yearly progress
17 and meet the minimum level of proficiency prescribed by the State
18 Board.

19 (e) Annual measurable objectives, consistent with the annual
20 measurable objectives established by the State Board pursuant to
21 NRS 385.361, for the continuous and substantial progress by each
22 group of pupils identified in paragraph (b) of subsection 1 of that
23 section who are enrolled in the school to ensure that each group will
24 make adequate yearly progress and meet the level of proficiency
25 prescribed by the State Board.

26 (f) Strategies and practices which:

27 (1) Are consistent with the policy adopted pursuant to NRS
28 392.457 by the board of trustees of the school district in which the
29 school is located, to promote effective involvement by parents and
30 families of pupils enrolled in the school in the education of their
31 children; and

32 (2) Are designed to improve and promote effective
33 involvement and engagement by parents and families of pupils
34 enrolled in the school which are consistent with the policies and
35 recommendations of the Office of Parental Involvement and Family
36 Engagement made pursuant to NRS 385.635.

37 (g) As appropriate, programs of remedial education or tutoring
38 to be offered before and after school, during the summer, or between
39 sessions if the school operates on a year-round calendar for pupils
40 enrolled in the school who need additional instructional time to pass
41 or to reach a level considered proficient.

42 (h) Strategies to improve the academic achievement of pupils
43 enrolled in the school, including, without limitation, strategies to:

44 (1) Instruct pupils who are not achieving to their fullest
45 potential, including, without limitation:



- 1 (I) The curriculum appropriate to improve achievement;
2 (II) The manner by which the instruction will improve the
3 achievement and proficiency of pupils on the examinations
4 administered pursuant to NRS 389.015 ; ~~and 389.550;~~ and
5 (III) An identification of the instruction and curriculum
6 that is specifically designed to improve the achievement and
7 proficiency of pupils in each group identified in paragraph (b) of
8 subsection 1 of NRS 385.361;
- 9 (2) Increase the rate of attendance of pupils and reduce the
10 number of pupils who drop out of school;
- 11 (3) Integrate technology into the instructional and
12 administrative programs of the school;
- 13 (4) Manage effectively the discipline of pupils; and
14 (5) Enhance the professional development offered for the
15 teachers and administrators employed at the school to include the
16 activities set forth in 20 U.S.C. § 7801(34) and to address
17 the specific needs of pupils enrolled in the school, as deemed
18 appropriate by the principal.
- 19 (i) An identification, by category, of the employees of the school
20 who are responsible for ensuring that the plan is carried out
21 effectively.
- 22 (j) In consultation with the school district or governing body, as
23 applicable, an identification, by category, of the employees of the
24 school district or governing body, if any, who are responsible for
25 ensuring that the plan is carried out effectively or for overseeing and
26 monitoring whether the plan is carried out effectively.
- 27 (k) In consultation with the Department, an identification, by
28 category, of the employees of the Department, if any, who are
29 responsible for overseeing and monitoring whether the plan is
30 carried out effectively.
- 31 (l) For each provision of the plan, a timeline for carrying out
32 that provision, including, without limitation, a timeline for
33 monitoring whether the provision is carried out effectively.
- 34 (m) For each provision of the plan, measurable criteria for
35 determining whether the provision has contributed toward
36 improving the academic achievement of pupils, increasing the rate
37 of attendance of pupils and reducing the number of pupils who drop
38 out of school.
- 39 (n) The resources available to the school to carry out the plan. If
40 this State has a financial analysis program that is designed to track
41 educational expenditures and revenues to individual schools, each
42 school shall use that statewide program in complying with this
43 paragraph. If a statewide program is not available, each school shall
44 use the financial analysis program used by the school district in
45 which the school is located in complying with this paragraph.



1 (o) A summary of the effectiveness of appropriations made by
2 the Legislature that are available to the school to improve the
3 academic achievement of pupils and programs approved by the
4 Legislature to improve the academic achievement of pupils.

5 (p) A budget of the overall cost for carrying out the plan.

6 3. In addition to the requirements of subsection 2, if a school
7 has been designated as demonstrating need for improvement
8 pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. §
9 6316(b)(3) and the regulations adopted pursuant thereto.

10 4. Except as otherwise provided in subsection 5, the principal
11 of each school shall, in consultation with the employees of the
12 school:

13 (a) Review the plan prepared pursuant to this section annually to
14 evaluate the effectiveness of the plan; and

15 (b) Based upon the evaluation of the plan, make revisions, as
16 necessary, to ensure that the plan is designed to improve the
17 academic achievement of pupils enrolled in the school.

18 5. If a school has been designated as demonstrating need for
19 improvement pursuant to NRS 385.3623 and a support team has
20 been established for the school, the support team shall review the
21 plan and make revisions to the most recent plan for improvement of
22 the school pursuant to NRS 385.36127. If the school is a Title I
23 school that has been designated as demonstrating need for
24 improvement, the support team established for the school shall, in
25 making revisions to the plan, work in consultation with parents and
26 guardians of pupils enrolled in the school and, to the extent deemed
27 appropriate by the entity responsible for creating the support team,
28 outside experts.

29 6. On or before December 15 of each year, the principal of
30 each school or the support team established for the school, as
31 applicable, shall submit the plan or the revised plan, as applicable,
32 to:

33 (a) If the school is a public school of the school district, the
34 superintendent of schools of the school district.

35 (b) If the school is a charter school, the governing body of the
36 charter school.

37 7. If a Title I school is designated as demonstrating need for
38 improvement pursuant to NRS 385.3623, the superintendent of
39 schools of the school district or the governing body, as applicable,
40 shall carry out a process for peer review of the plan or the revised
41 plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E)
42 and the regulations adopted pursuant thereto. Not later than 45 days
43 after receipt of the plan, the superintendent of schools of the school
44 district or the governing body, as applicable, shall approve the plan
45 or the revised plan, as applicable, if it meets the requirements of



1 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto
2 and the requirements of this section. The superintendent of schools
3 of the school district or the governing body, as applicable, may
4 condition approval of the plan or the revised plan, as applicable, in
5 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
6 regulations adopted pursuant thereto. The State Board shall
7 prescribe the requirements for the process of peer review, including,
8 without limitation, the qualifications of persons who may serve as
9 peer reviewers.

10 8. If a school is designated as demonstrating exemplary
11 achievement, high achievement or adequate achievement, or if a
12 school that is not a Title I school is designated as demonstrating
13 need for improvement, not later than 45 days after receipt of the
14 plan or the revised plan, as applicable, the superintendent of schools
15 of the school district or the governing body, as applicable, shall
16 approve the plan or the revised plan if it meets the requirements of
17 this section.

18 9. On or before January 31 of each year, the principal of each
19 school or the support team established for the school, as applicable,
20 shall submit the final plan or the final revised plan, as applicable, to
21 the:

- 22 (a) Superintendent of Public Instruction;
- 23 (b) Governor;
- 24 (c) State Board;
- 25 (d) Department;
- 26 (e) Committee;
- 27 (f) Bureau; and
- 28 (g) Board of trustees of the school district in which the school is

29 located or, if the school is a charter school, the sponsor of the
30 charter school and the governing body of the charter school.

31 10. A plan for the improvement of a school must be carried out
32 expeditiously, but not later than February 15 after approval of the
33 plan pursuant to subsection 7 or 8, as applicable.

34 **Sec. 6.** NRS 385.3595 is hereby amended to read as follows:

35 385.3595 1. The Department shall adopt a model to measure
36 the achievement of pupils enrolled in grades 3 to 8, inclusive, based
37 upon the results of the examinations administered pursuant to
38 *subsection 3 of* NRS ~~389.550~~ **389.015**. The model must be
39 designed so that the progress of pupils enrolled in a public school
40 may be tracked from year to year to determine whether the school
41 has made progress in the achievement of pupils.

42 2. The board of trustees of each school district and the
43 governing body of each charter school shall apply the model in the
44 format required by the Department. The information collected must



1 be used to determine whether individual schools have made progress
2 in the achievement of pupils.

3 **Sec. 7.** NRS 385.361 is hereby amended to read as follows:

4 385.361 1. The State Board shall define the measurement for
5 determining whether each public school, each school district and
6 this State are making adequate yearly progress. The definition of
7 adequate yearly progress must:

8 (a) Comply with 20 U.S.C. § 6311(b)(2) and the regulations
9 adopted pursuant thereto;

10 (b) Be designed to ensure that all pupils will meet or exceed the
11 minimum level of proficiency set by the State Board, including,
12 without limitation:

13 (1) Pupils who are economically disadvantaged, as defined
14 by the State Board;

15 (2) Pupils from major racial and ethnic groups, as defined by
16 the State Board;

17 (3) Pupils with disabilities; and

18 (4) Pupils who are limited English proficient;

19 (c) Be based primarily upon the measurement of progress of
20 pupils on the examinations administered pursuant to NRS ~~389.550~~
21 ~~or the high school proficiency examination, as applicable;~~ 389.015;

22 (d) Include annual measurable objectives established pursuant to
23 20 U.S.C. § 6311(b)(2)(G) and the regulations adopted pursuant
24 thereto;

25 (e) For high schools, include the rate of graduation; and

26 (f) For elementary schools, junior high schools and middle
27 schools, include the rate of attendance.

28 2. The examination in science must not be included in the
29 definition of adequate yearly progress.

30 3. The State Board shall prescribe, by regulation, the
31 differentiated corrective actions, the consequences or the sanctions,
32 or any combination thereof, based upon the identified needs of a
33 public school, including, without limitation, the educational needs of
34 English language learners, pupils with disabilities or other groups of
35 pupils identified in paragraph (b) of subsection 1, that apply to the
36 public school that has been designated as demonstrating need for
37 improvement for 4 consecutive years or more, including, without
38 limitation, the establishment of a support team for a school if
39 deemed necessary by the Department in accordance with the
40 regulations of the State Board. In no event may the consequences or
41 sanctions be more strict than the restructuring that applies to Title I
42 schools.

43 **Sec. 8.** NRS 385.3612 is hereby amended to read as follows:

44 385.3612 1. The State Board shall adopt regulations that
45 prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the



1 regulations adopted pursuant thereto, the manner in which pupils
2 enrolled in:

3 (a) A program of distance education pursuant to NRS 388.820 to
4 388.874, inclusive;

5 (b) An alternative program for the education of pupils at risk of
6 dropping out of school pursuant to NRS 388.537; or

7 (c) A program of education that:

8 (1) Primarily serves pupils with disabilities; or

9 (2) Is operated within a:

10 (I) Local, regional or state facility for the detention of
11 children;

12 (II) Juvenile forestry camp;

13 (III) Child welfare agency; or

14 (IV) Correctional institution,

15 ↪ will be included within the statewide system of accountability set
16 forth in NRS 385.3455 to 385.391, inclusive.

17 2. The regulations adopted pursuant to subsection 1 must also
18 set forth the manner in which:

19 (a) The progress of pupils enrolled in a program of distance
20 education, an alternative program or a program of education
21 described in subsection 1 will be accounted for within the statewide
22 system of accountability; and

23 (b) The results of pupils enrolled in a program of distance
24 education, an alternative program or a program of education
25 described in subsection 1 on the examinations administered pursuant
26 to NRS 389.015 ~~and 389.550~~ will be reported.

