

SENATE BILL NO. 365—SENATOR MCGINNESS

MARCH 21, 2011

Referred to Committee on Education

SUMMARY—Eliminates certain mandates pertaining to school districts and public schools in this State. (BDR 34-184)

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

~

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

AN ACT relating to education; eliminating the requirement for the Superintendent of Public Instruction to prepare a memorandum on newly enacted laws and to disseminate the information to the school districts and charter schools; eliminating certain requirements imposed by statute on school districts and public schools in this State; eliminating the requirement for school districts, public schools and private schools to develop crisis response plans; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Superintendent of Public Instruction is required to
2 prepare a memorandum that includes a description of each statute newly enacted by
3 the Legislature and other bills pertaining to public education. (NRS 385.210) The
4 board of trustees of each school district and the governing body of each charter
5 school is required to disseminate the information received from the Superintendent
6 to the parents and legal guardians of pupils and prepare a plan for implementation
7 of the statutes and bills. (NRS 386.360, 386.552) This bill repeals these statutory
8 requirements.

9 Under existing federal law, a school which is served under Title I and which is
10 identified as needing improvement pursuant to the federal law is required to
11 develop and implement a school improvement plan. (20 U.S.C. § 6316(b)(3)) Also
12 under existing federal law, a school district which is served under Title I and which
13 is identified as needing improvement pursuant to the federal law is required to
14 develop and implement a plan for improvement for the school district. (20 U.S.C. §
15 6316(c)(7)) Under existing state law, the board of trustees of each school district is
16 required to prepare a plan to improve the achievement of pupils enrolled in the
17 school district, and each principal of a public school is required to prepare a plan to



* S B 3 6 5 *

18 improve the achievement of pupils enrolled in the school. (NRS 385.348, 385.357)
19 This bill repeals these state statutory requirements.

20 Under existing law, school districts and public schools in this State are required
21 to develop and adopt plans, policies and procedures including: (1) the development
22 of academic plans for certain pupils enrolled in middle school or junior high school
23 and high school (NRS 388.165, 388.205); (2) the creation of small learning
24 communities for certain pupils enrolled in middle school or junior high school and
25 high school (NRS 388.171, 388.215); (3) the adoption of policies for peer
26 mentoring (NRS 388.176, 388.221); (4) reporting on the use of physical and
27 mechanical restraint (NRS 388.5317); (5) the creation of advisory boards to review
28 school attendance as an alternative to reporting the truancy of pupils to law
29 enforcement (NRS 392.126-392.149); and (6) the temporary alternative placement
30 of certain pupils with disciplinary issues. (NRS 392.4642-392.4648) This bill
31 repeals these statutory requirements and other statutory mandates imposed on
32 school districts and public schools.

33 Under existing law, school districts, public schools and private schools are
34 required to develop policies to respond to a crisis and to establish committees to
35 develop those policies. (NRS 392.600-392.656, 394.168-394.1699) This bill repeals
36 the statutory requirements for crisis response plans and committees pertaining to
37 school districts, public schools and private schools.

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.



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

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

7 (f) The most recent 3-year trend in the achievement of pupils in
8 each subject area tested and each grade level tested pursuant to NRS
9 389.015 and 389.550, reported for each school district, including,
10 without limitation, each charter school in the district, and for this
11 State as a whole, which may include information regarding the trend
12 in the achievement of pupils for more than 3 years, if such
13 information is available.

14 (g) Information on whether each school district has made
15 adequate yearly progress, including, without limitation, the name of
16 each school district, if any, designated as demonstrating need for
17 improvement pursuant to NRS 385.377 and the number of
18 consecutive years that the school district has carried that
19 designation.

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

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

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

29 (i) Information on the results of pupils who participated in the
30 examinations of the National Assessment of Educational Progress
31 required pursuant to NRS 389.012.

32 (j) The ratio of pupils to teachers in kindergarten and at each
33 grade level for all elementary schools, reported for each school
34 district, including, without limitation, each charter school in the
35 district, and for this State as a whole, and the average class size for
36 each core academic subject, as set forth in NRS 389.018, for each
37 secondary school, reported for each school district and for this State
38 as a whole.

39 (k) For each school district, including, without limitation, each
40 charter school in the district, and for this State as a whole,
41 information on the professional qualifications of teachers employed
42 by the school districts and charter schools, including, without
43 limitation:

44 (1) The percentage of teachers who are:

45 (I) Providing instruction pursuant to NRS 391.125;



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

4 (III) Otherwise providing instruction without an
5 endorsement for the subject area in which the teachers are
6 employed;

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

10 (3) The percentage of classes in the core academic subjects,
11 as set forth in NRS 389.018, in this State that are not taught by
12 highly qualified teachers, in the aggregate and disaggregated by
13 high-poverty compared to low-poverty schools, which for the
14 purposes of this subparagraph means schools in the top quartile of
15 poverty and the bottom quartile of poverty in this State;

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

18 (I) On and after July 1, 2005, the number of persons
19 employed as substitute teachers for 20 consecutive days or more in
20 the same classroom or assignment, designated as long-term
21 substitute teachers, including the total number of days long-term
22 substitute teachers were employed at each school, identified by
23 grade level and subject area; and

24 (II) On and after July 1, 2006, the number of persons
25 employed as substitute teachers for less than 20 consecutive days,
26 designated as short-term substitute teachers, including the total
27 number of days short-term substitute teachers were employed at
28 each school, identified by grade level and subject area; and

29 (5) For each elementary school:

30 (I) On and after July 1, 2005, the number of persons
31 employed as substitute teachers for 20 consecutive days or more in
32 the same classroom or assignment, designated as long-term
33 substitute teachers, including the total number of days long-term
34 substitute teachers were employed at each school, identified by
35 grade level; and

36 (II) On and after July 1, 2006, the number of persons
37 employed as substitute teachers for less than 20 consecutive days,
38 designated as short-term substitute teachers, including the total
39 number of days short-term substitute teachers were employed at
40 each school, identified by grade level.

41 (1) The total expenditure per pupil for each school district in this
42 State, including, without limitation, each charter school in the
43 district. If this State has a financial analysis program that is designed
44 to track educational expenditures and revenues to individual
45 schools, the State Board shall use that statewide program in



1 complying with this paragraph. If a statewide program is not
2 available, the State Board shall use the Department's own financial
3 analysis program in complying with this paragraph.

4 (m) The total statewide expenditure per pupil. If this State has a
5 financial analysis program that is designed to track educational
6 expenditures and revenues to individual schools, the State Board
7 shall use that statewide program in complying with this paragraph.
8 If a statewide program is not available, the State Board shall use the
9 Department's own financial analysis program in complying with
10 this paragraph.

11 (n) For all elementary schools, junior high schools and middle
12 schools, the rate of attendance, reported for each school district,
13 including, without limitation, each charter school in the district, and
14 for this State as a whole.

15 (o) The annual rate of pupils who drop out of school in grade 8
16 and a separate reporting of the annual rate of pupils who drop out of
17 school in grades 9 to 12, inclusive, reported for each school district,
18 including, without limitation, each charter school in the district, and
19 for this State as a whole. The reporting for pupils in grades 9 to 12,
20 inclusive, excludes pupils who:

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

23 (2) Are enrolled in courses that are approved by the
24 Department as meeting the requirements for an adult standard
25 diploma.

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

27 (p) The attendance of teachers who provide instruction, reported
28 for each school district, including, without limitation, each charter
29 school in the district, and for this State as a whole.

30 (q) Incidents involving weapons or violence, reported for each
31 school district, including, without limitation, each charter school in
32 the district, and for this State as a whole.

33 (r) Incidents involving the use or possession of alcoholic
34 beverages or controlled substances, reported for each school district,
35 including, without limitation, each charter school in the district, and
36 for this State as a whole.

37 (s) The suspension and expulsion of pupils required or
38 authorized pursuant to NRS 392.466 and 392.467, reported for each
39 school district, including, without limitation, each charter school in
40 the district, and for this State as a whole.

41 (t) The number of pupils who are deemed habitual disciplinary
42 problems pursuant to NRS 392.4655, reported for each school
43 district, including, without limitation, each charter school in the
44 district, and for this State as a whole.



1 (u) The number of pupils in each grade who are retained in the
2 same grade pursuant to NRS 392.033 or 392.125, reported for each
3 school district, including, without limitation, each charter school in
4 the district, and for this State as a whole.

5 (v) The transiency rate of pupils, reported for each school
6 district, including, without limitation, each charter school in the
7 district, and for this State as a whole. For the purposes of this
8 paragraph, a pupil is not a transient if the pupil is transferred to a
9 different school within the school district as a result of a change in
10 the zone of attendance by the board of trustees of the school district
11 pursuant to NRS 388.040.

12 (w) Each source of funding for this State to be used for the
13 system of public education.

14 (x) A compilation of the programs of remedial study purchased
15 in whole or in part with money received from this State that are used
16 in each school district, including, without limitation, each charter
17 school in the district. The compilation must include:

18 (1) The amount and sources of money received for programs
19 of remedial study.

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

22 (y) The percentage of pupils who graduated from a high school
23 or charter school in the immediately preceding year and enrolled in
24 remedial courses in reading, writing or mathematics at a university,
25 state college or community college within the Nevada System of
26 Higher Education, reported for each school district, including,
27 without limitation, each charter school in the district, and for this
28 State as a whole.

29 (z) The technological facilities and equipment available for
30 educational purposes, reported for each school district, including,
31 without limitation, each charter school in the district, and for this
32 State as a whole.

33 (aa) For each school district, including, without limitation, each
34 charter school in the district, and for this State as a whole, the
35 number and percentage of pupils who received:

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

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

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

40 (2) An adjusted diploma.

41 (3) A certificate of attendance.

42 (bb) For each school district, including, without limitation, each
43 charter school in the district, and for this State as a whole, the
44 number and percentage of pupils who failed to pass the high school
45 proficiency examination.



