

ASSEMBLY BILL NO. 360—ASSEMBLYMEN ANDERSON, BRITTNEY MILLER, CONSIDINE, LA RUE HATCH; COHEN, D’SILVA AND MOSCA

MARCH 21, 2023

Referred to Committee on Education

SUMMARY—Revises provisions governing the grading of pupils. (BDR 34-91)

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

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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; providing that certain teachers have sole authority to determine the grade assigned to a pupil and the components and weights used to calculate such a grade; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the State Board of Education to adopt regulations that
2 provide a uniform grading scale for all public high schools, including, without
3 limitation, a grading scale for dual credit courses, international baccalaureate
4 courses, advanced placement courses and honors courses. (NRS 389.007) **Section 1**
5 of this bill provides that the teacher who provides instruction to a pupil maintains
6 sole discretion over: (1) the assignment of a grade to the pupil; and (2) the
7 determination of any components or weights used in calculating the grade assigned
8 to a pupil. **Section 1** provides that a person or entity, including, without limitation,
9 the State Board of Education, the Department of Education, the board of trustees of
10 a school district, an administrator or a teacher other than the instructor of the
11 course, is prohibited from interfering with the professional judgment of a teacher in
12 assigning a grade to a pupil. **Section 1** further prohibits any such entity from
13 adopting a regulation, policy or directive that interferes with the professional
14 judgment of a teacher in assigning a grade to a pupil. **Section 1** voids any current
15 regulation, policy or directive that interferes with the professional judgment of a
16 teacher in assigning a grade to a pupil. **Sections 2 and 3** of this bill make
17 conforming changes to comply with the provisions of **section 1** governing the
18 discretion of a teacher to determine the components and weights used to calculate
19 the grade assigned to a pupil.



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

1 **Section 1.** NRS 389.007 is hereby amended to read as follows:

2 389.007 1. The State Board shall adopt regulations that
3 prescribe a uniform grading scale for all public high schools,
4 including, without limitation, a uniform grading scale for dual credit
5 courses, international baccalaureate courses, advanced placement
6 courses and honors courses. The regulations adopted pursuant to this
7 section must assign the same weight to dual credit courses and
8 international baccalaureate courses as the weight assigned to
9 advanced placement courses if the dual credit course or international
10 baccalaureate course is a core academic subject designated pursuant
11 to NRS 389.018 or a subject for which an advanced placement
12 course is offered.

13 2. The board of trustees of each school district and the
14 governing body of each charter school that operates as a high school
15 shall comply with the uniform grading scale.

16 3. *Notwithstanding the provisions of subsection 1, it is solely*
17 *in the discretion of the teacher who provides instruction to a pupil*
18 *to determine:*

19 (a) *The grade assigned to the pupil based on the uniform*
20 *grading scale prescribed by the State Board; and*

21 (b) *Any components and weights that are factors in calculating*
22 *the grade assigned to a pupil.*

23 4. *Any person or entity, including, without limitation, the*
24 *State Board, the Department, the board of trustees of a school*
25 *district, an administrator or a teacher other than the instructor of*
26 *the course, shall not interfere with the professional judgment of*
27 *the teacher who provides instruction in carrying out the provisions*
28 *of subsection 3.*

29 5. *A person or entity described in subsection 4 shall not*
30 *prescribe any regulation, policy or other directive that interferes*
31 *with the provisions of subsection 3. Any regulation, policy or other*
32 *directive issued by an entity described in subsection 4 that*
33 *interferes with the provisions of subsection 3 is void and*
34 *unenforceable.*

35 6. *As used in this section, "administrator" means the*
36 *principal, administrator or other person in charge of a public high*
37 *school.*

38 **Sec. 2.** NRS 389.009 is hereby amended to read as follows:

39 389.009 1. A public high school shall administer an
40 examination containing a number of questions, determined by the
41 public high school, which are identical to the questions contained in
42 the civics portion of the naturalization test adopted by the United



1 States Citizenship and Immigration Services of the Department of
2 Homeland Security, to each pupil enrolled in the public high school.

3 2. A public high school shall:

4 (a) Determine the course in which the examination will be
5 administered;

6 (b) Establish the number of questions which will be included on
7 the examination, which must not be less than 50;

8 (c) Determine the desired score on the examination ; ~~and the~~
9 ~~manner in which the results of the examination administered to a~~
10 ~~pupil will affect the grade of the pupil in the course in which the~~
11 ~~examination is administered;~~ and

12 (d) Not later than August 31 of each year, aggregate the results
13 of the examination for all pupils at the public high school and report
14 the aggregated results to the board of trustees of the school district
15 in which the public high school is located.

16 3. Except as otherwise provided in subsection 4, no pupil in
17 any public high school may receive a certificate or diploma of
18 graduation without having taken the examination described in
19 subsection 1.

20 4. A pupil may receive a waiver from the examination
21 administered pursuant to subsection 1 if:

22 (a) The pupil is a pupil with a disability and the waiver is in
23 accordance with his or her individualized education program;

24 (b) The pupil is identified as an English learner and the public
25 high school is unable to offer the examination in the language which
26 would be most likely to provide accurate results for the pupil; or

27 (c) The principal or administrator of the public high school
28 determines that the pupil has completed all other academic
29 requirements to receive a certificate or diploma of graduation and
30 has shown good cause for a waiver. The principal or administrator
31 of a public high school shall not grant a waiver pursuant to this
32 paragraph to more than 10 percent of each graduating class of the
33 public high school.

34 5. On or before December 31 of each year, the board of
35 trustees of each school district shall report the aggregated results of
36 the examination received by the board of trustees of the school
37 district pursuant to subsection 2 to the Department.

38 6. As used in this section, "public high school" includes,
39 without limitation, any charter school that operates as a high school.

40 **Sec. 3.** NRS 390.700 is hereby amended to read as follows:

41 390.700 1. The State Board shall adopt regulations that
42 prescribe the ~~f~~:

43 ~~—(a) Courses~~ **courses** of study for which an end-of-course final
44 must be administered . ~~f; and~~



1 ~~— (b) Amount, expressed as a percentage of the pupil's overall~~
2 ~~grade in the course of study or other weight, that the end of course~~
3 ~~final must comprise when determining the overall grade of a pupil in~~
4 ~~the course for which the end of course final is administered.]~~

5 2. The State Board may adopt regulations that prescribe the
6 minimum score a pupil must attain on an end-of-course final to
7 receive credit for the course of study for which the end-of-course
8 final is administered.

9 **Sec. 4.** This act becomes effective on July 1, 2023.