27 **Sec. 9.** NRS 385.36129 is hereby amended to read as follows:

28 385.36129 1. In addition to the duties prescribed in NRS
29 385.36127, a support team established for a school shall prepare an
30 annual written report that includes:

31 (a) Information concerning the most recent plan to improve the
32 achievement of the school's pupils, the turnaround plan for the
33 school or the plan for restructuring the school, whichever is
34 applicable for the school, including, without limitation, an
35 evaluation of:

36 (1) The appropriateness of the plan for the school; and

37 (2) Whether the school has achieved the goals and objectives
38 set forth in the plan;

39 (b) The written revisions to the plan to improve the achievement
40 of the school's pupils or written recommendations for revisions to
41 the turnaround plan for the school or the plan for restructuring the
42 school, whichever is applicable for the school, submitted by the
43 support team pursuant to NRS 385.36127;

44 (c) A summary of each program for remediation, if any,
45 purchased for the school with money that is available from the



- 1 Federal Government, this state and the school district in which the
2 school is located, including, without limitation:
- 3 (1) The name of the program;
 - 4 (2) The date on which the program was purchased and the
5 date on which the program was carried out by the school;
 - 6 (3) The percentage of personnel at the school who were
7 trained regarding the use of the program;
 - 8 (4) The satisfaction of the personnel at the school with the
9 program; and
 - 10 (5) An evaluation of whether the program has improved the
11 academic achievement of the pupils enrolled in the school who
12 participated in the program;
- 13 (d) An analysis of the problems and factors at the school which
14 contributed to the designation of the school as demonstrating need
15 for improvement, including, without limitation, issues relating to:
- 16 (1) The financial resources of the school;
 - 17 (2) The administrative and educational personnel of the
18 school;
 - 19 (3) The curriculum of the school;
 - 20 (4) The facilities available at the school, including the
21 availability and accessibility of educational technology; and
 - 22 (5) Any other factors that the support team believes
23 contributed to the designation of the school as demonstrating need
24 for improvement; and
- 25 (e) Other information concerning the school, including, without
26 limitation:
- 27 (1) The results of the pupils who are enrolled in the school
28 on the examinations that are administered pursuant to NRS ~~389.550~~
29 ~~or the high school proficiency examination, as applicable;~~ **389.015;**
 - 30 (2) Records of the attendance and truancy of pupils who are
31 enrolled in the school;
 - 32 (3) The transiency rate of pupils who are enrolled in the
33 school;
 - 34 (4) A description of the number of years that each teacher
35 has provided instruction at the school and the rate of turnover of
36 teachers and other educational personnel employed at the school;
 - 37 (5) A description of the participation of parents and legal
38 guardians in the educational process and other activities relating to
39 the school;
 - 40 (6) A description of each source of money for the
41 remediation of pupils who are enrolled in the school;
 - 42 (7) Except as otherwise provided in subparagraph (8), a
43 description of the disciplinary problems of the pupils who are
44 enrolled in the school, including, without limitation, the information



1 contained in paragraphs (m) to (p), inclusive, of subsection 2 of
2 NRS 385.347; and

3 (8) For a charter school, a description of the disciplinary
4 problems of the pupils enrolled in the charter school as reported in
5 the annual report of accountability prepared by the State Public
6 Charter School Authority or the college or university within the
7 Nevada System of Higher Education that sponsors the charter
8 school, as applicable, pursuant to subsection 3 of NRS 385.347.

9 2. On or before December 15, the support team of a school
10 other than a charter school shall submit a copy of the final written
11 report to the:

12 (a) Principal of the school;

13 (b) Board of trustees of the school district in which the school is
14 located;

15 (c) Superintendent of schools of the school district in which the
16 school is located;

17 (d) Department; and

18 (e) Bureau.

19 ↪ The support team shall make the written report available, upon
20 request, to each parent or legal guardian of a pupil who is enrolled
21 in the school.

22 3. On or before December 15, the support team for a charter
23 school shall submit a copy of the final written report to the:

24 (a) Principal of the charter school;

25 (b) Sponsor of the charter school;

26 (c) Governing body of the charter school;

27 (d) Department; and

28 (e) Bureau.

29 ↪ The support team shall make the written report available, upon
30 request, to each parent or legal guardian of a pupil who is enrolled
31 in the charter school.

32 **Sec. 10.** NRS 385.3613 is hereby amended to read as follows:

33 385.3613 1. Except as otherwise provided in subsection 2, on
34 or before July 31 of each year, the Department shall determine
35 whether each public school is making adequate yearly progress, as
36 defined by the State Board pursuant to NRS 385.361.

37 2. On or before July 31 of each year, the Department shall
38 determine whether each public school that operates on a schedule
39 other than a traditional 9-month schedule is making adequate yearly
40 progress, as defined by the State Board pursuant to NRS 385.361.

41 3. The determination pursuant to subsection 1 or 2, as
42 applicable, for a public school, including, without limitation, a
43 charter school sponsored by the board of trustees of the school
44 district, must be made in consultation with the board of trustees of
45 the school district in which the public school is located. If a charter



1 school is sponsored by the State Public Charter School Authority or
2 by a college or university within the Nevada System of Higher
3 Education, the Department shall make a determination for the
4 charter school in consultation with the State Public Charter School
5 Authority or the institution within the Nevada System of Higher
6 Education that sponsors the charter school, as applicable. The
7 determination made for each school must be based only upon the
8 information and data for those pupils who are enrolled in the school
9 for a full academic year. On or before July 31 of each year, the
10 Department shall transmit:

11 (a) Except as otherwise provided in paragraph (b) or (c), the
12 determination made for each public school to the board of trustees
13 of the school district in which the public school is located.

14 (b) To the State Public Charter School Authority the
15 determination made for each charter school that is sponsored by the
16 State Public Charter School Authority.

17 (c) The determination made for the charter school to the
18 institution that sponsors the charter school if a charter school is
19 sponsored by a college or university within the Nevada System of
20 Higher Education.

21 4. Except as otherwise provided in this subsection, the
22 Department shall determine that a public school has failed to make
23 adequate yearly progress if any group identified in paragraph (b) of
24 subsection 1 of NRS 385.361 does not satisfy the annual measurable
25 objectives established by the State Board pursuant to that section.
26 To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations
27 adopted pursuant thereto, the State Board shall prescribe by
28 regulation the conditions under which a school shall be deemed to
29 have made adequate yearly progress even though a group identified
30 in paragraph (b) of subsection 1 of NRS 385.361 did not satisfy the
31 annual measurable objectives of the State Board.

32 5. In addition to the provisions of subsection 4, the Department
33 shall determine that a public school has failed to make adequate
34 yearly progress if:

35 (a) The number of pupils enrolled in the school who took the
36 examinations administered pursuant to NRS ~~389.550 or the high~~
37 ~~school proficiency examination, as applicable.~~ **389.015** is less than
38 95 percent of all pupils enrolled in the school who were required to
39 take the examinations; or

40 (b) Except as otherwise provided in subsection 6, for each group
41 of pupils identified in paragraph (b) of subsection 1 of NRS
42 385.361, the number of pupils in the group enrolled in the school
43 who took the examinations administered pursuant to NRS ~~389.550~~
44 ~~or the high school proficiency examination, as applicable.~~ **389.015**



1 is less than 95 percent of all pupils in that group enrolled in the
2 school who were required to take the examinations.

3 6. If the number of pupils in a particular group who are
4 enrolled in a public school is insufficient to yield statistically
5 reliable information:

6 (a) The Department shall not determine that the school has
7 failed to make adequate yearly progress pursuant to paragraph (b) of
8 subsection 5 based solely upon that particular group.

9 (b) The pupils in such a group must be included in the overall
10 count of pupils enrolled in the school who took the examinations.

11 ➤ The State Board shall prescribe the mechanism for determining
12 the number of pupils that must be in a group for that group to yield
13 statistically reliable information.

14 7. If an irregularity in testing administration or an irregularity
15 in testing security occurs at a school and the irregularity invalidates
16 the test scores of pupils, those test scores must be included in the
17 scores of pupils reported for the school, the attendance of those
18 pupils must be counted towards the total number of pupils who took
19 the examinations and the pupils must be included in the total
20 number of pupils who were required to take the examinations.

21 8. As used in this section:

22 (a) "Irregularity in testing administration" has the meaning
23 ascribed to it in NRS 389.604.

24 (b) "Irregularity in testing security" has the meaning ascribed to
25 it in NRS 389.608.

26 **Sec. 11.** NRS 385.3622 is hereby amended to read as follows:

27 385.3622 If the Department determines that a public school has
28 failed to make adequate yearly progress pursuant to subsection 5 of
29 NRS 385.3613, the Department or its designee shall, to the extent
30 money is available, monitor at the school the administration of the
31 examinations that are ~~required~~ *prescribed* pursuant to *subsections*
32 *1 and 2 of* NRS ~~389.5501~~ *389.015* and ensure that all eligible pupils
33 who are in attendance on the day of the administration of the
34 examinations are given an opportunity to take the examinations until
35 the percentage of pupils who take the examinations is 95 percent or
36 more of all pupils enrolled in the school who are required to take the
37 examinations.

38 **Sec. 12.** NRS 385.3762 is hereby amended to read as follows:

39 385.3762 1. On or before August 15 of each year, the
40 Department shall determine whether each school district is making
41 adequate yearly progress, as defined by the State Board pursuant to
42 NRS 385.361. The pupils who are enrolled in a charter school, if
43 any, located within a school district must not be included in the
44 determination made for that school district. The determination made
45 for each school district must be based only upon the information and



1 data for those pupils who were enrolled in the school district for a
2 full academic year, regardless of whether those pupils attended more
3 than one school within the school district for that academic year.

4 2. Except as otherwise provided in this subsection, the
5 Department shall determine that a school district has failed to make
6 adequate yearly progress if any group of pupils identified in
7 paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in
8 the school district does not satisfy the annual measurable objectives
9 established by the State Board pursuant to that section. To comply
10 with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant
11 thereto, the State Board shall prescribe by regulation the conditions
12 under which a school district shall be deemed to have made
13 adequate yearly progress even though a group of pupils identified in
14 paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in
15 the school district did not satisfy the annual measurable objectives
16 of the State Board.

17 3. In addition to the provisions of subsection 2, the Department
18 shall determine that a school district has failed to make adequate
19 yearly progress if:

20 (a) The number of pupils enrolled in the school district who took
21 the examinations administered pursuant to NRS ~~389.550 or the~~
22 ~~high school proficiency examination, as applicable.~~ 389.015 is less
23 than 95 percent of all pupils enrolled in the school district who were
24 required to take the examinations; or

25 (b) Except as otherwise provided in subsection 4, for each group
26 of pupils identified in paragraph (b) of subsection 1 of NRS
27 385.361, the number of pupils enrolled in the school district who
28 took the examinations administered pursuant to NRS ~~389.550 or~~
29 ~~the high school proficiency examination, as applicable.~~ 389.015 is
30 less than 95 percent of all pupils in the group who were required to
31 take the examinations.

32 4. If the number of pupils in a particular group who are
33 enrolled in a school district is insufficient to yield statistically
34 reliable information:

35 (a) The Department shall not determine that the school district
36 has failed to make adequate yearly progress pursuant to paragraph
37 (b) of subsection 3 based solely upon that particular group.

38 (b) The pupils in such a group must be included in the overall
39 count of pupils enrolled in the school district who took the
40 examinations ~~+~~ administered pursuant to NRS 389.015.

41 ➔ The State Board shall prescribe the mechanism for determining
42 the minimum number of pupils that must be in a group for that
43 group to yield statistically reliable information.

44 **Sec. 13.** NRS 385.3785 is hereby amended to read as follows:

45 385.3785 1. The Commission shall:



1 (a) Establish a program of educational excellence designed
2 exclusively for pupils enrolled in kindergarten through grade 6 in
3 public schools in this State based upon:

4 (1) The plan to improve the achievement of pupils prepared
5 by the State Board pursuant to NRS 385.34691;

6 (2) The plan to improve the achievement of pupils prepared
7 by the principal of each school pursuant to NRS 385.357, which
8 may include a program of innovation, the turnaround plan for the
9 school implemented pursuant to NRS 385.37603 or the plan for
10 restructuring the school implemented pursuant to NRS 385.37607,
11 whichever is applicable for the school; and

12 (3) Any other information that the Commission considers
13 relevant to the development of the program of educational
14 excellence.