1 (cc) The number of habitual truants who are reported to a school
2 police officer or local law enforcement agency pursuant to
3 ~~[paragraph (a) of]~~ subsection 2 of NRS 392.144, ~~[and the number of~~
4 ~~habitual truants who are referred to an advisory board to review~~
5 ~~school attendance pursuant to paragraph (b) of subsection 2 of NRS~~
6 ~~392.144.]~~ reported for each school district, including, without
7 limitation, each charter school in the district, and for this State as a
8 whole.

9 (dd) Information on the paraprofessionals employed at public
10 schools in this State, including, without limitation, the charter
11 schools in this State. The information must include:

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

15 (2) For each school district, including, without limitation,
16 each charter school in the district, and for this State as a whole, the
17 number and percentage of all paraprofessionals who do not satisfy
18 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
19 requirements of this subparagraph apply to paraprofessionals who
20 are employed in programs supported with Title I money and to
21 paraprofessionals who are not employed in programs supported with
22 Title I money.

23 (ee) An identification of appropriations made by the Legislature
24 to improve the academic achievement of pupils and programs
25 approved by the Legislature to improve the academic achievement
26 of pupils.

27 (ff) A compilation of the special programs available for pupils at
28 individual schools, listed by school and by school district, including,
29 without limitation, each charter school in the district.

30 (gg) For each school district, including, without limitation, each
31 charter school in the district and for this State as a whole,
32 information on pupils enrolled in career and technical education,
33 including, without limitation:

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

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

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

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

43 (5) The number and percentage of pupils who completed a
44 program of career and technical education and who received a



1 standard high school diploma, an adjusted diploma or a certificate of
2 attendance; and

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

7 2. A separate reporting for a group of pupils must not be made
8 pursuant to this section if the number of pupils in that group is
9 insufficient to yield statistically reliable information or the results
10 would reveal personally identifiable information about an individual
11 pupil. The State Board shall prescribe a mechanism for determining
12 the minimum number of pupils that must be in a group for that
13 group to yield statistically reliable information.

14 3. The annual report of accountability must:

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

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

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

21 4. On or before September 1 of each year, the State Board
22 shall:

23 (a) Provide for public dissemination of the annual report of
24 accountability by posting a copy of the report on the Internet
25 website maintained by the Department; and

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

29 (1) Governor;

30 (2) Committee;

31 (3) Bureau;

32 (4) Board of Regents of the University of Nevada;

33 (5) Board of trustees of each school district; and

34 (6) Governing body of each charter school.

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

39 6. As used in this section:

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

42 (b) "Paraprofessional" has the meaning ascribed to it in
43 NRS 391.008.



1 **Sec. 2.** NRS 385.347 is hereby amended to read as follows:

2 385.347 1. The board of trustees of each school district in
3 this State, in cooperation with associations recognized by the State
4 Board as representing licensed educational personnel in the district,
5 shall adopt a program providing for the accountability of the school
6 district to the residents of the district and to the State Board for the
7 quality of the schools and the educational achievement of the pupils
8 in the district, including, without limitation, pupils enrolled in
9 charter schools in the school district. The board of trustees of each
10 school district shall report the information required by subsection 2
11 for each charter school that is located within the school district,
12 regardless of the sponsor of the charter school. The information for
13 charter schools must be reported separately and must denote the
14 charter schools sponsored by the school district, the charter schools
15 sponsored by the State Board and the charter schools sponsored by a
16 college or university within the Nevada System of Higher
17 Education.

18 2. The board of trustees of each school district shall, on or
19 before August 15 of each year, prepare an annual report of
20 accountability concerning:

21 (a) The educational goals and objectives of the school district.

22 (b) Pupil achievement for each school in the district and the
23 district as a whole, including, without limitation, each charter school
24 in the district. The board of trustees of the district shall base its
25 report on the results of the examinations administered pursuant to
26 NRS 389.015 and 389.550 and shall compare the results of those
27 examinations for the current school year with those of previous
28 school years. The report must include, for each school in the district,
29 including, without limitation, each charter school in the district, and
30 each grade in which the examinations were administered:

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

32 (2) A record of attendance for the period in which the
33 examinations were administered, including an explanation of any
34 difference in the number of pupils who took the examinations and
35 the number of pupils who are enrolled in the school.

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

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

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

43 (III) Pupils with disabilities;

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



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

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

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

7 (6) Except as otherwise provided in this paragraph, the
8 percentage of pupils who were not tested, reported separately by
9 gender and reported separately for the groups identified in
10 subparagraph (3).

11 (7) The most recent 3-year trend in pupil achievement in
12 each subject area tested and each grade level tested pursuant to NRS
13 389.015 and 389.550, which may include information regarding the
14 trend in the achievement of pupils for more than 3 years, if such
15 information is available.

16 (8) Information that compares the results of pupils in the
17 school district, including, without limitation, pupils enrolled in
18 charter schools in the district, with the results of pupils throughout
19 this State. The information required by this subparagraph must be
20 provided in consultation with the Department to ensure the accuracy
21 of the comparison.

22 (9) For each school in the district, including, without
23 limitation, each charter school in the district, information that
24 compares the results of pupils in the school with the results of pupils
25 throughout the school district and throughout this State. The
26 information required by this subparagraph must be provided in
27 consultation with the Department to ensure the accuracy of the
28 comparison.

29 (10) Information on whether each school in the district,
30 including, without limitation, each charter school in the district, has
31 made progress based upon the model adopted by the Department
32 pursuant to NRS 385.3595.

33 ➤ A separate reporting for a group of pupils must not be made
34 pursuant to this paragraph if the number of pupils in that group is
35 insufficient to yield statistically reliable information or the results
36 would reveal personally identifiable information about an individual
37 pupil. The State Board shall prescribe the mechanism for
38 determining the minimum number of pupils that must be in a group
39 for that group to yield statistically reliable information.

40 (c) The ratio of pupils to teachers in kindergarten and at each
41 grade level for each elementary school in the district and the district
42 as a whole, including, without limitation, each charter school in the
43 district, and the average class size for each core academic subject, as
44 set forth in NRS 389.018, for each secondary school in the district



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

3 (d) Information on the professional qualifications of teachers
4 employed by each school in the district and the district as a whole,
5 including, without limitation, each charter school in the district. The
6 information must include, without limitation:

7 (1) The percentage of teachers who are:

8 (I) Providing instruction pursuant to NRS 391.125;

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

12 (III) Otherwise providing instruction without an
13 endorsement for the subject area in which the teachers are
14 employed;

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

18 (3) The percentage of classes in the core academic subjects,
19 as set forth in NRS 389.018, that are not taught by highly qualified
20 teachers, in the aggregate and disaggregated by high-poverty
21 compared to low-poverty schools, which for the purposes of this
22 subparagraph means schools in the top quartile of poverty and the
23 bottom quartile of poverty in this State;

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

26 (I) On and after July 1, 2005, the number of persons
27 employed as substitute teachers for 20 consecutive days or more in
28 the same classroom or assignment, designated as long-term
29 substitute teachers, including the total number of days long-term
30 substitute teachers were employed at each school, identified by
31 grade level and subject area; and

32 (II) On and after July 1, 2006, the number of persons
33 employed as substitute teachers for less than 20 consecutive days,
34 designated as short-term substitute teachers, including the total
35 number of days short-term substitute teachers were employed at
36 each school, identified by grade level and subject area; and

37 (5) For each elementary school:

38 (I) On and after July 1, 2005, the number of persons
39 employed as substitute teachers for 20 consecutive days or more in
40 the same classroom or assignment, designated as long-term
41 substitute teachers, including the total number of days long-term
42 substitute teachers were employed at each school, identified by
43 grade level; and

44 (II) On and after July 1, 2006, the number of persons
45 employed as substitute teachers for less than 20 consecutive days,



1 designated as short-term substitute teachers, including the total
2 number of days short-term substitute teachers were employed at
3 each school, identified by grade level.

4 (e) The total expenditure per pupil for each school in the district
5 and the district as a whole, including, without limitation, each
6 charter school in the district. If this State has a financial analysis
7 program that is designed to track educational expenditures and
8 revenues to individual schools, each school district shall use that
9 statewide program in complying with this paragraph. If a statewide
10 program is not available, each school district shall use its own
11 financial analysis program in complying with this paragraph.

12 (f) The curriculum used by the school district, including:

13 (1) Any special programs for pupils at an individual school;
14 and

15 (2) The curriculum used by each charter school in the
16 district.

17 (g) Records of the attendance and truancy of pupils in all grades,
18 including, without limitation:

19 (1) The average daily attendance of pupils, for each school in
20 the district and the district as a whole, including, without limitation,
21 each charter school in the district.

22 (2) For each elementary school, middle school and junior
23 high school in the district, including, without limitation, each charter
24 school in the district that provides instruction to pupils enrolled in a
25 grade level other than high school, information that compares the
26 attendance of the pupils enrolled in the school with the attendance of
27 pupils throughout the district and throughout this State. The
28 information required by this subparagraph must be provided in
29 consultation with the Department to ensure the accuracy of the
30 comparison.

31 (h) 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, for each such grade, for each
34 school in the district and for the district as a whole. The reporting
35 for pupils in grades 9 to 12, inclusive, excludes pupils who:

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

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

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

42 (i) Records of attendance of teachers who provide instruction,
43 for each school in the district and the district as a whole, including,
44 without limitation, each charter school in the district.



1 (j) Efforts made by the school district and by each school in the
2 district, including, without limitation, each charter school in the
3 district, to increase:

4 (1) Communication with the parents of pupils in the district;
5 and

6 (2) The participation of parents in the educational process
7 and activities relating to the school district and each school,
8 including, without limitation, the existence of parent organizations
9 and school advisory committees.

10 (k) Records of incidents involving weapons or violence for each
11 school in the district, including, without limitation, each charter
12 school in the district.

13 (l) Records of incidents involving the use or possession of
14 alcoholic beverages or controlled substances for each school in the
15 district, including, without limitation, each charter school in the
16 district.

17 (m) Records of the suspension and expulsion of pupils required
18 or authorized pursuant to NRS 392.466 and 392.467.

19 (n) The number of pupils who are deemed habitual disciplinary
20 problems pursuant to NRS 392.4655, for each school in the district
21 and the district as a whole, including, without limitation, each
22 charter school in the district.

23 (o) The number of pupils in each grade who are retained in the
24 same grade pursuant to NRS 392.033 or 392.125, for each school in
25 the district and the district as a whole, including, without limitation,
26 each charter school in the district.

27 (p) The transiency rate of pupils for each school in the district
28 and the district as a whole, including, without limitation, each
29 charter school in the district. For the purposes of this paragraph, a
30 pupil is not transient if the pupil is transferred to a different school
31 within the school district as a result of a change in the zone of
32 attendance by the board of trustees of the school district pursuant to
33 NRS 388.040.

34 (q) Each source of funding for the school district.

35 (r) A compilation of the programs of remedial study that are
36 purchased in whole or in part with money received from this State,
37 for each school in the district and the district as a whole, including,
38 without limitation, each charter school sponsored by the district. The
39 compilation must include:

40 (1) The amount and sources of money received for programs
41 of remedial study for each school in the district and the district as a
42 whole, including, without limitation, each charter school in the
43 district.

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



1 (s) For each high school in the district, including, without
2 limitation, each charter school in the district, the percentage of
3 pupils who graduated from that high school or charter school in the
4 immediately preceding year and enrolled in remedial courses in
5 reading, writing or mathematics at a university, state college or
6 community college within the Nevada System of Higher Education.

7 (t) The technological facilities and equipment available at each
8 school, including, without limitation, each charter school, and the
9 district's plan to incorporate educational technology at each school.

10 (u) For each school in the district and the district as a whole,
11 including, without limitation, each charter school in the district, the
12 number and percentage of pupils who received:

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

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

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

17 (2) An adjusted diploma.

18 (3) A certificate of attendance.

19 (v) For each school in the district and the district as a whole,
20 including, without limitation, each charter school in the district, the
21 number and percentage of pupils who failed to pass the high school
22 proficiency examination.

23 (w) The number of habitual truants who are reported to a school
24 police officer or law enforcement agency pursuant to ~~[paragraph (a)~~
25 ~~of] subsection 2 of NRS 392.144 , ~~[and the number of habitual~~
26 ~~truants who are referred to an advisory board to review school~~
27 ~~attendance pursuant to paragraph (b) of subsection 2 of NRS~~
28 ~~392.144.]~~ for each school in the district and for the district as a
29 whole.~~

30 (x) The amount and sources of money received for the training
31 and professional development of teachers and other educational
32 personnel for each school in the district and for the district as a
33 whole, including, without limitation, each charter school in the
34 district.

35 (y) Whether the school district has made adequate yearly
36 progress. If the school district has been designated as demonstrating
37 need for improvement pursuant to NRS 385.377, the report must
38 include a statement indicating the number of consecutive years the
39 school district has carried that designation.

40 (z) Information on whether each public school in the district,
41 including, without limitation, each charter school in the district, has
42 made adequate yearly progress, including, without limitation:

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



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

5 (aa) Information on the paraprofessionals employed by each
6 public school in the district, including, without limitation, each
7 charter school in the district. The information must include:

8 (1) The number of paraprofessionals employed at the school;
9 and

10 (2) The number and percentage of all paraprofessionals who
11 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
12 reporting requirements of this subparagraph apply to
13 paraprofessionals who are employed in positions supported with
14 Title I money and to paraprofessionals who are not employed in
15 positions supported with Title I money.

16 (bb) For each high school in the district, including, without
17 limitation, each charter school that operates as a high school,
18 information that provides a comparison of the rate of graduation of
19 pupils enrolled in the high school with the rate of graduation of
20 pupils throughout the district and throughout this State. The
21 information required by this paragraph must be provided in
22 consultation with the Department to ensure the accuracy of the
23 comparison.

24 (cc) An identification of the appropriations made by the
25 Legislature that are available to the school district or the schools
26 within the district and programs approved by the Legislature to
27 improve the academic achievement of pupils.

28 (dd) For each school in the district and the district as a whole,
29 including, without limitation, each charter school in the district,
30 information on pupils enrolled in career and technical education,
31 including, without limitation:

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

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

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

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

41 (5) The number and percentage of pupils who completed a
42 program of career and technical education and who received a
43 standard high school diploma, an adjusted diploma or a certificate of
44 attendance; and



1 (6) The number and percentage of pupils who completed a
2 program of career and technical education and who did not receive a
3 high school diploma because the pupils failed to pass the high
4 school proficiency examination.

5 (ee) Such other information as is directed by the Superintendent
6 of Public Instruction.

7 3. The records of attendance maintained by a school for
8 purposes of paragraph (i) of subsection 2 must include the number
9 of teachers who are in attendance at school and the number of
10 teachers who are absent from school. A teacher shall be deemed in
11 attendance if the teacher is excused from being present in the
12 classroom by the school in which the teacher is employed for one of
13 the following reasons:

14 (a) Acquisition of knowledge or skills relating to the
15 professional development of the teacher; or

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

18 4. The annual report of accountability prepared pursuant to
19 subsection 2 must:

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

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

25 5. The Superintendent of Public Instruction shall:

26 (a) Prescribe forms for the reports required pursuant to
27 subsection 2 and provide the forms to the respective school districts.

28 (b) Provide statistical information and technical assistance to the
29 school districts to ensure that the reports provide comparable
30 information with respect to each school in each district and among
31 the districts throughout this State.

32 (c) Consult with a representative of the:

33 (1) Nevada State Education Association;

34 (2) Nevada Association of School Boards;

35 (3) Nevada Association of School Administrators;

36 (4) Nevada Parent Teacher Association;

37 (5) Budget Division of the Department of Administration;

38 and

39 (6) Legislative Counsel Bureau,

40 ↪ concerning the program and consider any advice or
41 recommendations submitted by the representatives with respect to
42 the program.

43 6. The Superintendent of Public Instruction may consult with
44 representatives of parent groups other than the Nevada Parent
45 Teacher Association concerning the program and consider any



1 advice or recommendations submitted by the representatives with
2 respect to the program.

3 ~~7. [On or before August 15 of each year, the board of trustees~~
4 ~~of each school district shall submit to each advisory board to review~~
5 ~~school attendance created in the county pursuant to NRS 392.126~~
6 ~~the information required in paragraph (g) of subsection 2.~~

7 ~~—8.]~~ On or before August 15 of each year, the board of trustees
8 of each school district shall:

9 (a) Provide written notice that the report required pursuant to
10 subsection 2 is available on the Internet website maintained by the
11 school district, if any, or otherwise provide written notice of the
12 availability of the report. The written notice must be provided to the:

- 13 (1) Governor;
- 14 (2) State Board;
- 15 (3) Department;
- 16 (4) Committee; and
- 17 (5) Bureau.

18 (b) Provide for public dissemination of the annual report of
19 accountability prepared pursuant to subsection 2 in the manner set
20 forth in 20 U.S.C. § 6311(h)(2)(E) by posting a copy of the report
21 on the Internet website maintained by the school district, if any. If a
22 school district does not maintain a website, the district shall
23 otherwise provide for public dissemination of the annual report by
24 providing a copy of the report to the schools in the school district,
25 including, without limitation, each charter school in the district, the
26 residents of the district, and the parents and guardians of pupils
27 enrolled in schools in the district, including, without limitation, each
28 charter school in the district.

29 ~~[9.]~~ 8. Upon the request of the Governor, an entity described in
30 paragraph (a) of subsection ~~[8.]~~ 7 or a member of the general public,
31 the board of trustees of a school district shall provide a portion or
32 portions of the report required pursuant to subsection 2.

33 ~~[10.]~~ 9. As used in this section:

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

36 (b) "Paraprofessional" has the meaning ascribed to it in
37 NRS 391.008.

38 **Sec. 3.** NRS 385.359 is hereby amended to read as follows:

39 385.359 1. The Bureau shall contract with a person or entity
40 to:

41 (a) Review and analyze, in accordance with the standards
42 prescribed by the Committee pursuant to subsection 2 of NRS
43 218E.615, the:

- 44 (1) Annual report of accountability prepared by:
 - 45 (I) The State Board pursuant to NRS 385.3469; and



1 (II) The board of trustees of each school district pursuant
2 to NRS 385.347.

3 (2) Plan to improve the achievement of pupils prepared by ~~the~~
4 ~~(I) The~~ *the* State Board pursuant to NRS 385.34691 ~~the~~;

5 ~~(II) The board of trustees of each school district pursuant~~
6 ~~to NRS 385.348; and~~

7 ~~(III) Each school pursuant to NRS 385.357 identified by~~
8 ~~the Bureau for review, if any, or if such a plan has not been~~
9 ~~prepared, the~~, *any* turnaround plan for the schools identified by the

10 Bureau, if any, implemented pursuant to NRS 385.37603 or the plan
11 for restructuring the school implemented pursuant to NRS
12 385.37607, as applicable.

13 (b) Submit a written report to and consult with the State Board
14 and the Department regarding any methods by which the State
15 Board may improve the accuracy of the report of accountability
16 required pursuant to NRS 385.3469 and the plan to improve the
17 achievement of pupils required pursuant to NRS 385.34691, and the
18 purposes for which the report and plan to improve are used.

19 (c) Submit a written report to and consult with each school
20 district regarding any methods by which the district may improve
21 the accuracy of the report required pursuant to subsection 2 of NRS
22 385.347 ~~[and the plan to improve the achievement of pupils required~~
23 ~~pursuant to NRS 385.348,]~~ and the purposes for which the report
24 ~~[and plan to improve are]~~ *is* used.