15 (b) Identify programs, practices and strategies that have proven
16 effective in improving the academic achievement and proficiency of
17 pupils.

18 (c) Develop a concise application and simple procedures for the
19 submission of applications by public schools and consortiums of
20 public schools, including, without limitation, charter schools, for
21 participation in a program of educational excellence and for grants
22 of money from the Account. Grants of money must be made for
23 programs designed for the achievement of pupils that are linked to
24 the plan to improve the achievement of pupils or for innovative
25 programs, or both, or that are linked to the turnaround plan for the
26 school or the plan for restructuring the school, if applicable, or for
27 innovative programs, or both. The Commission shall not award a
28 grant of money from the Account for a program to provide full-day
29 kindergarten. All public schools and consortiums of public schools,
30 including, without limitation, charter schools, are eligible to submit
31 such an application, regardless of whether the schools have made
32 adequate yearly progress or failed to make adequate yearly progress.
33 A public school or a consortium of public schools selected for
34 participation may be approved by the Commission for participation
35 for a period not to exceed 2 years, but may reapply.

36 (d) Prescribe a long-range timeline for the review, approval and
37 evaluation of applications received from public schools and
38 consortiums of public schools that desire to participate in the
39 program.

40 (e) Establish guidelines for the review, evaluation and approval
41 of applications for grants of money from the Account, including,
42 without limitation, consideration of the list of priorities of public
43 schools provided by the Department pursuant to subsection 6. To
44 ensure consistency in the review, evaluation and approval of
45 applications, if the guidelines authorize the review and evaluation of



1 applications by less than the entire membership of the Commission,
2 money must not be allocated from the Account for a grant until the
3 entire membership of the Commission has reviewed and approved
4 the application for the grant.

5 (f) Prescribe accountability measures to be carried out by a
6 public school that participates in the program if that public school
7 does not meet the annual measurable objectives established by the
8 State Board pursuant to NRS 385.361, including, without limitation:

9 (1) The specific levels of achievement expected of schools
10 that participate; and

11 (2) Conditions for schools that do not meet the grant criteria
12 but desire to continue participation in the program and receive
13 money from the Account, including, without limitation, a review of
14 the leadership at the school and recommendations regarding changes
15 to the appropriate body.

16 (g) Determine the amount of money that is available from the
17 Account for those public schools and consortiums of public schools
18 that are selected to participate in the program.

19 (h) Allocate money to public schools and consortiums of public
20 schools from the Account. Allocations must be distributed not later
21 than September 30 of each year.

22 (i) Establish criteria for public schools and consortiums of
23 public schools that participate in the program and receive an
24 allocation of money from the Account to evaluate the effectiveness
25 of the allocation in improving the achievement of pupils, including,
26 without limitation, a detailed analysis of:

27 (1) The achievement of pupils enrolled at each school that
28 received money from the allocation based upon measurable criteria
29 identified in, as applicable, the:

30 (I) Plan to improve the achievement of pupils for the
31 school prepared pursuant to NRS 385.357;

32 (II) Turnaround plan for the school implemented pursuant
33 to NRS 385.37603; or

34 (III) Plan for restructuring the school implemented
35 pursuant to NRS 385.37607;

36 (2) If applicable, the effectiveness of the program of
37 innovation on the achievement of pupils and the overall
38 effectiveness for pupils and staff;

39 (3) The implementation of the applicable plans for
40 improvement, including, without limitation, an analysis of whether
41 the school is meeting the measurable objectives identified in the
42 plan; and

43 (4) The attainment of measurable progress on the annual list
44 of adequate yearly progress of school districts and schools.



1 2. To the extent money is available, the Commission shall
2 make allocations of money to public schools and consortiums of
3 public schools for effective programs for grades 7 through 12 that
4 are designed to improve the achievement of pupils and effective
5 programs of innovation for pupils. In making such allocations, the
6 Commission shall comply with the requirements of this section.

7 3. An application submitted pursuant to this section must
8 include a written statement which:

9 (a) Indicates whether the public school or consortium of public
10 schools is submitting the application for the continuation of an
11 existing program or for the establishment of a new program; and

12 (b) Identifies all other sources of money that the public school
13 or consortium of public schools has requested or received for the
14 continuation or establishment of:

15 (1) The program for which the application is submitted; or

16 (2) A substantially similar program.

17 4. The Commission shall ensure, to the extent practicable, that
18 grants of money provided pursuant to this section reflect the
19 economic and geographic diversity of this State.

20 5. If a public school or consortium of public schools that
21 receives money pursuant to subsection 1 or 2:

22 (a) Does not meet the criteria for effectiveness as prescribed in
23 paragraph (i) of subsection 1;

24 (b) Does not, as a result of the program for which the grant of
25 money was awarded, show improvement in the achievement of
26 pupils, as determined in an evaluation conducted pursuant to
27 subsection 3 of NRS 385.379; or

28 (c) Does not implement the program for which the money was
29 received, as determined in an audit conducted pursuant to subsection
30 ~~4~~ 3 of NRS 385.3789 or an evaluation conducted pursuant to
31 subsection 3 of NRS 385.379,

32 ↪ over a 2-year period, the Commission may consider not awarding
33 future allocations of money to that public school or consortium of
34 public schools.

35 6. On or before August 15 of each year, the Department shall
36 provide a list of priorities of public schools that indicates:

37 (a) The adequate yearly progress status of schools in the
38 immediately preceding year; and

39 (b) The public schools that are considered Title I eligible by the
40 Department based upon the poverty level of the pupils enrolled in a
41 school in comparison to the poverty level of the pupils in the school
42 district as a whole,

43 ↪ for consideration by the Commission in its development of
44 procedures for the applications.



1 7. A public school, including, without limitation, a charter
2 school, or a consortium of public schools may request assistance
3 from the school district in which the school is located in preparing
4 an application for a grant of money pursuant to this section. A
5 school district shall assist each public school or consortium of
6 public schools that requests assistance pursuant to this subsection to
7 ensure that the application of the school:

8 (a) Is based directly upon, as applicable, the:

9 (1) Plan to improve the achievement of pupils prepared for
10 the school pursuant to NRS 385.357;

11 (2) Turnaround plan for the school implemented pursuant to
12 NRS 385.37603; or

13 (3) Plan for restructuring the school implemented pursuant to
14 NRS 385.37607;

15 (b) Is developed in accordance with the criteria established by
16 the Commission; and

17 (c) Is complete and complies with all technical requirements for
18 the submission of an application.

19 ➤ A school district may make recommendations to the individual
20 schools and consortiums of public schools. Such schools and
21 consortiums of public schools are not required to follow the
22 recommendations of a school district.

23 8. In carrying out the requirements of this section, the
24 Commission shall review and consider the programs of remedial
25 study adopted by the Department pursuant to NRS 385.389, the list
26 of approved providers of supplemental educational services
27 maintained by the Department pursuant to NRS 385.384 and the
28 recommendations submitted by the Committee pursuant to NRS
29 218E.615 concerning programs, practices and strategies that have
30 proven effective in improving the academic achievement and
31 proficiency of pupils.

32 9. The Commission shall not award a grant of money from the
33 Account for a program of remedial study that is available
34 commercially unless that program has been adopted by the
35 Department pursuant to NRS 385.389.

36 10. If a consortium of public schools is formed for the purpose
37 of submitting an application pursuant to this section, the public
38 schools within the consortium do not need to be located within the
39 same school district.

40 **Sec. 14.** NRS 385.3789 is hereby amended to read as follows:

41 385.3789 1. The Commission shall prepare an annual report
42 that describes the distribution of money to the public schools and
43 consortiums of public schools and the programs for which money
44 was allocated from the Account, including, without limitation, the
45 total amount of money allocated:



- 1 (a) To each consortium of public schools, with a designation of
- 2 which public schools are included in each consortium;
- 3 (b) To each public school;
- 4 (c) To schools included on the list of priorities of schools
- 5 provided by the Department pursuant to NRS 385.3785;
- 6 (d) For programs that provide services directly to pupils for
- 7 remediation and innovation, including, without limitation,
- 8 instruction, instructional materials and support materials;
- 9 (e) For programs that provide instructional support and have an
- 10 indirect effect on pupils, including, without limitation, the provision
- 11 of professional development for educational personnel and the
- 12 employment of administrators; and
- 13 (f) For each program, including, without limitation:
- 14 (1) A description of the program, including, without
- 15 limitation, whether the program is available commercially;
- 16 (2) Whether the Commission considers the program to be
- 17 innovative;
- 18 (3) Whether the program includes the provision of
- 19 professional development other than professional development that
- 20 is related to carrying out a program that provides services directly to
- 21 pupils;
- 22 (4) The costs to implement the program; and
- 23 (5) The full-time personnel necessary to implement the
- 24 program, if any.
- 25 ↪ The report must be submitted on or before October 15 of each
- 26 year to the entities identified in subsection ~~3-1~~ 2.
- 27 2. ~~The Commission shall:~~
- 28 ~~(a) Prepare an annual report that describes:~~
- 29 ~~(1) The activities of the Commission;~~
- 30 ~~(2) An analysis of the progress of the public schools in~~
- 31 ~~carrying out the plans to improve the achievement of pupils; and~~
- 32 ~~(3) An analysis of the progress of the public schools and~~
- 33 ~~consortiums of public schools that received an allocation of money~~
- 34 ~~from the Account in improving the achievement of pupils.~~
- 35 ~~(b) Submit the report on or before January 31 of each year to the~~
- 36 ~~entities identified in subsection 3.~~
- 37 ~~3-1~~ The Commission shall submit the ~~reports~~ report required
- 38 by ~~this section~~ subsection 1 to the:
- 39 (a) State Board;
- 40 (b) Governor;
- 41 (c) Committee;
- 42 (d) Bureau;
- 43 (e) Interim Finance Committee; and
- 44 (f) Board of trustees of each school district.



1 ~~14~~ 3. The Legislative Auditor shall audit biennially the
2 programs for which public schools and consortiums of public
3 schools receive an allocation of money. The audit:

4 (a) Must include:

5 (1) A review of the amount of time it takes for a public
6 school or consortium of public schools to receive an allocation of
7 money after the Commission makes the award;

8 (2) A determination of whether a public school or consortium
9 of public schools that received an allocation of money used the
10 money to implement the program for which the money was
11 allocated; and

12 (3) Any recommendations for the most efficient and
13 economical use of the money allocated by the Commission to public
14 schools and consortiums of public schools.

15 (b) May include a representative sample of programs, based
16 upon geographic location and type of program.

17 ~~15~~ 4. The Legislative Auditor shall report the results of each
18 biennial audit conducted pursuant to subsection ~~14~~ 3 to the entities
19 prescribed in subsection ~~13~~ 2.

20 **Sec. 15.** NRS 385.389 is hereby amended to read as follows:

21 385.389 1. The Department shall adopt programs of remedial
22 study for each subject tested on the examinations administered
23 pursuant to NRS 389.015 , ~~and 389.550,~~ including, without
24 limitation, programs that are designed for pupils who are limited
25 English proficient. The programs adopted for pupils who are limited
26 English proficient must be designed to:

27 (a) Improve the academic achievement of those pupils; or

28 (b) Assist those pupils with attaining proficiency in the English
29 language.

30 ➤ In adopting these programs of remedial study, the Department
31 shall consider the recommendations submitted by the Committee
32 pursuant to NRS 218E.615 and programs of remedial study that
33 have proven to be successful in improving the academic
34 achievement of pupils.

35 2. If a school fails to make adequate yearly progress based
36 upon the results of the examinations administered pursuant to NRS
37 389.015 , ~~for 389.550,~~ the school shall adopt a program of remedial
38 study that has been adopted by the Department pursuant to
39 subsection 1 or a program, practice or strategy recommended by the
40 Commission on Educational Excellence pursuant to NRS 385.3785,
41 or any combination thereof, as applicable.