25 (d) If requested by the Bureau, submit a written report to and
26 consult with individual schools identified by the Bureau regarding
27 any methods by which the school may improve the accuracy of the
28 information required to be reported for the school pursuant to
29 subsection 2 of NRS 385.347 and the:

30 (1) ~~[Plan to improve the achievement of pupils required~~
31 ~~pursuant to NRS 385.357;~~

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

34 ~~(3)]~~ (2) Plan for restructuring the school implemented
35 pursuant to NRS 385.37607,

36 *whichever is applicable for the school.*

37 (e) Submit written reports and any recommendations to the
38 Committee and the Bureau concerning:

39 (1) The effectiveness of the provisions of NRS 385.3455 to
40 385.391, inclusive, in improving the accountability of the schools of
41 this State;

42 (2) The status of each school district that is designated as
43 demonstrating need for improvement pursuant to NRS 385.377 and
44 each school that is designated as demonstrating need for
45 improvement pursuant to NRS 385.3623; and



1 (3) Any other matter related to the accountability of the
2 public schools of this State, as deemed necessary by the Bureau.

3 2. The consultant with whom the Bureau contracts to perform
4 the duties required pursuant to subsection 1 must possess the
5 experience and knowledge necessary to perform those duties, as
6 determined by the Committee.

7 **Sec. 4.** NRS 385.36127 is hereby amended to read as follows:

8 385.36127 1. If a school support team is established pursuant
9 to the regulations adopted by the State Board pursuant to NRS
10 385.361, the support team shall:

11 (a) Review and analyze the operation of the school, including,
12 without limitation, the design and operation of the instructional
13 program of the school.

14 (b) Review and analyze the data pertaining to the school upon
15 which the report required pursuant to subsection 2 of NRS 385.347
16 is based and review and analyze any data that is more recent than
17 the data upon which the report is based.

18 (c) ~~Review the most recent plan to improve the achievement of~~
19 ~~the school's pupils.~~

20 ~~(d)~~ Review the information concerning the educational
21 involvement accords provided to the support team pursuant to NRS
22 392.4575 and the information concerning the reports provided to the
23 support team pursuant to NRS 392.456.

24 ~~(e)~~ (d) Identify and investigate the problems and factors at the
25 school that contributed to the designation of the school as
26 demonstrating need for improvement.

27 ~~(f)~~ (e) Assist the school in developing recommendations for
28 improving the performance of pupils who are enrolled in the school.

29 ~~(g)~~ (f) Except as otherwise provided in this paragraph, make
30 recommendations to the board of trustees of the school district, the
31 State Board and the Department concerning additional assistance for
32 the school in carrying out ~~the plan for improvement of the school,~~
33 the turnaround plan for the school or the plan for restructuring the
34 school, whichever is applicable for the school. For a charter school
35 sponsored by the State Board, the support team shall make the
36 recommendations to the State Board and the Department. For a
37 charter school sponsored by a college or university within the
38 Nevada System of Higher Education, the support team shall make
39 the recommendations to the sponsor, the State Board and the
40 Department.

41 ~~(h)~~ (g) In accordance with its findings pursuant to this section
42 and NRS 385.36129, submit, ~~on or before November 1, written~~
43 ~~revisions to the most recent plan to improve the achievement of the~~
44 ~~school's pupils for approval pursuant to NRS 385.357, or submit,~~
45 on or before May 1, written recommendations for revisions to the



1 turnaround plan for the school implemented pursuant to NRS
2 385.37603 or the plan for restructuring the school implemented
3 pursuant to NRS 385.37607, whichever is applicable for the school.
4 The written revisions or recommendations, as applicable, must:

5 (1) Comply ~~[with NRS 385.357 if the school has~~
6 ~~demonstrated need for improvement for less than 5 years or]~~ with
7 NRS 385.37603 or 385.37607, as applicable, if the school has
8 demonstrated need for improvement for 5 or more consecutive
9 years;

10 (2) If the school is a Title I school, be developed in
11 consultation with parents and guardians of pupils enrolled in the
12 school and, to the extent deemed appropriate by the entity that
13 created the support team, outside experts;

14 (3) Include the data and findings of the support team that
15 provide support for the revisions;

16 (4) Set forth goals, objectives, tasks and measures for the
17 school that are:

18 (I) Designed to improve the achievement of the school's
19 pupils;

20 (II) Specific;

21 (III) Measurable; and

22 (IV) Conducive to reliable evaluation;

23 (5) Set forth a timeline to carry out the revisions;

24 (6) Set forth priorities for the school in carrying out the
25 revisions; and

26 (7) Set forth the name and duties of each person who is
27 responsible for carrying out the revisions.

28 ~~[(i) Except as otherwise provided in this paragraph, work~~
29 ~~cooperatively with the board of trustees of the school district in~~
30 ~~which the school is located, the employees of the school, and the~~
31 ~~parents and guardians of pupils enrolled in the school to carry out~~
32 ~~and monitor the plan for improvement of the school. If a charter~~
33 ~~school is sponsored by the State Board, the Department shall assist~~
34 ~~the school with carrying out and monitoring the plan for~~
35 ~~improvement of the school. If a charter school is sponsored by a~~
36 ~~college or university within the Nevada System of Higher~~
37 ~~Education, that institution shall assist the school with carrying out~~
38 ~~and monitoring the plan for improvement of the school.~~

39 ~~—(j)~~ (h) Prepare a quarterly progress report in the format
40 prescribed by the Department and:

41 (1) Submit the progress report to the Department.

42 (2) Distribute copies of the progress report to each employee
43 of the school for review.



1 ~~(k)~~ (i) In addition to the requirements of this section, if the
2 support team is established for a Title I school, carry out the
3 requirements of 20 U.S.C. § 6317(a)(5).

4 2. A school support team may require the school for which the
5 support team was established to submit plans, strategies, tasks and
6 measures that, in the determination of the support team, will assist
7 the school in improving the achievement and proficiency of pupils
8 enrolled in the school.

9 3. The Department shall prescribe a concise quarterly progress
10 report for use by each support team in accordance with paragraph
11 ~~(j)~~ (h) of subsection 1.

12 **Sec. 5.** NRS 385.36129 is hereby amended to read as follows:

13 385.36129 1. In addition to the duties prescribed in NRS
14 385.36127, a support team established for a school shall prepare an
15 annual written report that includes:

16 (a) Information concerning the ~~most recent plan to improve the~~
17 ~~achievement of the school's pupils, the~~ turnaround plan for the
18 school or the plan for restructuring the school, ~~whichever is~~ if
19 applicable for the school, including, without limitation, an
20 evaluation of:

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

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

24 (b) The ~~written revisions to the plan to improve the~~
25 ~~achievement of the school's pupils or~~ written recommendations for
26 revisions to the turnaround plan for the school or the plan for
27 restructuring the school, ~~whichever is~~ if applicable for the school,
28 submitted by the support team pursuant to NRS 385.36127;

29 (c) A summary of each program for remediation, if any,
30 purchased for the school with money that is available from the
31 Federal Government, this state and the school district in which the
32 school is located, including, without limitation:

33 (1) The name of the program;

34 (2) The date on which the program was purchased and the
35 date on which the program was carried out by the school;

36 (3) The percentage of personnel at the school who were
37 trained regarding the use of the program;

38 (4) The satisfaction of the personnel at the school with the
39 program; and

40 (5) An evaluation of whether the program has improved the
41 academic achievement of the pupils enrolled in the school who
42 participated in the program;

43 (d) An analysis of the problems and factors at the school which
44 contributed to the designation of the school as demonstrating need
45 for improvement, including, without limitation, issues relating to:



- 1 (1) The financial resources of the school;
- 2 (2) The administrative and educational personnel of the
- 3 school;
- 4 (3) The curriculum of the school;
- 5 (4) The facilities available at the school, including the
- 6 availability and accessibility of educational technology; and
- 7 (5) Any other factors that the support team believes
- 8 contributed to the designation of the school as demonstrating need
- 9 for improvement; and
- 10 (e) Other information concerning the school, including, without
- 11 limitation:
 - 12 (1) The results of the pupils who are enrolled in the school
 - 13 on the examinations that are administered pursuant to NRS 389.550
 - 14 or the high school proficiency examination, as applicable;
 - 15 (2) Records of the attendance and truancy of pupils who are
 - 16 enrolled in the school;
 - 17 (3) The transiency rate of pupils who are enrolled in the
 - 18 school;
 - 19 (4) A description of the number of years that each teacher
 - 20 has provided instruction at the school and the rate of turnover of
 - 21 teachers and other educational personnel employed at the school;
 - 22 (5) A description of the participation of parents and legal
 - 23 guardians in the educational process and other activities relating to
 - 24 the school;
 - 25 (6) A description of each source of money for the
 - 26 remediation of pupils who are enrolled in the school; and
 - 27 (7) A description of the disciplinary problems of the pupils
 - 28 who are enrolled in the school, including, without limitation, the
 - 29 information contained in paragraphs (k) to (n), inclusive, of
 - 30 subsection 2 of NRS 385.347.

31 2. On or before November 1, the support team shall submit a

32 copy of the final written report to the:

- 33 (a) Principal of the school;
- 34 (b) Board of trustees of the school district in which the school is
- 35 located;
- 36 (c) Superintendent of schools of the school district in which the
- 37 school is located;
- 38 (d) Department; and
- 39 (e) Bureau.

40 ➔ The support team shall make the written report available, upon

41 request, to each parent or legal guardian of a pupil who is enrolled

42 in the school.

43 **Sec. 6.** NRS 385.362 is hereby amended to read as follows:

44 385.362 ~~+~~ If a public school fails to make adequate yearly

45 progress for 1 year:



1 ~~[(a)]~~ 1. Except as otherwise provided in ~~[paragraph (b)]~~
2 **subsection 2**, the board of trustees of the school district in which the
3 school is located shall ensure that the school receives technical
4 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
5 regulations adopted pursuant thereto. For a charter school sponsored
6 by the school district, the board of trustees shall provide the
7 technical assistance to the charter school in conjunction with the
8 governing body of the charter school.

9 ~~[(b)]~~ 2. For a charter school sponsored by the State Board or by
10 a college or university within the Nevada System of Higher
11 Education, the Department shall ensure, in conjunction with the
12 governing body of the charter school, that the school receives
13 technical assistance in the manner set forth in 20 U.S.C. §
14 6316(b)(4) and the regulations adopted pursuant thereto.

15 ~~[2. If a public school fails to make adequate yearly progress for~~
16 ~~1 year, the principal of the school shall ensure that the plan to~~
17 ~~improve the achievement of pupils enrolled in the school is~~
18 ~~reviewed, revised and approved in accordance with NRS 385.357.]~~

19 **Sec. 7.** NRS 385.37603 is hereby amended to read as follows:

20 385.37603 1. If a public school that is not a Title I school is
21 designated as demonstrating need for improvement pursuant to NRS
22 385.3623 for 5 or more consecutive years for failure to make
23 adequate yearly progress:

24 (a) The board of trustees of the school district shall:

25 (1) Except as otherwise provided in subsection 3 of NRS
26 385.37605, ~~[repeal the plan to improve the academic achievement of~~
27 ~~pupils developed pursuant to NRS 385.357 and.]~~ not later than
28 September 30, implement the turnaround plan to improve the
29 academic achievement of pupils enrolled in the school developed
30 pursuant to NRS 385.3745;

31 (2) Provide notice of the designation to the parents and
32 guardians of pupils enrolled in the school on the form prescribed by
33 the Department pursuant to NRS 385.382; and

34 (3) Ensure that the school receives technical assistance in the
35 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
36 adopted pursuant thereto.

37 (b) The State Board shall prescribe by regulation the actions
38 which the Department may take to monitor the implementation of
39 any corrective action at the school.

40 2. If a charter school that is not a Title I school is designated as
41 demonstrating need for improvement pursuant to NRS 385.3623 for
42 5 or more consecutive years for failure to make adequate yearly
43 progress:

44 (a) The governing body of the charter school shall:



1 (1) Except as otherwise provided in subsection 3 of NRS
2 385.37605, ~~repeal the plan to improve the academic achievement of~~
3 ~~pupils developed pursuant to NRS 385.357 and,~~ not later than
4 September 30, implement the turnaround plan to improve the
5 academic achievement of pupils enrolled in the school developed
6 pursuant to NRS 385.3745.

7 (2) Provide notice of the designation to the parents and
8 guardians of pupils enrolled in the charter school on a form
9 prescribed by the Department pursuant to NRS 385.382.

10 (b) For a charter school sponsored by the board of trustees of a
11 school district, the board of trustees shall, in conjunction with the
12 governing body of the charter school, ensure that the charter school
13 receives technical assistance in the manner set forth in 20 U.S.C. §
14 6316(b)(4) and the regulations adopted pursuant thereto.

15 (c) For a charter school sponsored by the State Board or by a
16 college or university within the Nevada System of Higher
17 Education, the Department shall, in conjunction with the governing
18 body of the charter school, ensure that the charter school receives
19 technical assistance in the manner set forth in 20 U.S.C. §
20 6316(b)(4) and the regulations adopted pursuant thereto.

21 (d) The State Board shall prescribe by regulation the actions
22 which the Department may take to monitor the implementation of
23 any corrective action at the charter school.

24 **Sec. 8.** NRS 385.37607 is hereby amended to read as follows:

25 385.37607 1. If a Title I school is designated as
26 demonstrating need for improvement pursuant to NRS 385.3623 for
27 5 or more consecutive years:

28 (a) Except as otherwise provided in paragraph (b), the board of
29 trustees of the school district shall:

30 (1) Except as otherwise provided in subsection 2, ~~repeal the~~
31 ~~plan to improve the academic achievement of pupils developed~~
32 ~~pursuant to NRS 385.357 and,~~ not later than September 30,
33 implement the plan for restructuring the school developed pursuant
34 to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8) and the
35 regulations adopted pursuant thereto;

36 (2) Provide notice of the designation to the parents and
37 guardians of pupils enrolled in the school on the form prescribed by
38 the Department pursuant to NRS 385.382;

39 (3) Ensure that the school receives technical assistance in the
40 manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations
41 adopted pursuant thereto;

42 (4) Provide school choice to the parents and guardians of
43 pupils enrolled in the school in accordance with 20 U.S.C. §
44 6316(b)(1) and the regulations adopted pursuant thereto; and



1 (5) Provide supplemental educational services in accordance
2 with 20 U.S.C. § 6316(e) and the regulations adopted pursuant
3 thereto from a provider approved pursuant to NRS 385.384, unless a
4 waiver is granted pursuant to that provision of federal law.

5 (b) If the school is a charter school:

6 (1) Sponsored by the board of trustees of a school district,
7 the board of trustees shall:

8 (I) Except as otherwise provided in subsection 3, ~~repeal~~
9 ~~the plan to improve the academic achievement of pupils developed~~
10 ~~pursuant to NRS 385.357 and,~~ not later than September 30,
11 implement the plan for restructuring the charter school developed
12 pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)
13 and the regulations adopted pursuant thereto;

14 (II) Provide notice of the designation to the parents and
15 guardians of pupils enrolled in the charter school on the form
16 prescribed by the Department pursuant to NRS 385.382;

17 (III) Ensure that the charter school receives technical
18 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
19 regulations adopted pursuant thereto; and

20 (IV) Provide school choice to the parents and guardians
21 of pupils enrolled in the charter school in accordance with 20 U.S.C.
22 § 6316(b)(1) and the regulations adopted pursuant thereto.

23 (2) Sponsored by the State Board or by a college or
24 university within the Nevada System of Higher Education, the
25 Department shall:

26 (I) Except as otherwise provided in subsection 3, ~~repeal~~
27 ~~the plan to improve the academic achievement of pupils developed~~
28 ~~pursuant to NRS 385.357 and,~~ not later than September 30,
29 implement the plan for restructuring the charter school developed
30 pursuant to NRS 385.3746 if required by 20 U.S.C. § 6316(b)(8)
31 and the regulations adopted pursuant thereto;

32 (II) Provide notice of the designation to the parents and
33 guardians of pupils enrolled in the charter school on the form
34 prescribed by the Department pursuant to NRS 385.382;

35 (III) Ensure that the charter school receives technical
36 assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the
37 regulations adopted pursuant thereto; and

38 (IV) Work cooperatively with the board of trustees of the
39 school district in which the charter school is located to provide
40 school choice to the parents and guardians of pupils enrolled in
41 the school in accordance with 20 U.S.C. § 6316(b)(1) and the
42 regulations adopted pursuant thereto.

43 (3) Regardless of the sponsor, the governing body of the
44 charter school shall provide supplemental educational services in
45 accordance with 20 U.S.C. § 6316(e) and the regulations adopted



1 pursuant thereto from a provider approved pursuant to NRS
2 385.384, unless a waiver is granted pursuant to that provision of
3 federal law.

4 (c) The State Board shall prescribe by regulation the actions
5 which the Department may take to monitor the implementation of
6 any corrective action at the school or charter school.

7 2. The board of trustees of a school district shall grant a delay
8 from the imposition of a plan for restructuring for a school,
9 including, without limitation, the development and implementation
10 of a plan for restructuring, for a period not to exceed 1 year if the
11 school qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D).
12 If the school fails to make adequate yearly progress during the
13 period of delay, the board of trustees shall proceed with a plan for
14 restructuring the school as if the delay never occurred.

15 3. The sponsor of a charter school shall grant a delay from the
16 imposition of a plan for restructuring for a school, including,
17 without limitation, the development and implementation of a plan
18 for restructuring, for a period not to exceed 1 year if the school
19 qualifies for a delay pursuant to 20 U.S.C. § 6316(b)(7)(D). If the
20 charter school fails to make adequate yearly progress during the
21 period of delay, the Department shall proceed with a plan for
22 restructuring the charter school as if the delay never occurred.

23 4. Before the board of trustees of a school district or the
24 Department proceeds with a plan for restructuring, the board of
25 trustees or the Department, as applicable, shall provide to the
26 administrators, teachers and other educational personnel employed
27 at that school, and parents and guardians of pupils enrolled in the
28 school:

29 (a) Notice that the board of trustees or the Department, as
30 applicable, will develop a plan for restructuring the school;

31 (b) An opportunity to comment before the plan to restructure is
32 developed; and

33 (c) An opportunity to participate in the development of the plan
34 to restructure.

35 **Sec. 9.** NRS 385.3785 is hereby amended to read as follows:

36 385.3785 1. The Commission shall:

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

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

42 (2) The ~~plan to improve the achievement of pupils prepared~~
43 ~~by the board of trustees of each school district pursuant to~~
44 ~~NRS 385.348;~~



1 ~~— (3) The plan to improve the achievement of pupils prepared~~
2 ~~by the principal of each school pursuant to NRS 385.357, which~~
3 ~~may include a program of innovation, the~~ turnaround plan for the
4 school implemented pursuant to NRS 385.37603 or the plan for
5 restructuring the school implemented pursuant to NRS 385.37607,
6 ~~[whichever is]~~ if applicable for the school; and

7 ~~[(4)]~~ (3) Any other information that the Commission
8 considers relevant to the development of the program of educational
9 excellence.

10 (b) Identify programs, practices and strategies that have proven
11 effective in improving the academic achievement and proficiency of
12 pupils.

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

31 (d) Prescribe a long-range timeline for the review, approval and
32 evaluation of applications received from public schools and
33 consortiums of public schools that desire to participate in the
34 program.