42 3. A school district that includes a school described in
43 subsection 2 shall ensure that each of the pupils enrolled in the
44 school who failed to demonstrate at least adequate achievement on
45 the examinations administered pursuant to NRS 389.015 ~~for~~



1 ~~389.550, as applicable,~~ completes remedial study that is determined
2 to be appropriate for the pupil.

3 **Sec. 16.** NRS 385.3891 is hereby amended to read as follows:

4 385.3891 1. The Department shall establish a monitoring
5 system for the statewide system of accountability. The monitoring
6 system must identify significant levels of achievement of pupils on
7 the examinations that are administered pursuant to NRS ~~389.550~~
8 ~~and the high school proficiency examination that is administered~~
9 ~~pursuant to NRS~~ 389.015, identified by school and by school
10 district.

11 2. On or before October 1 of each year, the Department shall
12 prepare a written summary of the findings made pursuant to
13 subsection 1. The written summary must be provided to:

14 (a) The Committee; and

15 (b) If the findings show inconsistencies applicable to a particular
16 school district or school within a school district, the board of
17 trustees of that school district.

18 3. The Committee shall review the report submitted pursuant to
19 subsection 2 and take such action as it deems appropriate.

20 **Sec. 17.** NRS 386.550 is hereby amended to read as follows:

21 386.550 1. A charter school shall:

22 (a) Comply with all laws and regulations relating to
23 discrimination and civil rights.

24 (b) Remain nonsectarian, including, without limitation, in its
25 educational programs, policies for admission and employment
26 practices.

27 (c) Refrain from charging tuition or fees, levying taxes or
28 issuing bonds.

29 (d) Comply with any plan for desegregation ordered by a court
30 that is in effect in the school district in which the charter school is
31 located.

32 (e) Comply with the provisions of chapter 241 of NRS.

33 (f) Except as otherwise provided in this paragraph, schedule and
34 provide annually at least as many days of instruction as are required
35 of other public schools located in the same school district as the
36 charter school is located. The governing body of a charter school
37 may submit a written request to the Superintendent of Public
38 Instruction for a waiver from providing the days of instruction
39 required by this paragraph. The Superintendent of Public Instruction
40 may grant such a request if the governing body demonstrates to the
41 satisfaction of the Superintendent that:

42 (1) Extenuating circumstances exist to justify the waiver; and

43 (2) The charter school will provide at least as many hours or
44 minutes of instruction as would be provided under a program
45 consisting of 180 days.



1 (g) Cooperate with the board of trustees of the school district in
2 the administration of the achievement and proficiency examinations
3 administered pursuant to NRS 389.015 ~~and the examinations~~
4 ~~required pursuant to NRS 389.550~~ to the pupils who are enrolled in
5 the charter school.

6 (h) Comply with applicable statutes and regulations governing
7 the achievement and proficiency of pupils in this State.

8 (i) Provide instruction in the core academic subjects set forth in
9 subsection 1 of NRS 389.018, as applicable for the grade levels of
10 pupils who are enrolled in the charter school, and provide at least
11 the courses of study that are required of pupils by statute or
12 regulation for promotion to the next grade or graduation from a
13 public high school and require the pupils who are enrolled in the
14 charter school to take those courses of study. This paragraph does
15 not preclude a charter school from offering, or requiring the pupils
16 who are enrolled in the charter school to take, other courses of study
17 that are required by statute or regulation.

18 (j) If the parent or legal guardian of a child submits an
19 application to enroll in kindergarten, first grade or second grade at
20 the charter school, comply with NRS 392.040 regarding the ages for
21 enrollment in those grades.

22 (k) Refrain from using public money to purchase real property
23 or buildings without the approval of the sponsor.

24 (l) Hold harmless, indemnify and defend the sponsor of the
25 charter school against any claim or liability arising from an act or
26 omission by the governing body of the charter school or an
27 employee or officer of the charter school. An action at law may not
28 be maintained against the sponsor of a charter school for any cause
29 of action for which the charter school has obtained liability
30 insurance.

31 (m) Provide written notice to the parents or legal guardians of
32 pupils in grades 9 to 12, inclusive, who are enrolled in the charter
33 school of whether the charter school is accredited by the
34 Commission on Schools of the Northwest Association of Schools
35 and of Colleges and Universities.

36 (n) Adopt a final budget in accordance with the regulations
37 adopted by the Department. A charter school is not required to adopt
38 a final budget pursuant to NRS 354.598 or otherwise comply with
39 the provisions of chapter 354 of NRS.

40 (o) If the charter school provides a program of distance
41 education pursuant to NRS 388.820 to 388.874, inclusive, comply
42 with all statutes and regulations that are applicable to a program of
43 distance education for purposes of the operation of the program.

44 2. A charter school shall not provide instruction through a
45 program of distance education to children who are exempt from



1 compulsory attendance authorized by the State Board pursuant to
2 subsection 1 of NRS 392.070. As used in this subsection, "distance
3 education" has the meaning ascribed to it in NRS 388.826.

4 **Sec. 18.** NRS 386.600 is hereby amended to read as follows:

5 386.600 ~~(H)~~ On or before November 15 of each year, the
6 governing body of each charter school shall submit to the sponsor of
7 the charter school, the Superintendent of Public Instruction and the
8 Director of the Legislative Counsel Bureau for transmission to the
9 Majority Leader of the Senate and the Speaker of the Assembly a
10 report that includes:

11 ~~(a)~~ 1. A written description of the progress of the charter
12 school in achieving the mission and goals of the charter school set
13 forth in its application.

14 ~~(b)~~ 2. For each fund maintained by the charter school,
15 including, without limitation, the general fund of the charter school
16 and any special revenue fund which receives state money, the total
17 number and salaries of licensed and nonlicensed persons whose
18 salaries are paid from the fund and who are employed by the
19 governing body in full-time positions or in part-time positions added
20 together to represent full-time positions. Information must be
21 provided for the current school year based upon the final budget of
22 the charter school, including any amendments and augmentations
23 thereto, and for the preceding school year. An employee must be
24 categorized as filling an instructional, administrative, instructional
25 support or other position.

26 ~~(c)~~ 3. The actual expenditures of the charter school in the
27 fiscal year immediately preceding the report.

28 ~~(d)~~ 4. The proposed expenditures of the charter school for
29 the current fiscal year.

30 ~~(e)~~ 5. The salary schedule for licensed employees and
31 nonlicensed teachers in the current school year and a statement of
32 whether salary negotiations for the current school year have been
33 completed. If salary negotiations have not been completed at the
34 time the salary schedule is submitted, the governing body shall
35 submit a supplemental report to the Superintendent of Public
36 Instruction upon completion of negotiations.

37 ~~(f)~~ 6. The number of employees eligible for health insurance
38 within the charter school for the current and preceding fiscal years
39 and the amount paid for health insurance for each such employee
40 during those years.

41 ~~(g)~~ 7. The rates for fringe benefits, excluding health
42 insurance, paid by the charter school for its licensed employees in
43 the preceding and current fiscal years.

44 ~~(h)~~ 8. The amount paid for extra duties, supervision of
45 extracurricular activities and supplemental pay and the number of



1 employees receiving that pay in the preceding and current fiscal
2 years.

3 ~~{2. On or before November 25 of each year, the Superintendent
4 of Public Instruction shall submit to the Department of
5 Administration and the Fiscal Analysis Division of the Legislative
6 Counsel Bureau, in a format approved by the Director of the
7 Department of Administration, a compilation of the reports made by
8 each governing body pursuant to subsection 1.~~

9 ~~—3. The Superintendent of Public Instruction shall, in the
10 compilation required by subsection 2, reconcile the revenues and
11 expenditures of the charter schools with the apportionment received
12 by those schools from the State Distributive School Account for the
13 preceding year.}~~

14 **Sec. 19.** NRS 388.795 is hereby amended to read as follows:

15 388.795 1. The Commission shall establish a plan for the use
16 of educational technology in the public schools of this State. In
17 preparing the plan, the Commission shall consider:

18 (a) Plans that have been adopted by the Department and the
19 school districts in this State;

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

21 (c) The information reported pursuant to paragraph (v) of
22 subsection 2 of NRS 385.347 and similar information included in
23 the annual report of accountability information prepared by the State
24 Public Charter School Authority and a college or university within
25 the Nevada System of Higher Education that sponsors a charter
26 school pursuant to subsection 3 of NRS 385.347;

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

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

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

33 (a) Incorporate educational technology into the public schools of
34 this State;

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

37 (c) Increase the availability of educational technology to assist
38 licensed teachers and other educational personnel in complying with
39 the requirements of continuing education, including, without
40 limitation, the receipt of credit for college courses completed
41 through the use of educational technology;

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

44 (e) Address the needs of teachers in incorporating the use of
45 educational technology in the classroom, including, without



1 limitation, the completion of training that is sufficient to enable the
2 teachers to instruct pupils in the use of educational technology.

3 3. The Department shall provide:

- 4 (a) Administrative support;
- 5 (b) Equipment; and
- 6 (c) Office space,

7 ↪ as is necessary for the Commission to carry out the provisions of
8 this section.

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

- 11 (a) The State Board.
- 12 (b) The board of trustees of each school district.
- 13 (c) The superintendent of schools of each school district.
- 14 (d) The Department.

15 5. The Commission shall:

16 (a) Develop technical standards for educational technology and
17 any electrical or structural appurtenances necessary thereto,
18 including, without limitation, uniform specifications for computer
19 hardware and wiring, to ensure that such technology is compatible,
20 uniform and can be interconnected throughout the public schools of
21 this State.

22 (b) Allocate money to the school districts from the Trust Fund
23 for Educational Technology created pursuant to NRS 388.800 and
24 any money appropriated by the Legislature for educational
25 technology, subject to any priorities for such allocation established
26 by the Legislature.

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

- 29 (1) Repair, replace and maintain computer systems.
- 30 (2) Upgrade and improve computer hardware and software
31 and other educational technology.

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

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

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

39 (f) In addition to the recommendations set forth in the plan
40 pursuant to subsection 2, make further recommendations to the
41 Committee and the Department as the Commission deems
42 necessary.

43 6. During the spring semester of each even-numbered school
44 year, the Commission shall conduct an assessment of the needs of



1 each school district relating to educational technology. In
2 conducting the assessment, the Commission shall consider:

3 (a) The recommendations set forth in the plan pursuant to
4 subsection 2;

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

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

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

10 ➔ The Commission shall submit a final written report of the
11 assessment to the Superintendent of Public Instruction on or before
12 April 1 of each even-numbered year.

13 7. The Superintendent of Public Instruction shall prepare a
14 written compilation of the results of the assessment conducted by
15 the Commission and transmit the written compilation on or before
16 ~~June~~ **May** 1 of each even-numbered year to the **Governor, the**
17 **Budget Division of the Department of Administration, the**
18 **Legislative Committee on Education and** ~~to~~ the Director of the
19 Legislative Counsel Bureau for transmission to the next regular
20 session of the Legislature.

21 8. The Commission may appoint an advisory committee
22 composed of members of the Commission or other qualified persons
23 to provide recommendations to the Commission regarding standards
24 for the establishment, coordination and use of a telecommunications
25 network in the public schools throughout the various school districts
26 in this State. The advisory committee serves at the pleasure of the
27 Commission and without compensation unless an appropriation or
28 other money for that purpose is provided by the Legislature.