35 (e) Establish guidelines for the review, evaluation and approval
36 of applications for grants of money from the Account, including,
37 without limitation, consideration of the list of priorities of public
38 schools provided by the Department pursuant to subsection 6. To
39 ensure consistency in the review, evaluation and approval of
40 applications, if the guidelines authorize the review and evaluation of
41 applications by less than the entire membership of the Commission,
42 money must not be allocated from the Account for a grant until the
43 entire membership of the Commission has reviewed and approved
44 the application for the grant.



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

5 (1) The specific levels of achievement expected of schools
6 that participate; and

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

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

15 (h) Allocate money to public schools and consortiums of public
16 schools from the Account. Allocations must be distributed not later
17 than August 15 of each year.

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

23 (1) The achievement of pupils enrolled at each school that
24 received money from the allocation based upon measurable criteria
25 *including, without limitation, if applicable for the school,*
26 *measurable criteria* identified in ~~[, as applicable,]~~ the:

27 (I) ~~[Plan to improve the achievement of pupils for the~~
28 ~~school prepared pursuant to NRS 385.357;~~

29 ~~—(H)]~~ Turnaround plan for the school implemented
30 pursuant to NRS 385.37603; or

31 ~~[(H)]~~ (II) Plan for restructuring the school implemented
32 pursuant to NRS 385.37607;

33 (2) If applicable, the effectiveness of the program of
34 innovation on the achievement of pupils and the overall
35 effectiveness for pupils and staff; *and*

36 (3) ~~[The implementation of the applicable plans for~~
37 ~~improvement, including, without limitation, an analysis of whether~~
38 ~~the school is meeting the measurable objectives identified in the~~
39 ~~plan; and~~

40 ~~—(4)]~~ The attainment of measurable progress on the annual list
41 of adequate yearly progress of school districts and schools.

42 2. To the extent money is available, the Commission shall
43 make allocations of money to public schools and consortiums of
44 public schools for effective programs for grades 7 through 12 that
45 are designed to improve the achievement of pupils and effective



1 programs of innovation for pupils. In making such allocations, the
2 Commission shall comply with the requirements of this section.

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

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

8 (b) Identifies all other sources of money that the public school
9 or consortium of public schools has requested or received for the
10 continuation or establishment of:

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

12 (2) A substantially similar program.

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

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

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

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

24 (c) Does not implement the program for which the money was
25 received, as determined in an audit conducted pursuant to subsection
26 4 of NRS 385.3789 or an evaluation conducted pursuant to
27 subsection 3 of NRS 385.379,

28 ➤ over a 2-year period, the Commission may consider not awarding
29 future allocations of money to that public school or consortium of
30 public schools.

31 6. On or before July 1 of each year, the Department shall
32 provide a list of priorities of public schools that indicates:

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

35 (b) The public schools that are considered Title I eligible by the
36 Department based upon the poverty level of the pupils enrolled in a
37 school in comparison to the poverty level of the pupils in the school
38 district as a whole,

39 ➤ for consideration by the Commission in its development of
40 procedures for the applications.

41 7. A public school, including, without limitation, a charter
42 school, or a consortium of public schools may request assistance
43 from the school district in which the school is located in preparing
44 an application for a grant of money pursuant to this section. A
45 school district shall assist each public school or consortium of



1 public schools that requests assistance pursuant to this subsection to
2 ensure that the application of the school:

3 (a) Is based directly upon, ~~[as applicable,]~~ *if applicable for the*
4 *school,* the:

5 (1) ~~[Plan to improve the achievement of pupils prepared for~~
6 ~~the school pursuant to NRS 385.357;~~

7 ~~—(2)]~~ Turnaround plan for the school implemented pursuant to
8 NRS 385.37603; or

9 ~~[(3)]~~ (2) Plan for restructuring the school implemented
10 pursuant to NRS 385.37607;

11 (b) Is developed in accordance with the criteria established by
12 the Commission; and

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

15 ➔ A school district may make recommendations to the individual
16 schools and consortiums of public schools. Such schools and
17 consortiums of public schools are not required to follow the
18 recommendations of a school district.

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

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

32 10. If a consortium of public schools is formed for the purpose
33 of submitting an application pursuant to this section, the public
34 schools within the consortium do not need to be located within the
35 same school district.

36 **Sec. 10.** NRS 386.360 is hereby amended to read as follows:

37 386.360 1. ~~[Not later than 60 days after receipt of a~~
38 ~~memorandum pursuant to subsection 3 of NRS 385.210 or an~~
39 ~~addendum to a memorandum pursuant to subsection 4 of that~~
40 ~~section, the board of trustees of a school district shall determine~~
41 ~~which statutes and bills described in the memorandum or addendum,~~
42 ~~as applicable, directly affect pupils, parents, teachers, administrators~~
43 ~~or other educational personnel and require a plan for~~
44 ~~implementation. If the board of trustees determines that a statute or~~
45 ~~bill requires a plan for implementation, the board of trustees shall~~



1 ~~prepare a brief plan, which must ensure that the school district and~~
2 ~~the public schools within the school district will comply with the~~
3 ~~statute or bill on the date on which the statute or bill becomes~~
4 ~~effective and thereafter.~~

5 ~~—2. The board of trustees shall provide written notice to the~~
6 ~~parents and legal guardians of pupils who are enrolled in public~~
7 ~~schools within the school district, and to all teachers, administrators~~
8 ~~and other educational personnel who are employed by the board of~~
9 ~~trustees and the governing body of each charter school that is~~
10 ~~located within the school district of the:~~

11 ~~—(a) Information contained in the memorandum provided~~
12 ~~pursuant to subsection 3 of NRS 385.210 or the addendum provided~~
13 ~~pursuant to subsection 4 of that section, as applicable, that directly~~
14 ~~affects pupils, parents, teachers, administrators or other educational~~
15 ~~personnel; and~~

16 ~~—(b) Brief plan for implementation of the statutes or bills, if any.~~

17 ~~—3. The written notice provided pursuant to subsection 2 to the~~
18 ~~parents and legal guardians may be:~~

19 ~~—(a) Included in other notices that the board of trustees provides~~
20 ~~to parents and legal guardians.~~

21 ~~—(b) Provided in a language other than English if the board of~~
22 ~~trustees determines that it is necessary for the parent or legal~~
23 ~~guardian to understand the notice.~~

24 ~~—4.] Each board of trustees may prescribe or enforce rules, not~~
25 ~~inconsistent with law or rules prescribed by the State Board, for its~~
26 ~~own government and the government of public schools under its~~
27 ~~charge.~~

28 ~~[5.] 2. Each board of trustees shall prescribe rules for the~~
29 ~~granting of permission to carry or possess a weapon pursuant to~~
30 ~~NRS 202.265.~~

31 **Sec. 11.** NRS 386.605 is hereby amended to read as follows:

32 386.605 1. On or before July 15 of each year, the governing
33 body of a charter school shall submit the information concerning the
34 charter school that is required pursuant to subsection 2 of NRS
35 385.347 to the board of trustees of the school district in which the
36 charter school is located for inclusion in the report of the school
37 district pursuant to that section. The information must be submitted
38 by the charter school in a format prescribed by the board of trustees.

39 2. The Legislative Bureau of Educational Accountability and
40 Program Evaluation created pursuant to NRS 218E.625 may
41 authorize a person or entity with whom it contracts pursuant to NRS
42 385.359 to review and analyze information submitted by charter
43 schools pursuant to this section and pursuant to NRS ~~[385.357,]~~
44 385.3745 or 385.3746, ~~[whichever is]~~ *if* applicable for the school,



1 consult with the governing bodies of charter schools and submit
2 written reports concerning charter schools pursuant to NRS 385.359.

3 **Sec. 12.** NRS 388.139 is hereby amended to read as follows:

4 388.139 Each school district shall include the text of the
5 provisions of NRS 388.122 to 388.135, inclusive, ~~and the policies~~
6 ~~adopted by the board of trustees of the school district pursuant to~~
7 ~~NRS 388.134~~ under the heading “Bullying, Cyber-Bullying,
8 Harassment and Intimidation Is Prohibited in Public Schools,”
9 within each copy of the rules of behavior for pupils that the school
10 district provides to pupils pursuant to NRS 392.463.

11 **Sec. 13.** NRS 388.440 is hereby amended to read as follows:

12 388.440 As used in NRS 388.440 to ~~388.5317,~~ **388.5315,**
13 inclusive:

14 1. “Gifted and talented pupil” means a person under the age of
15 18 years who demonstrates such outstanding academic skills or
16 aptitudes that the person cannot progress effectively in a regular
17 school program and therefore needs special instruction or special
18 services.

19 2. “Pupil who receives early intervening services” means a
20 person enrolled in kindergarten or grades 1 to 12, inclusive, who is
21 not a pupil with a disability but who needs additional academic and
22 behavioral support to succeed in a regular school program.

23 3. “Pupil with a disability” means a person under the age of 22
24 years who deviates either educationally, physically, socially or
25 emotionally so markedly from normal patterns that the person
26 cannot progress effectively in a regular school program and
27 therefore needs special instruction or special services.

28 **Sec. 14.** NRS 388.492 is hereby amended to read as follows:

29 388.492 1. Except as otherwise provided in this section and
30 NRS 388.493, any right accorded to a parent of a pupil with a
31 disability pursuant to the Individuals with Disabilities Education
32 Act, 20 U.S.C. §§ 1400 et seq., or the regulations adopted pursuant
33 thereto, transfers to the pupil when the pupil attains the age of 18
34 years.

35 2. Not less than 90 days before the date on which a pupil with a
36 disability attains the age of 18 years, the school district or charter
37 school in which the pupil is enrolled shall provide notice to the:

38 (a) Parent of the transfer of the parent’s rights pursuant to
39 subsection 1 and of the process for submission of an application to
40 the school district or charter school pursuant to NRS 388.493.