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

33 **Sec. 20.** NRS 388.874 is hereby amended to read as follows:

34 388.874 1. The State Board shall adopt regulations that
35 prescribe:

36 (a) The process for submission of an application by a person or
37 entity for inclusion of a course of distance education on the list
38 prepared by the Department pursuant to NRS 388.834 and the
39 contents of the application;

40 (b) The process for submission of an application by the board of
41 trustees of a school district, the governing body of a charter school
42 or a committee to form a charter school to provide a program of
43 distance education and the contents of the application;



1 (c) The qualifications and conditions for enrollment that a pupil
2 must satisfy to enroll in a program of distance education, consistent
3 with NRS 388.850;

4 (d) A method for reporting to the Department the number of
5 pupils who are enrolled in a program of distance education and the
6 attendance of those pupils;

7 (e) The requirements for assessing the achievement of pupils
8 who are enrolled in a program of distance education, which must
9 include, without limitation, the administration of the ~~achievement~~
10 ~~and proficiency~~ examinations required pursuant to NRS 389.015 ;
11 ~~and 389.550;~~ and

12 (f) A written description of the process pursuant to which the
13 State Board may revoke its approval for the operation of a program
14 of distance education.

15 2. The State Board may adopt regulations as it determines are
16 necessary to carry out the provisions of NRS 388.820 to 388.874,
17 inclusive.

18 **Sec. 21.** NRS 389.0115 is hereby amended to read as follows:

19 389.0115 1. If a pupil with a disability is unable to take an
20 examination administered pursuant to NRS 389.015 ~~for 389.550~~
21 under regular testing conditions, the pupil may take the examination
22 with modifications and accommodations that the pupil's
23 individualized education program team determines, in consultation
24 with the Department and in accordance with the Individuals with
25 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the No
26 Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., are
27 necessary to measure the progress of the pupil. If modifications or
28 accommodations are made in the administration of an examination
29 for a pupil with a disability, the modifications or accommodations
30 must be set forth in the pupil's individualized education program.
31 The results of each pupil with a disability who takes an examination
32 with modifications or accommodations must be reported and must
33 be included in the determination of whether the school and the
34 school district have made adequate yearly progress.

35 2. The State Board shall prescribe an alternate examination for
36 administration to a pupil with a disability if the pupil's
37 individualized education program team determines, in consultation
38 with the Department, that the pupil cannot participate in all or a
39 portion of an examination administered pursuant to NRS 389.015
40 ~~for 389.550~~ even with modifications and accommodations.

41 3. The State Board shall prescribe, in accordance with the
42 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
43 seq., and the No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
44 et seq., the modifications and accommodations that must be used in



1 the administration of an examination to a pupil with a disability who
2 is unable to take the examination under regular testing conditions.

3 4. As used in this section:

4 (a) "Individualized education program" has the meaning
5 ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

6 (b) "Individualized education program team" has the meaning
7 ascribed to it in 20 U.S.C. § 1414(d)(1)(B).

8 **Sec. 22.** NRS 389.012 is hereby amended to read as follows:

9 389.012 ~~HH~~ The State Board shall:

10 ~~HH~~ 1. In accordance with guidelines established by the
11 National Assessment Governing Board and National Center for
12 Education Statistics and in accordance with 20 U.S.C. §§ 6301 et
13 seq. and the regulations adopted pursuant thereto, adopt regulations
14 requiring the schools of this State that are selected by the National
15 Assessment Governing Board or the National Center for Education
16 Statistics to participate in the examinations of the National
17 Assessment of Educational Progress.

18 ~~HH~~ 2. Report the results of ~~those~~ the examinations *required*
19 *pursuant to subsection 1* to the:

20 ~~HH~~ (a) Governor;

21 ~~HH~~ (b) Board of trustees of each school district of this
22 State;

23 ~~HH~~ (c) Legislative Committee on Education created
24 pursuant to NRS 218E.605; and

25 ~~HH~~ (d) Legislative Bureau of Educational Accountability
26 and Program Evaluation created pursuant to NRS 218E.625.

27 ~~(c) Include in the report required pursuant to paragraph (b) an
28 analysis and comparison of the results of pupils in this State on the
29 examinations required by this section with:~~

30 ~~— (1) The results of pupils throughout this country who
31 participated in the examinations of the National Assessment of
32 Educational Progress; and~~

33 ~~— (2) The results of pupils on the achievement and proficiency
34 examinations administered pursuant to this chapter.~~

35 ~~2. If the report required by subsection 1 indicates that the
36 percentage of pupils enrolled in the public schools in this State who
37 are proficient on the National Assessment of Educational Progress
38 differs by more than 10 percent of the pupils who are proficient on
39 the examinations administered pursuant to NRS 389.550 and the
40 high school proficiency examination administered pursuant to NRS
41 389.015, the Department shall prepare a written report describing
42 the discrepancy. The report must include, without limitation, a
43 comparison and evaluation of:~~

44 ~~(a) The standards of content and performance for English and
45 mathematics established pursuant to NRS 389.520 with the~~



1 ~~standards for English and mathematics that are tested on the~~
2 ~~National Assessment.~~

3 ~~—(b) The standards for proficiency established for the National~~
4 ~~Assessment with the standards for proficiency established for the~~
5 ~~examinations that are administered pursuant to NRS 389.550 and~~
6 ~~the high school proficiency examination administered pursuant to~~
7 ~~NRS 389.015.~~

8 ~~3. The report prepared by the Department pursuant to~~
9 ~~subsection 2 must be submitted to the:~~

10 ~~—(a) Governor;~~

11 ~~—(b) Legislative Committee on Education;~~

12 ~~—(c) Legislative Bureau of Educational Accountability and~~
13 ~~Program Evaluation; and~~

14 ~~—(d) Council to Establish Academic Standards for Public Schools.~~

15 ~~4. The Council to Establish Academic Standards for Public~~
16 ~~Schools shall review and evaluate the report provided to the Council~~
17 ~~pursuant to subsection 3 to identify any discrepancies in the~~
18 ~~standards of content and performance established by the Council~~
19 ~~that require revision and a timeline for carrying out the revision, if~~
20 ~~necessary. The Council shall submit a written report of its review~~
21 ~~and evaluation to the Legislative Committee on Education and~~
22 ~~Legislative Bureau of Educational Accountability and Program~~
23 ~~Evaluation.]~~

24 **Sec. 23.** NRS 389.015 is hereby amended to read as follows:

25 389.015 1. The ~~board of trustees of each school district shall~~
26 ~~administer the high school proficiency examination in all public~~
27 ~~high schools of the school district. The governing body of a charter~~
28 ~~school that enrolls pupils at the high school grade levels shall~~
29 ~~administer the same examination in the charter school.]~~ *State Board*
30 *shall, in consultation with the Council to Establish Academic*
31 *Standards for Public Schools, prescribe examinations which*
32 *comply with 20 U.S.C. § 6311(b)(3) and which measure the*
33 *achievement and proficiency of pupils:*

34 *(a) For grades 3 to 8, inclusive, in the standards of content*
35 *established by the Council pursuant to NRS 389.520 for the*
36 *subjects of English and mathematics.*

37 *(b) For grades 5 and 8, in the standards of content established*
38 *by the Council pursuant to NRS 389.520 for the subject of science.*

39 *↳ The examinations prescribed pursuant to this subsection must*
40 *be written, developed, printed and scored by a nationally*
41 *recognized testing company.*

42 *2. The State Board shall, in consultation with the Council to*
43 *Establish Academic Standards for Public Schools, prescribe a*
44 *writing examination for grades 5 and 8.*



1 3. *The board of trustees of each school district and the*
2 *governing body of each charter school shall administer the*
3 *examinations prescribed pursuant to subsections 1 and 2. The*
4 *examinations must be:*

5 (a) *Administered to pupils in each school district and each*
6 *charter school at the same time during the spring semester, as*
7 *prescribed by the State Board.*

8 (b) *Administered in each school in accordance with uniform*
9 *procedures adopted by the State Board. The Department shall*
10 *monitor the school districts and individual schools to ensure*
11 *compliance with the uniform procedures.*

12 (c) *Administered in each school in accordance with the plan*
13 *adopted pursuant to NRS 389.616 by the Department and with the*
14 *plan adopted pursuant to NRS 389.620 by the board of trustees of*
15 *the school district in which the examinations are administered.*
16 *The Department shall monitor the compliance of school districts*
17 *and individual schools with:*

18 (1) *The plan adopted by the Department; and*

19 (2) *The plan adopted by the board of trustees of the*
20 *applicable school district, to the extent that the plan adopted by the*
21 *board of trustees of the school district is consistent with the plan*
22 *adopted by the Department.*

23 4. *The State Board shall prescribe a high school proficiency*
24 *examination ~~administered by the board of trustees and governing~~*
25 *~~body must~~ to determine the achievement and proficiency of pupils*
26 *in:*

27 (a) *Reading;*

28 (b) *Mathematics; ~~and~~*

29 (c) *Science ~~;~~*

30 *~~2.;~~ and*

31 (d) *Writing.*

32 5. *Except for the writing portion, the high school proficiency*
33 *examination prescribed pursuant to subsection 4 must be*
34 *developed, printed and scored by a nationally recognized testing*
35 *company in accordance with the process established by the testing*
36 *company. The nationally recognized testing company that has*
37 *contracted with the State Board to score the high school*
38 *proficiency examination, except for the writing portion, shall*
39 *report the results of the examination in the form and by the date*
40 *required by the Department.*

41 6. *In prescribing the writing portion of the high school*
42 *proficiency examination pursuant to paragraph (d) of subsection*
43 *4, the State Board shall consult with the Council to Establish*
44 *Academic Standards for Public Schools.*



1 7. The high school proficiency examination ~~required by~~
2 ~~subsection 1~~ must be:

3 (a) Administered in each school district and each charter school
4 that enrolls pupils at the high school grade levels at the same time,
5 as prescribed by the State Board, and in accordance with uniform
6 procedures adopted by the State Board, except for a pupil enrolled
7 in grade 10 for whom the administration of the high school
8 proficiency examination in the subject area of mathematics or
9 science, or both, is postponed pursuant to NRS 389.016. The
10 Department shall monitor the compliance of school districts and
11 individual schools with the uniform procedures.

12 (b) Administered in each school in accordance with the plan
13 adopted pursuant to NRS 389.616 by the Department and with the
14 plan adopted pursuant to NRS 389.620 by the board of trustees of
15 the school district in which the high school proficiency examination
16 is administered. The Department shall monitor the compliance of
17 school districts and individual schools with:

18 (1) The plan adopted by the Department; and

19 (2) The plan adopted by the board of trustees of the
20 applicable school district, to the extent that the plan adopted by the
21 board of trustees of the school district is consistent with the plan
22 adopted by the Department.

23 ~~[(c) Scored by a single private entity that has contracted with the~~
24 ~~State Board to score the examinations. The private entity that scores~~
25 ~~the high school proficiency examination shall report the results of~~
26 ~~the examinations in the form and by the date required by the~~
27 ~~Department.~~

28 ~~3.]~~ 8. Not more than 14 working days after the results of the
29 *high school proficiency* examinations are reported to the
30 Department by ~~a private entity~~ *the nationally recognized testing*
31 *company* that scored the examinations, the Superintendent of Public
32 Instruction shall certify that the results of the examinations have
33 been transmitted to each school district and each charter school. Not
34 more than 10 working days after a school district receives the results
35 of the *high school proficiency* examinations, the superintendent of
36 schools of each school district shall certify that the results of the
37 examinations have been transmitted to each school within the school
38 district. Except as otherwise provided in this subsection, not more
39 than 15 working days after each school receives the results of the
40 *high school proficiency* examinations, the principal of each school
41 and the governing body of each charter school shall certify that the
42 results for each pupil have been provided to the parent or legal
43 guardian of the pupil:



1 (a) During a conference between the teacher of the pupil or
2 administrator of the school and the parent or legal guardian of the
3 pupil; or

4 (b) By mailing the results of the high school proficiency
5 examination to the last known address of the parent or legal
6 guardian of the pupil.

7 ↪ If a pupil fails the high school proficiency examination, the
8 school shall notify the pupil and the parents or legal guardian of the
9 pupil of each subject area that the pupil failed as soon as practicable
10 but not later than 15 working days after the school receives the
11 results of the *high school proficiency* examination.

12 ~~14~~ 9. Except as otherwise provided in subsection ~~15~~ 10, if a
13 pupil fails to pass the high school proficiency examination, the pupil
14 must not be graduated unless he or she:

15 (a) Is able, through remedial study, to pass the high school
16 proficiency examination; or

17 (b) Passes the subject areas of mathematics and reading tested
18 on the high school proficiency examination, has at least a 2.75 grade
19 point average on a 4.0 grading scale and satisfies the alternative
20 criteria prescribed by the State Board pursuant to NRS 389.805,

21 ↪ but the pupil may be given a certificate of attendance, in place of
22 a diploma, if the pupil has reached the age of 18 years.

23 ~~15~~ 10. A pupil who transfers during grade 12 to a school in
24 this State from a school outside this State because of the military
25 transfer of the parent or legal guardian of the pupil may receive a
26 waiver from the requirements of subsection ~~14~~ 9 if, in accordance
27 with the provisions of NRS 392C.010, the school district in which
28 the pupil is enrolled:

29 (a) Accepts the results of the exit or end-of-course examinations
30 required for graduation in the local education agency in which the
31 pupil was previously enrolled;

32 (b) Accepts the results of a national norm-referenced
33 achievement examination taken by the pupil; or

34 (c) Establishes an alternative test for the pupil which
35 demonstrates proficiency in the subject areas tested on the high
36 school proficiency examination, and the pupil successfully passes
37 that test.

38 ~~16. The State Board shall prescribe the high school proficiency
39 examination, which must include the subjects of reading,
40 mathematics and science and, except for the writing portion
41 prescribed pursuant to NRS 389.550, must be developed, printed
42 and scored by a nationally recognized testing company in
43 accordance with the process established by the testing company.]~~



1 **II.** The questions contained in the high school proficiency
2 examination and the approved answers used for grading them are
3 confidential, and disclosure is unlawful except:

4 (a) To the extent necessary for administering and evaluating the
5 high school proficiency examination.

6 (b) That a disclosure may be made to a:

7 (1) State officer who is a member of the Executive or
8 Legislative Branch to the extent that it is necessary for the
9 performance of his or her duties;

10 (2) Superintendent of schools of a school district to the
11 extent that it is necessary for the performance of his or her duties;

12 (3) Director of curriculum of a school district to the extent
13 that it is necessary for the performance of his or her duties; and

14 (4) Director of testing of a school district to the extent that it
15 is necessary for the performance of his or her duties.

16 (c) That specific questions and answers may be disclosed if the
17 Superintendent of Public Instruction determines that the content of
18 the questions and answers is not being used in a current examination
19 and making the content available to the public poses no threat to the
20 security of the current examination process.

21 (d) As required pursuant to NRS 239.0115.

22 **Sec. 24.** NRS 389.017 is hereby amended to read as follows:

23 389.017 1. The State Board shall adopt regulations that
24 require the board of trustees of each school district and the
25 governing body of each charter school, through the sponsor of the
26 charter school, to submit to the Superintendent of Public Instruction
27 and the Department, in the form and manner prescribed by the
28 Superintendent, the results of the ~~high school proficiency~~
29 ~~examination]~~ *examinations* administered pursuant to NRS 389.015 .
30 ~~[to pupils enrolled in the high schools of the district and in charter~~
31 ~~schools.]~~ The State Board shall not include in the regulations any
32 provision which would violate the confidentiality of the test scores
33 of any individual pupil.

34 2. *The results of the examinations administered pursuant to*
35 *subsection 3 of NRS 389.015 must be reported for each school,*
36 *including, without limitation, each charter school, school district*
37 *and this State, as follows:*

38 (a) *The percentage of pupils who have demonstrated*
39 *proficiency, as defined by the Department, and who took the*
40 *examinations under regular testing conditions; and*

41 (b) *The percentage of pupils who have demonstrated*
42 *proficiency, as defined by the Department, and who took the*
43 *examinations with modifications or accommodations, if such*
44 *reporting does not violate the confidentiality of the test scores of*
45 *any individual pupil.*



1 **3.** The results of the high school proficiency examination
2 *administered pursuant to subsection 7 of NRS 389.015* must be
3 reported for each school, including, without limitation, each charter
4 school, school district and this State, as follows:

5 (a) The average score, as defined by the Department, of pupils
6 who took the high school proficiency examination under regular
7 testing conditions; and

8 (b) The average score, as defined by the Department, of pupils
9 who took the high school proficiency examination with
10 modifications or accommodations, if such reporting does not violate
11 the confidentiality of the test scores of any individual pupil.

12 ~~{3-}~~ **4.** Not later than 10 days after the Department receives the
13 results of the ~~{high school proficiency examination,}~~ *examinations*
14 *administered pursuant to NRS 389.015*, the Department shall
15 transmit a copy of the results ~~{of the high school proficiency~~
16 ~~examination administered pursuant to NRS 389.015}~~ to the
17 Legislative Bureau of Educational Accountability and Program
18 Evaluation in a manner that does not violate the confidentiality of
19 the test scores of any individual pupil.

20 ~~{4. On or before July 1 of each year, the board of trustees of~~
21 ~~each school district and the governing body of each charter school,~~
22 ~~through the sponsor of the charter school, shall report to the~~
23 ~~Department the following information for the high school~~
24 ~~proficiency examination administered in the high schools in the~~
25 ~~school district or charter school:~~

26 ~~—(a) The grade level or levels of pupils to whom the examination~~
27 ~~was administered;~~

28 ~~—(b) The costs incurred by the school district or charter school in~~
29 ~~administering the examination; and~~

30 ~~—(c) The purpose, if any, for which the results of the high school~~
31 ~~proficiency examination are used by the school district or charter~~
32 ~~school.~~

33 ~~→ On or before September 1 of each year, the Department shall~~
34 ~~transmit to the Budget Division of the Department of~~
35 ~~Administration and the Fiscal Analysis Division of the Legislative~~
36 ~~Counsel Bureau the information submitted to the Department~~
37 ~~pursuant to this subsection.}~~

38 **5.** The superintendent of schools of each school district and the
39 governing body of each charter school, through the sponsor of the
40 charter school, shall certify that the number of pupils who took
41 the ~~{high school proficiency examination required}~~ *examinations*
42 *administered* pursuant to NRS 389.015 is equal to the number of
43 pupils who are enrolled in each school in the school district or in the
44 charter school who are required to take the ~~{high school proficiency~~
45 ~~examination.}~~ *examinations.*



1 6. ~~In addition to the information required by subsection 4, the~~
2 *The* Superintendent of Public Instruction shall:

3 (a) Report the number of pupils who were absent from school on
4 the day that the ~~high school proficiency examination was~~
5 *examinations were* administered; and

6 (b) Reconcile the number of pupils who were required to take
7 the ~~high school proficiency examination~~ *examinations* with the
8 number of pupils who were absent from school on the day that the
9 ~~examination was~~ *examinations were* administered.

10 **Sec. 25.** NRS 389.500 is hereby amended to read as follows:
11 389.500 As used in NRS 389.500 to ~~389.570,~~ *389.540,*
12 inclusive, "Council" means the Council to Establish Academic
13 Standards for Public Schools.

14 **Sec. 26.** NRS 389.505 is hereby amended to read as follows:
15 389.505 The Superintendent of Public Instruction is
16 responsible for ensuring that the duties and responsibilities of the
17 Council set forth in NRS 389.500 to ~~389.570,~~ *389.540,* inclusive,
18 are carried out by the Council successfully.

19 **Sec. 27.** NRS 389.520 is hereby amended to read as follows:
20 389.520 1. The Council shall:

21 (a) Establish standards of content and performance, including,
22 without limitation, a prescription of the resulting level of
23 achievement, for the grade levels set forth in subsection 3, based
24 upon the content of each course, that is expected of pupils for the
25 following courses of study:

- 26 (1) English, including reading, composition and writing;
- 27 (2) Mathematics;
- 28 (3) Science;
- 29 (4) Social studies, which includes only the subjects of
30 history, geography, economics and government;
- 31 (5) The arts;
- 32 (6) Computer education and technology;
- 33 (7) Health; and
- 34 (8) Physical education.

35 (b) Establish a schedule for the periodic review and, if
36 necessary, revision of the standards of content and performance.
37 ~~The review must include, without limitation, the review required~~
38 ~~pursuant to NRS 389.570 of the results of pupils on the~~
39 ~~examinations administered pursuant to NRS 389.550.~~

40 (c) Assign priorities to the standards of content and performance
41 relative to importance and degree of emphasis and revise the
42 standards, if necessary, based upon the priorities.

43 2. The standards for computer education and technology must
44 include a policy for the ethical, safe and secure use of computers



- 1 and other electronic devices. The policy must include, without
2 limitation:
- 3 (a) The ethical use of computers and other electronic devices,
4 including, without limitation:
- 5 (1) Rules of conduct for the acceptable use of the Internet
6 and other electronic devices; and
7 (2) Methods to ensure the prevention of:
8 (I) Cyber-bullying;
9 (II) Plagiarism; and
10 (III) The theft of information or data in an electronic
11 form;
- 12 (b) The safe use of computers and other electronic devices,
13 including, without limitation, methods to:
- 14 (1) Avoid harassment, cyber-bullying and other unwanted
15 electronic communication, including, without limitation,
16 communication with on-line predators;
17 (2) Recognize when an on-line electronic communication is
18 dangerous or potentially dangerous; and
19 (3) Report a dangerous or potentially dangerous on-line
20 electronic communication to the appropriate school personnel;
- 21 (c) The secure use of computers and other electronic devices,
22 including, without limitation:
- 23 (1) Methods to maintain the security of personal identifying
24 information and financial information, including, without limitation,
25 identifying unsolicited electronic communication which is sent for
26 the purpose of obtaining such personal and financial information for
27 an unlawful purpose;
28 (2) The necessity for secure passwords or other unique
29 identifiers;
30 (3) The effects of a computer contaminant;
31 (4) Methods to identify unsolicited commercial material; and
32 (5) The dangers associated with social networking Internet
33 sites; and
34 (d) A designation of the level of detail of instruction as
35 appropriate for the grade level of pupils who receive the instruction.
- 36 3. The Council shall establish standards of content and
37 performance for each grade level in kindergarten and grades 1 to 8,
38 inclusive, for English and mathematics. The Council shall establish
39 standards of content and performance for the grade levels selected
40 by the Council for the other courses of study prescribed in
41 subsection 1.
- 42 4. The Council shall forward to the State Board the standards
43 of content and performance established by the Council for each
44 course of study. The State Board shall:



1 (a) Adopt the standards for each course of study, as submitted
2 by the Council; or

3 (b) If the State Board objects to the standards for a course of
4 study or a particular grade level for a course of study, return those
5 standards to the Council with a written explanation setting forth the
6 reason for the objection.

7 5. If the State Board returns to the Council the standards of
8 content and performance for a course of study or a grade level, the
9 Council shall:

10 (a) Consider the objection provided by the State Board and
11 determine whether to revise the standards based upon the objection;
12 and

13 (b) Return the standards or the revised standards, as applicable,
14 to the State Board.

15 ➔ The State Board shall adopt the standards of content and
16 performance or the revised standards, as applicable.

17 6. ~~{The Council shall work in cooperation with the State Board~~
18 ~~to prescribe the examinations required by NRS 389.550.~~

19 ~~—7.†~~ As used in this section:

20 (a) “Computer contaminant” has the meaning ascribed to it in
21 NRS 205.4737.

22 (b) “Cyber-bullying” has the meaning ascribed to it in
23 NRS 388.123.

24 (c) “Electronic communication” has the meaning ascribed to it
25 in NRS 388.124.

26 **Sec. 28.** NRS 389.604 is hereby amended to read as follows:

27 389.604 “Irregularity in testing administration” means the
28 failure to administer an examination to pupils pursuant to NRS
29 389.015 ~~for 389.550†~~ in the manner intended by the person or entity
30 that created the examination.