41 (b) Pupil concerning the transfer of rights to the pupil.

42 3. If a pupil with a disability attains the age of 18 years and the
43 pupil is enrolled in a program of special education pursuant to NRS
44 388.440 to ~~388.5317,~~ **388.5315,** inclusive, the school district or
45 charter school in which the pupil is enrolled shall provide any notice



1 required pursuant to the Individuals with Disabilities Education Act,
2 20 U.S.C. §§ 1400 et seq., and the regulations adopted pursuant
3 thereto, or NRS 388.440 to ~~388.5317,~~ 388.5315, inclusive, and the
4 regulations adopted pursuant thereto, to the:

5 (a) Parent; and

6 (b) Pupil with a disability,

7 ↪ regardless of whether the parent is appointed to represent the
8 educational interests of the pupil pursuant to NRS 388.493 or the
9 rights transfer to the pupil pursuant to subsection 1.

10 4. If a court of competent jurisdiction adjudicates a pupil with a
11 disability incompetent and appoints a guardian for the pupil, all
12 rights pursuant to the Individuals with Disabilities Education Act,
13 20 U.S.C. §§ 1400 et seq., and the regulations adopted pursuant
14 thereto, remain with or otherwise transfer to the guardian.

15 **Sec. 15.** NRS 388.493 is hereby amended to read as follows:

16 388.493 1. A parent of a pupil with a disability may, at least
17 90 days before the pupil attains 18 years of age, submit an
18 application to the school district or the charter school in which the
19 pupil is enrolled to appoint the parent to represent the educational
20 interests of the pupil if:

21 (a) The parent believes that the pupil does not have the ability to
22 provide informed consent with respect to the pupil's own
23 educational program; and

24 (b) The status of the pupil is such, as determined in accordance
25 with the regulations adopted pursuant to subsection 5, that the parent
26 is authorized to submit such an application.

27 2. The application must be submitted on a concise form
28 prescribed by the Department. The application:

29 (a) Must not be unduly burdensome on the parent to fill out; and

30 (b) Must not require the pupil to sign the application or
31 otherwise require the pupil to grant permission for the parent to
32 represent the pupil's educational interests.

33 3. If the school district or charter school grants an application,
34 the parent shall continue to represent the educational interests of the
35 pupil until:

36 (a) The pupil receives a standard high school diploma or an
37 adjusted diploma;

38 (b) The pupil is no longer enrolled in a program of special
39 education pursuant to NRS 388.440 to ~~388.5317,~~ 388.5315,
40 inclusive; or

41 (c) The parent elects to transfer the right to represent educational
42 interests to the pupil.

43 4. A parent or a pupil may appeal a determination made
44 pursuant to this section in accordance with the procedure used by
45 the Department for administrative complaints.



1 5. The State Board shall adopt regulations to carry out this
2 section and NRS 388.492, including, without limitation, the
3 establishment of criteria for determining whether the status of a
4 pupil with a disability is such that his or her parent is authorized to
5 submit an application to represent the educational interests of the
6 pupil pursuant to this section.

7 **Sec. 16.** NRS 388.521 is hereby amended to read as follows:

8 388.521 As used in NRS 388.521 to ~~388.5317,~~ **388.5315**,
9 inclusive, unless the context otherwise requires, the words and terms
10 defined in NRS 388.5215 to 388.526, inclusive, have the meanings
11 ascribed to them in those sections.

12 **Sec. 17.** NRS 388.5285 is hereby amended to read as follows:

13 388.5285 1. The Department shall develop a model program
14 of education for use by the school districts to train the members of
15 the staff of the schools within the school districts who are identified
16 in the individualized education programs of pupils with disabilities
17 to provide services to those pupils. The model program of education
18 must provide instruction in positive behavioral interventions and
19 positive behavioral supports that:

20 (a) Includes positive methods to modify the environment of
21 pupils with disabilities to promote adaptive behavior and reduce the
22 occurrence of inappropriate behavior;

23 (b) Includes methods to teach skills to pupils with disabilities so
24 that the pupils can replace inappropriate behavior with adaptive
25 behavior;

26 (c) Includes methods to enhance the independence and quality of
27 life for pupils with disabilities;

28 (d) Includes the use of the least intrusive methods to respond to
29 and reinforce the behavior of pupils with disabilities; and

30 (e) Offers a process for designing interventions based upon the
31 pupil that are focused on promoting appropriate changes in behavior
32 as well as enhancing the overall quality of life for the pupil.

33 2. The board of trustees of each school district shall provide for
34 appropriate training for the members of the staff of the schools
35 within the school district who are authorized to carry out and
36 monitor physical restraint and mechanical restraint to ensure that
37 those members of the staff are qualified to carry out the procedures
38 in accordance with NRS 388.521 to ~~388.5317,~~ **388.5315**,
39 inclusive.

40 **Sec. 18.** NRS 388.5295 is hereby amended to read as follows:

41 388.5295 1. A school where a violation of NRS 388.521 to
42 ~~388.5317,~~ **388.5315**, inclusive, occurs shall report the violation to
43 the board of trustees of the school district not later than 24 hours
44 after the violation occurred, or as soon thereafter as the violation is
45 discovered.



1 2. The board of trustees of the school district where the
2 violation occurred shall develop, in cooperation with the
3 superintendent of schools of the school district, a corrective plan to
4 ensure that within 30 calendar days after the violation occurred,
5 appropriate action is taken by the school and the board of trustees to
6 prevent future violations.

7 3. The superintendent of schools of the school district shall
8 submit the plan to the Department. The Department shall review the
9 plan to ensure that it complies with applicable federal law and the
10 statutes and regulations of this state. The Department may require
11 appropriate revision of the plan to ensure compliance.

12 4. If the school where the violation occurred does not meet
13 the requirements of the plan to the satisfaction of the Department,
14 the Department may appoint a licensed administrator to oversee the
15 school to ensure that the school meets the requirements of the plan.
16 An administrator serves at the pleasure of the Superintendent of
17 Public Instruction and is entitled to receive such compensation as
18 may be set by the superintendent. A school district that contains a
19 school for which an administrator is appointed pursuant to this
20 subsection shall reimburse the Department for any expenses
21 incurred by the Department pursuant to this subsection.

22 **Sec. 19.** NRS 388.531 is hereby amended to read as follows:

23 388.531 An officer, administrator or employee of a public
24 school shall not retaliate against any person for having:

25 1. Reported a violation of NRS 388.521 to ~~[388.5317,]~~
26 **388.5315**, inclusive; or

27 2. Provided information regarding a violation of NRS 388.521
28 to ~~[388.5317,]~~ **388.5315**, inclusive,

29 by a public school or a member of the staff of the public school.

30 **Sec. 20.** NRS 388.5315 is hereby amended to read as follows:

31 388.5315 1. A denial of rights of a pupil with a disability
32 pursuant to NRS 388.521 to ~~[388.5317,]~~ **388.5315**, inclusive, must
33 be entered in the pupil's cumulative record and a confidential file
34 maintained for that pupil. Notice of the denial must be provided to
35 the board of trustees of the school district or its designee.

36 2. If the board of trustees of a school district or its designee
37 receives notice of a denial of rights pursuant to subsection 1, the
38 board of trustees or its designee shall cause a full report to be
39 prepared which must set forth in detail the factual circumstances
40 surrounding the denial. A copy of the report must be provided to the
41 Department.

42 3. The Department:

43 (a) Shall receive reports made pursuant to subsection 2;

44 (b) May investigate apparent violations of the rights of pupils
45 with disabilities; and



(c) May act to resolve disputes relating to apparent violations.

Sec. 21. NRS 388.850 is hereby amended to read as follows:

388.850 1. A pupil may enroll in a program of distance education only if the pupil satisfies the requirements of any other applicable statute and the pupil:

(a) Is participating in a program for pupils at risk of dropping out of school pursuant to NRS 388.537;

(b) Is participating in a program of independent study pursuant to NRS 389.155;

(c) Is enrolled in a public school that does not offer certain advanced or specialized courses that the pupil desires to attend;

(d) Has a physical or mental condition that would otherwise require an excuse from compulsory attendance pursuant to NRS 392.050;

(e) Would otherwise be excused from compulsory attendance pursuant to NRS 392.080;

(f) Is otherwise prohibited from attending public school pursuant to NRS 392.264, ~~[392.4642 to 392.4648, inclusive,]~~ 392.466, 392.467 or 392.4675;

(g) Is otherwise permitted to enroll in a program of distance education provided by the board of trustees of a school district if the board of trustees determines that the pupil will benefit from the program; or

(h) Is otherwise permitted to enroll in a program of distance education provided by the governing body of a charter school if the governing body of the charter school determines that the pupil will benefit from the program.

2. In addition to the eligibility for enrollment set forth in subsection 1, a pupil must satisfy the qualifications and conditions for enrollment in a program of distance education adopted by the State Board pursuant to NRS 388.874.

3. A child who is exempt from compulsory attendance and is enrolled in a private school pursuant to chapter 394 of NRS or is being homeschooled is not eligible to enroll in or otherwise attend a program of distance education, regardless of whether the child is otherwise eligible for enrollment pursuant to subsection 1.

4. If a pupil who is prohibited from attending public school pursuant to NRS 392.264 enrolls in a program of distance education, the enrollment and attendance of that pupil must comply with all requirements of NRS 62F.100 to 62F.150, inclusive, and 392.251 to 392.271, inclusive.

5. If a pupil is eligible for enrollment in a program of distance education pursuant to paragraph (c) of subsection 1, the pupil may enroll in the program of distance education only to take those



1 advanced or specialized courses that are not offered at the public
2 school he or she otherwise attends.