31 **Sec. 29.** NRS 389.608 is hereby amended to read as follows:

32 389.608 “Irregularity in testing security” means an act or
33 omission that tends to corrupt or impair the security of an
34 examination administered to pupils pursuant to NRS 389.015 , ~~for~~
35 ~~389.550.†~~ including, without limitation:

36 1. The failure to comply with security procedures adopted
37 pursuant to NRS 389.616 or 389.620;

38 2. The disclosure of questions or answers to questions on an
39 examination in a manner not otherwise approved by law; and

40 3. Other breaches in the security or confidentiality of the
41 questions or answers to questions on an examination.

42 **Sec. 30.** NRS 389.616 is hereby amended to read as follows:

43 389.616 1. The Department shall, by regulation or otherwise,
44 adopt and enforce a plan setting forth procedures to ensure the



1 security of examinations that are administered to pupils pursuant to
2 NRS 389.015 . ~~and 389.550.~~

3 2. A plan adopted pursuant to subsection 1 must include,
4 without limitation:

5 (a) Procedures pursuant to which pupils, school officials and
6 other persons may, and are encouraged to, report irregularities in
7 testing administration and testing security.

8 (b) Procedures necessary to ensure the security of test materials
9 and the consistency of testing administration.

10 (c) Procedures that specifically set forth the action that must be
11 taken in response to a report of an irregularity in testing
12 administration or testing security and the actions that must be taken
13 during an investigation of such an irregularity. For each action that
14 is required, the procedures must identify:

15 (1) By category, the employees of the school district, charter
16 school or Department, or any combination thereof, who are
17 responsible for taking the action; and

18 (2) Whether the school district, charter school or
19 Department, or any combination thereof, is responsible for ensuring
20 that the action is carried out successfully.

21 (d) Objective criteria that set forth the conditions under which a
22 school, including, without limitation, a charter school or a school
23 district, or both, is required to file a plan for corrective action in
24 response to an irregularity in testing administration or testing
25 security for the purposes of NRS 389.636.

26 3. A copy of the plan adopted pursuant to this section and the
27 procedures set forth therein must be submitted on or before
28 September 1 of each year to:

29 (a) The State Board; and

30 (b) The Legislative Committee on Education, created pursuant
31 to NRS 218E.605.

32 **Sec. 31.** NRS 389.620 is hereby amended to read as follows:

33 389.620 1. The board of trustees of each school district shall,
34 for each public school in the district, including, without limitation,
35 charter schools, adopt and enforce a plan setting forth procedures to
36 ensure the security of examinations.

37 2. A plan adopted pursuant to subsection 1 must include,
38 without limitation:

39 (a) Procedures pursuant to which pupils, school officials and
40 other persons may, and are encouraged to, report irregularities in
41 testing administration and testing security.

42 (b) Procedures necessary to ensure the security of test materials
43 and the consistency of testing administration.



1 (c) With respect to secondary schools, procedures pursuant to
2 which the school district or charter school, as appropriate, will
3 verify the identity of pupils taking an examination.

4 (d) Procedures that specifically set forth the action that must be
5 taken in response to a report of an irregularity in testing
6 administration or testing security and the action that must be taken
7 during an investigation of such an irregularity. For each action that
8 is required, the procedures must identify, by category, the
9 employees of the school district or charter school who are
10 responsible for taking the action and for ensuring that the action is
11 carried out successfully.

12 ➤ The procedures adopted pursuant to this subsection must be
13 consistent, to the extent applicable, with the procedures adopted by
14 the Department pursuant to NRS 389.616.

15 3. A copy of each plan adopted pursuant to this section and the
16 procedures set forth therein must be submitted on or before
17 September 1 of each year to:

18 (a) The State Board; and

19 (b) The Legislative Committee on Education, created pursuant
20 to NRS 218E.605.

21 4. On or before September 30 of each school year, the board of
22 trustees of each school district and the governing body of each
23 charter school shall provide a written notice regarding the
24 examinations to all teachers and educational personnel employed by
25 the school district or governing body, all personnel employed by the
26 school district or governing body who are involved in the
27 administration of the examinations, all pupils who are required to
28 take the examinations and all parents and legal guardians of such
29 pupils. The written notice must be prepared in a format that is easily
30 understood and must include, without limitation, a description of
31 the:

32 (a) Plan adopted pursuant to this section; and

33 (b) Action that may be taken against personnel and pupils for
34 violations of the plan or for other irregularities in testing
35 administration or testing security.

36 5. As used in this section:

37 (a) "Examination" means:

38 (1) ~~{Achievement and proficiency examinations}~~ *An*
39 *examination* that ~~{are}~~ *is* administered ~~{to pupils}~~ pursuant to NRS
40 389.015 ; ~~{or 389.550;}~~ and

41 (2) Any other examinations which measure the achievement
42 and proficiency of pupils and which are administered to pupils on a
43 district-wide basis.



1 (b) "Irregularity in testing administration" means the failure to
2 administer an examination in the manner intended by the person or
3 entity that created the examination.

4 (c) "Irregularity in testing security" means an act or omission
5 that tends to corrupt or impair the security of an examination,
6 including, without limitation:

7 (1) The failure to comply with security procedures adopted
8 pursuant to this section or NRS 389.616;

9 (2) The disclosure of questions or answers to questions on an
10 examination in a manner not otherwise approved by law; and

11 (3) Other breaches in the security or confidentiality of the
12 questions or answers to questions on an examination.

13 **Sec. 32.** NRS 389.624 is hereby amended to read as follows:

14 389.624 1. If the Department:

15 (a) Has reason to believe that a violation of the plan adopted
16 pursuant to NRS 389.616 may have occurred;

17 (b) Has reason to believe that a violation of the plan adopted
18 pursuant to NRS 389.620 may have occurred with respect to an
19 examination that is administered pursuant to NRS 389.015 ; ~~for~~
20 ~~389.550;~~ or

21 (c) Receives a request pursuant to subparagraph (2) of paragraph
22 (b) of subsection 1 of NRS 389.628 to investigate a potential
23 violation of the plan adopted pursuant to NRS 389.620 with respect
24 to an examination that is administered pursuant to NRS 389.015 ,
25 ~~for 389.550;~~

26 the Department shall investigate the matter as it deems
27 appropriate.

28 2. If the Department investigates a matter pursuant to
29 subsection 1, the Department may issue a subpoena to compel the
30 attendance or testimony of a witness or the production of any
31 relevant materials, including, without limitation, books, papers,
32 documents, records, photographs, recordings, reports and tangible
33 objects.

34 3. If a witness refuses to attend, testify or produce materials as
35 required by the subpoena, the Department may report to the district
36 court by petition, setting forth that:

37 (a) Due notice has been given of the time and place of
38 attendance or testimony of the witness or the production of
39 materials;

40 (b) The witness has been subpoenaed by the Department
41 pursuant to this section; and

42 (c) The witness has failed or refused to attend, testify or produce
43 materials before the Department as required by the subpoena, or has
44 refused to answer questions propounded to him or her,



1 ↳ and asking for an order of the court compelling the witness to
2 attend, testify or produce materials before the Department.

3 4. Upon receipt of such a petition, the court shall enter an order
4 directing the witness to appear before the court at a time and place
5 to be fixed by the court in its order, the time to be not more than 10
6 days after the date of the order, and then and there show cause why
7 the witness has not attended, testified or produced materials before
8 the Department. A certified copy of the order must be served
9 upon the witness.

10 5. If it appears to the court that the subpoena was regularly
11 issued by the Department, the court shall enter an order that the
12 witness appear before the Department at a time and place fixed in
13 the order and testify or produce materials, and that upon failure to
14 obey the order the witness must be dealt with as for contempt of
15 court.

16 **Sec. 33.** NRS 389.628 is hereby amended to read as follows:

17 389.628 1. If a school official has reason to believe that a
18 violation of the plan adopted pursuant to NRS 389.620 may have
19 occurred, the school official shall immediately report the incident to
20 the board of trustees of the school district. If the board of trustees of
21 a school district has reason to believe that a violation of the plan
22 adopted pursuant to NRS 389.620 may have occurred, the board of
23 trustees shall:

24 (a) If the violation is with respect to an examination
25 administered pursuant to NRS 389.015 , ~~for 389.550,~~ immediately
26 report the incident to the Department orally or in writing followed
27 by a comprehensive written report within 14 school days after the
28 incident occurred; and

29 (b) Cause to be commenced an investigation of the incident. The
30 board of trustees may carry out the requirements of this paragraph
31 by:

32 (1) Investigating the incident as it deems appropriate,
33 including, without limitation, using the powers of subpoena set forth
34 in this section.

35 (2) With respect to an examination that is administered
36 pursuant to NRS 389.015 , ~~for 389.550,~~ requesting that the
37 Department investigate the incident pursuant to NRS 389.624.

38 ↳ The fact that a board of trustees elects initially to carry out its
39 own investigation pursuant to subparagraph (1) of paragraph (b)
40 does not affect the ability of the board of trustees to request, at any
41 time, that the Department investigate the incident as authorized
42 pursuant to subparagraph (2) of paragraph (b).

43 2. Except as otherwise provided in this subsection, if the board
44 of trustees of a school district proceeds in accordance with
45 subparagraph (1) of paragraph (b) of subsection 1, the board of



1 trustees may issue a subpoena to compel the attendance or testimony
2 of a witness or the production of any relevant materials, including,
3 without limitation, books, papers, documents, records, photographs,
4 recordings, reports and tangible objects. A board of trustees shall
5 not issue a subpoena to compel the attendance or testimony of a
6 witness or the production of materials unless the attendance,
7 testimony or production sought to be compelled is related directly to
8 a violation or an alleged violation of the plan adopted pursuant to
9 NRS 389.620.

10 3. If a witness refuses to attend, testify or produce materials as
11 required by the subpoena, the board of trustees may report to the
12 district court by petition, setting forth that:

13 (a) Due notice has been given of the time and place of
14 attendance or testimony of the witness or the production of
15 materials;

16 (b) The witness has been subpoenaed by the board of trustees
17 pursuant to this section; and

18 (c) The witness has failed or refused to attend, testify or produce
19 materials before the board of trustees as required by the subpoena,
20 or has refused to answer questions propounded to him or her,
21 and asking for an order of the court compelling the witness to
22 attend, testify or produce materials before the board of trustees.

23 4. Upon receipt of such a petition, the court shall enter an order
24 directing the witness to appear before the court at a time and place
25 to be fixed by the court in its order, the time to be not more than 10
26 days after the date of the order, and then and there show cause why
27 the witness has not attended, testified or produced materials before
28 the board of trustees. A certified copy of the order must be served
29 upon the witness.

30 5. If it appears to the court that the subpoena was regularly
31 issued by the board of trustees, the court shall enter an order that the
32 witness appear before the board of trustees at a time and place fixed
33 in the order and testify or produce materials, and that upon failure to
34 obey the order the witness must be dealt with as for contempt of
35 court.

36 **Sec. 34.** NRS 389.632 is hereby amended to read as follows:

37 389.632 1. If the Department determines that:

38 (a) At least one irregularity in testing administration occurred at
39 a school, including, without limitation, a charter school, during 1
40 school year on the examinations administered pursuant to
41 **subsection 3 of** NRS ~~389.550;~~ **389.015;**

42 (b) In the immediately succeeding school year, at least one
43 additional irregularity in testing administration occurred at that
44 school on the examinations administered pursuant to **subsection 3 of**
45 NRS ~~389.550;~~ **389.015;** and



1 (c) Based upon the criteria set forth in subsection 2, the
2 irregularities described in paragraphs (a) and (b) warrant an
3 additional administration of the examinations ~~+~~ *administered*
4 *pursuant to subsection 3 of NRS 389.015,*

5 ~~+~~ the Department shall notify the school and the school district in
6 which the school is located that the school is required to provide for
7 an additional administration of the examinations to pupils who are
8 enrolled in a grade that is required to take the examinations
9 *administered* pursuant to *subsection 3 of NRS* ~~389.550~~ *389.015* or
10 to the pupils the Department determines must take the additional
11 administration pursuant to subsection 3 ~~+~~ *of this section.* The
12 additional administration must occur in the same school year in
13 which the irregularity described in paragraph (b) occurred. Except
14 as otherwise provided in this subsection, the school district shall pay
15 for all costs related to the administration of examinations pursuant
16 to this subsection. If a charter school is required to administer
17 examinations pursuant to this subsection, the charter school shall
18 pay for all costs related to the administration of the examinations to
19 pupils enrolled in the charter school.

20 2. In determining whether to require a school to provide for an
21 additional administration of examinations pursuant to this section,
22 the Department shall consider:

23 (a) The effect of each irregularity in testing administration,
24 including, without limitation, whether the irregularity required the
25 scores of pupils to be invalidated; and

26 (b) Whether sufficient time remains in the school year to
27 provide for an additional administration of examinations.

28 3. If the Department determines pursuant to subsection 2 that a
29 school must provide for an additional administration of
30 examinations, the Department may consider whether the most recent
31 irregularity in testing administration affected the test scores of a
32 limited number of pupils and require the school to provide an
33 additional administration of examinations pursuant to this section
34 only to those pupils whose test scores were affected by the most
35 recent irregularity.

36 4. The Department shall provide as many notices pursuant to
37 this section during 1 school year as are applicable to the
38 irregularities occurring at a school. A school shall provide for
39 additional administrations of examinations pursuant to this section
40 within 1 school year as applicable to the irregularities occurring at
41 the school.

42 **Sec. 35.** NRS 389.644 is hereby amended to read as follows:

43 389.644 1. The Department shall establish a program of
44 education and training regarding the administration and security of
45 the examinations administered pursuant to NRS 389.015 . ~~and~~



1 ~~389.550.~~ Upon approval of the Department, the board of trustees of
2 a school district or the governing body of a charter school may
3 establish an expanded program of education and training that
4 includes additional education and training if the expanded program
5 complies with the program established by the Department.

6 2. The board of trustees of each school district and the
7 governing body of each charter school shall ensure that:

8 (a) All the teachers and other educational personnel who provide
9 instruction to pupils enrolled in a grade level that is required to be
10 tested pursuant to NRS 389.015 , ~~for 389.550.~~ and all other
11 personnel who are involved with the administration of the
12 examinations that are administered pursuant to NRS 389.015 , ~~for~~
13 ~~389.550.~~ receive, on an annual basis, the program of education and
14 training established by the Department or the expanded program, if
15 applicable; and

16 (b) The training and education is otherwise available for all
17 personnel who are not required to receive the training and education
18 pursuant to paragraph (a).

19 **Sec. 36.** NRS 389.900 is hereby amended to read as follows:

20 389.900 If the Department enters into a contract with a person
21 or entity to score the results of an examination that is administered
22 to pupils pursuant to NRS 389.015 ~~for 389.550~~ and the contract
23 sets forth penalties or sanctions in the event that the person or entity
24 fails to deliver the scored results to a school district or charter
25 school on a timely basis, the Department shall ensure that any such
26 penalties or sanctions are fully enforced.

27 **Sec. 37.** NRS 391.604 is hereby amended to read as follows:

28 391.604 "Examination" means:

29 1. ~~{Achievement and proficiency examinations}~~ *An*
30 *examination* that ~~fare~~ *is* administered ~~{to pupils}~~ pursuant to NRS
31 389.015 ; ~~for 389.550.~~ and

32 2. Any other examinations which measure the achievement and
33 proficiency of pupils and which are administered to pupils on a
34 district-wide basis.

35 **Sec. 38.** NRS 392.129 is hereby amended to read as follows:

36 392.129 1. The board of trustees of a school district located:

37 (a) In a county whose population is 100,000 or more shall
38 establish not less than one school attendance council within the
39 school district.

40 (b) In a county whose population is less than 100,000 may
41 establish a school attendance council within the school district.

42 2. A school attendance council established by the board of
43 trustees must consist of members whose professional
44 responsibilities relate to the prevention of truancy and the
45 enforcement of laws relating to truancy, which may include, without



1 limitation, a person in charge of monitoring attendance within the
2 school district or a school, a representative from an agency which
3 provides child welfare services, a representative from a law
4 enforcement agency and a representative of the district attorney.

5 3. A school attendance council shall:

6 (a) Assist in the implementation of a program to reduce the
7 truancy of pupils adopted by the advisory board to review school
8 attendance pursuant to NRS 392.128.

9 (b) Monitor each incident involving the truancy of a pupil within
10 the school district and document the efforts made by each school
11 and the school district to assist the pupil in attending school.

12 (c) Monitor excessive absences of pupils within the school
13 district and document the efforts made by each school and the
14 school district to assist pupils in attending school.

15 ~~(d) Prepare an annual report which includes a compilation of~~
16 ~~the disposition of incidences involving the truancy of pupils during~~
17 ~~the immediately preceding school year. On or before August 1 of~~
18 ~~each year the report must be submitted to the Department and the~~
19 ~~Legislative Committee on Education. The annual report must not~~
20 ~~disclose the identity of an individual pupil.~~

21 ~~—(e)~~ Receive and retain a report from a family resource center or
22 other provider of community services that assists pupils who are
23 truant. As used in this paragraph, “family resource center” has the
24 meaning ascribed to it in NRS 430A.040.

25 **Sec. 39.** NRS 392.4644 is hereby amended to read as follows:

26 392.4644 1. The principal of each public school shall
27 establish a plan to provide for the progressive discipline of pupils
28 and on-site review of disciplinary decisions. The plan must:

29 (a) Be developed with the input and participation of teachers and
30 other educational personnel and support personnel who are
31 employed at the school, and the parents and guardians of pupils who
32 are enrolled in the school.

33 (b) Be consistent with the written rules of behavior prescribed in
34 accordance with NRS 392.463.

35 (c) Include, without limitation, provisions designed to address
36 the specific disciplinary needs and concerns of the school.

37 (d) Provide for the temporary removal of a pupil from a
38 classroom in accordance with NRS 392.4645.

39 2. On or before October 1 of each year, the principal of each
40 public school shall:

41 (a) Review the plan in consultation with the teachers and other
42 educational personnel and support personnel who are employed at
43 the school;



1 (b) Based upon the review, make revisions to the plan, as
2 recommended by the teachers and other educational personnel and
3 support personnel, if necessary; and

4 (c) Post a copy of the plan or the revised plan, as applicable, in a
5 prominent place at the school for public inspection and otherwise
6 make the plan available for public inspection at the administrative
7 office of the school.

8 ~~3. On or before October 1 of each year, the principal of each
9 public school shall submit a copy of the plan established pursuant to
10 subsection 1 or a revised plan, if applicable, to the superintendent of
11 schools of the school district. On or before November 1 of each
12 year, the superintendent of schools of each school district shall
13 submit a report to the board of trustees of the school district that
14 includes:~~

15 ~~—(a) A compilation of the plans submitted pursuant to this
16 subsection by each school within the school district.~~

17 ~~—(b) The name of each principal, if any, who has not complied
18 with the requirements of this section.~~

19 ~~4. On or before November 30 of each year, the board of
20 trustees of each school district shall submit a written report to the
21 Superintendent of Public Instruction based upon the compilation
22 submitted pursuant to subsection 3 that reports the progress of each
23 school within the district in complying with the requirements of this
24 section.~~

25 ~~5. On or before December 31 of each year, the Superintendent
26 of Public Instruction shall submit a written report to the Director of
27 the Legislative Counsel Bureau concerning the progress of the
28 schools and school districts throughout this state in complying with
29 this section. If the report is submitted during:~~

30 ~~—(a) An even numbered year, the Director of the Legislative
31 Counsel Bureau shall transmit it to the next regular session of the
32 Legislature.~~

33 ~~—(b) An odd numbered year, the Director of the Legislative
34 Counsel Bureau shall transmit it to the Legislative Committee on
35 Education.]~~

36 **Sec. 40.** NRS 392A.110 is hereby amended to read as follows:
37 392A.110 1. At least 70 percent of the teachers employed by
38 a university school for profoundly gifted pupils must be licensed
39 teachers.

40 2. A university school for profoundly gifted pupils shall
41 administer to its pupils the ~~achievement and proficiency]~~
42 examinations required by NRS 389.015. ~~[and 389.550.]~~

43 **Sec. 41.** NRS 386.700, 386.720, 386.725, 386.730, 386.735,
44 386.740, 386.745, 386.750, 386.760, 386.765, 386.780, 389.550,
45 389.560 and 389.570 are hereby repealed.



1 **Sec. 42.** 1. The Department of Education shall:

2 (a) Compile and analyze the information regarding the number
3 of incidents resulting in the suspension or expulsion of a pupil for
4 bullying, cyber-bullying, harassment or intimidation reported by
5 each school to the automated system of accountability information
6 for Nevada established by NRS 386.650. The review and analysis
7 must determine whether the information reported is accurate and
8 reliable.

9 (b) Report the findings made pursuant to paragraph (a) to the
10 Legislative Committee on Education created by NRS 218E.605 on
11 or before the final meeting of the Committee during the 2013-2014
12 interim.

13 2. As used in this section:

14 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

15 (b) "Cyber-bullying" has the meaning ascribed to it in
16 NRS 388.123.

17 (c) "Harassment" has the meaning ascribed to it in
18 NRS 388.125.

19 (d) "Intimidation" has the meaning ascribed to it in
20 NRS 388.129.

21 **Sec. 43.** The assessment of the needs of each school district
22 relating to educational technology that is conducted in the spring
23 semester of 2014 pursuant to subsection 6 of NRS 388.795 by the
24 Commission on Educational Technology created by NRS 388.790
25 must include an assessment of the extent to which each school
26 district has:

27 1. Access to a broadband service;

28 2. Access to an external Internet connection to an Internet
29 service provider; and

30 3. An internal wide-area network connection from the school
31 district to each school in the district and among schools of the
32 district.

33 **Sec. 44.** This act becomes effective on July 1, 2013.

LEADLINES OF REPEALED SECTIONS

386.700 "Empowerment school" defined.

**386.720 Establishment of Program; required percentage of
empowerment schools in certain counties; membership and
duties of school district design team; acceptance of gifts and
grants by school district.**



386.725 Adoption of policies and procedures; school choice for pupils; enrollment of pupils in empowerment school; no duty to provide transportation; procedure for empowerment school to obtain waiver from school district regulations.

386.730 Establishment of empowerment team for school; exception from requirement of empowerment team; development of empowerment plan; participation by charter schools.

386.735 Duties of school empowerment team.

386.740 Requirements of school empowerment plan; request for waiver from certain statutes and regulations; budget for empowerment school and discretion over certain percentage of money.

386.745 Review of empowerment plan for public school or district-sponsored charter school; opportunity to correct deficiencies; term of effectiveness; request for amendment; review of request for waiver from statute or regulation by State Board.

386.750 Review of empowerment plan for State Public Charter School Authority-sponsored and Nevada System of Higher Education-sponsored charter schools; opportunity to correct deficiencies; term of effectiveness; request for amendment; review of request for waiver from statute or regulation by State Board.

386.760 Quarterly report by empowerment school; annual financial audit required; compilation of reports and audits.

386.765 Compliance with state law; exception if waiver granted; acceptance of gifts and grants by empowerment school.

386.780 Regulations.

389.550 Administration of criterion-referenced examinations.

389.560 Reporting of results of examinations; reconciliation of number of pupils taking examinations.

389.570 Council required to review and evaluate results of examinations; report of evaluation.