3 **Sec. 22.** NRS 391.298 is hereby amended to read as follows:

4 391.298 If the board of trustees of a school district or the
5 superintendent of schools of a school district schedules a day or
6 days for the professional development of teachers or administrators
7 employed by the school district:

8 1. The primary focus of that scheduled professional
9 development must be to improve the achievement of the pupils
10 enrolled in the school district. ~~[, as set forth in the:~~

11 ~~—(a) Plan to improve the achievement of pupils enrolled in the~~
12 ~~school district prepared pursuant to NRS 385.348;~~

13 ~~—(b) Plan to improve the achievement of pupils prepared pursuant~~
14 ~~to NRS 385.357;~~

15 ~~—(c) Turnaround plan for the school implemented pursuant to~~
16 ~~NRS 385.37603; or~~

17 ~~—(d) Plan for restructuring the school implemented pursuant to~~
18 ~~NRS 385.37607;~~

19 ~~— as applicable.]~~

20 2. The scheduled professional development must be structured
21 so that teachers attend professional development that is designed for
22 the specific subject areas or grades taught by those teachers.

23 **Sec. 23.** NRS 391.540 is hereby amended to read as follows:

24 391.540 1. The governing body of each regional training
25 program shall:

26 (a) Adopt a training model, taking into consideration other
27 model programs, including, without limitation, the program used by
28 the Geographic Alliance in Nevada.

29 (b) Assess the training needs of teachers and administrators who
30 are employed by the school districts within the primary jurisdiction
31 of the regional training program and adopt priorities of training for
32 the program based upon the assessment of needs. The board of
33 trustees of each such school district may submit recommendations to
34 the appropriate governing body for the types of training that should
35 be offered by the regional training program.

36 (c) In making the assessment required by paragraph (b) ~~[, review~~
37 ~~the plans to improve the achievement of pupils prepared pursuant to~~
38 ~~NRS 385.348 by the school districts within the primary jurisdiction~~
39 ~~of the regional training program]~~ and ~~[,]~~ as deemed necessary by the
40 governing body, review the:

41 (1) ~~[Plans to improve the achievement of pupils prepared~~
42 ~~pursuant to NRS 385.357;~~

43 ~~—(2)]~~ Turnaround plans for schools implemented pursuant to
44 NRS 385.37603; and



1 ~~[(3)]~~ (2) Plans for restructuring schools implemented
2 pursuant to NRS 385.37607,
3 ↪ for individual schools within the primary jurisdiction of the
4 regional training program ~~[-]~~ *which are required to implement a*
5 *turnaround plan or plan for restructuring.*

6 (d) Prepare a 5-year plan for the regional training program,
7 which includes, without limitation:

8 (1) An assessment of the training needs of teachers and
9 administrators who are employed by the school districts within the
10 primary jurisdiction of the regional training program; and

11 (2) Specific details of the training that will be offered by the
12 regional training program for the first 2 years covered by the plan.

13 (e) Review the 5-year plan on an annual basis and make
14 revisions to the plan as are necessary to serve the training needs of
15 teachers and administrators employed by the school districts within
16 the primary jurisdiction of the regional training program.

17 2. The Department, the Nevada System of Higher Education
18 and the board of trustees of a school district may request the
19 governing body of the regional training program that serves the
20 school district to provide training, participate in a program or
21 otherwise perform a service that is in addition to the duties of the
22 regional training program that are set forth in the plan adopted
23 pursuant to this section or otherwise required by statute. An entity
24 may not represent that a regional training program will perform
25 certain duties or otherwise obligate the regional training program as
26 part of an application by that entity for a grant unless the entity has
27 first obtained the written confirmation of the governing body of the
28 regional training program to perform those duties or obligations.
29 The governing body of a regional training program may, but is not
30 required to, grant a request pursuant to this subsection.

31 **Sec. 24.** NRS 392.144 is hereby amended to read as follows:

32 392.144 1. If a pupil has one or more unapproved absences
33 from school, the school in which the pupil is enrolled shall take
34 reasonable actions designed, as applicable, to encourage, enable or
35 convince the pupil to attend school.

36 2. If a pupil is a habitual truant pursuant to NRS 392.140, the
37 principal of the school shall ~~[-]~~:

38 ~~—(a) Report[-]~~ *report* the pupil to a school police officer or to the
39 local law enforcement agency for investigation and issuance of a
40 citation, if warranted, in accordance with NRS 392.149. ~~[-; or~~

41 ~~—(b) If the parent or legal guardian of a pupil has signed a written~~
42 ~~consent pursuant to subsection 4, submit a written referral of the~~
43 ~~pupil to the advisory board to review school attendance in the~~
44 ~~county in accordance with NRS 392.146.~~



~~3. The board of trustees of each school district shall adopt criteria to determine whether the principal of a school shall report a pupil to a school police officer or law enforcement agency pursuant to paragraph (a) of subsection 2 or refer a pupil to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2.~~

~~4. If the principal of a school makes an initial determination to submit a written referral of a pupil to the advisory board to review school attendance, the principal shall notify the parent or legal guardian of the pupil and request the parent or legal guardian to sign a written consent that authorizes the school and, if applicable, the school district to release the records of the pupil to the advisory board to the extent that such release is necessary for the advisory board to carry out its duties pursuant to NRS 392.146 and 392.147. The written consent must comply with the applicable requirements of 20 U.S.C. § 1232g(b) and 34 C.F.R. Part 99. If the parent or legal guardian refuses to sign the consent, the principal shall report the pupil to a school police officer or to a local law enforcement agency pursuant to paragraph (a) of subsection 2.]~~

3. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

Sec. 25. NRS 392.149 is hereby amended to read as follows:

392.149 1. Upon receipt of a report pursuant to NRS 392.144, ~~[or 392.147,]~~ if it appears after investigation that a pupil is a habitual truant, the school police officer or law enforcement agency to whom the report is made shall prepare manually or electronically a citation directing the pupil to appear in the proper juvenile court.

2. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:

(a) The local law enforcement agency;

(b) A school police officer employed by the board of trustees of the school district; or

(c) An attendance officer appointed by the board of trustees of the school district.

3. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.

4. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

Sec. 26. NRS 392.4575 is hereby amended to read as follows:

392.4575 1. The Department shall prescribe a form for educational involvement accords to be used by all public schools in this State. The educational involvement accord must comply with the parental involvement policy:



1 (a) Required by the federal No Child Left Behind Act of 2001,
2 as set forth in 20 U.S.C. § 6318.

3 (b) Adopted by the State Board pursuant to NRS 392.457.

4 2. Each educational involvement accord must include, without
5 limitation:

6 (a) A description of how the parent or legal guardian will be
7 involved in the education of the pupil, including, without limitation:

8 (1) Reading to the pupil, as applicable for the grade or
9 reading level of the pupil;

10 (2) Reviewing and checking the pupil's homework; and

11 (3) Contributing 5 hours of time each school year, including,
12 without limitation, by attending school-related activities, parent-
13 teacher association meetings, parent-teacher conferences,
14 volunteering at the school and chaperoning school-sponsored
15 activities.

16 (b) The responsibilities of a pupil in a public school, including,
17 without limitation:

18 (1) Reading each day before or after school, as applicable for
19 the grade or reading level of the pupil;

20 (2) Using all school equipment and property appropriately
21 and safely;

22 (3) Following the directions of any adult member of the staff
23 of the school;

24 (4) Completing and submitting homework in a timely
25 manner; and

26 (5) Respecting himself or herself, others and all property.

27 (c) The responsibilities of a public school and the
28 administrators, teachers and other personnel employed at a school,
29 including, without limitation:

30 (1) Ensuring that each pupil is provided proper instruction,
31 supervision and interaction;

32 (2) Maximizing the educational and social experience of
33 each pupil;

34 (3) Carrying out the professional responsibility of educators
35 to seek the best interest of each pupil; and

36 (4) Making staff available to the parents and legal guardians
37 of pupils to discuss the concerns of parents and legal guardians
38 regarding the pupils.

39 3. Each educational involvement accord must be accompanied
40 by, without limitation:

41 (a) Information describing how the parent or legal guardian may
42 contact the pupil's teacher and the principal of the school in which
43 the pupil is enrolled;

44 (b) The curriculum of the course or standards for the grade in
45 which the pupil is enrolled, as applicable, including, without



1 limitation, a calendar that indicates the dates of major examinations
2 and the due dates of significant projects, if those dates are known by
3 the teacher at the time that the information is distributed;

4 (c) The homework and grading policies of the pupil's teacher or
5 school;

6 (d) Directions for finding resource materials for the course or
7 grade in which the pupil is enrolled, as applicable;

8 (e) Suggestions for parents and legal guardians to assist pupils in
9 their schoolwork at home;

10 (f) The dates of scheduled conferences between teachers or
11 administrators and the parents or legal guardians of the pupil;

12 (g) The manner in which reports of the pupil's progress will be
13 delivered to the parent or legal guardian and how a parent or legal
14 guardian may request a report of progress;

15 (h) The classroom rules and policies;

16 (i) The dress code of the school, if any;

17 (j) The availability of assistance to parents who have limited
18 proficiency in the English language;

19 (k) Information describing the availability of free and reduced-
20 price meals, including, without limitation, information regarding
21 school breakfast, school lunch and summer meal programs; *and*

22 (l) Opportunities for parents and legal guardians to become
23 involved in the education of their children and to volunteer for the
24 school or class. ~~[-; and~~

25 ~~—(m) The code of honor relating to cheating prescribed pursuant~~
26 ~~to NRS 392.461.]~~

27 4. The board of trustees of each school district shall ~~[adopt a~~
28 ~~policy providing for the development and distribution of the~~
29 ~~educational involvement accord. The policy adopted by a board of~~
30 ~~trustees must]~~ require each classroom teacher to:

31 (a) Distribute the educational involvement accord to the parent
32 or legal guardian of each pupil in the teacher's class at the beginning
33 of each school year or upon a pupil's enrollment in the class, as
34 applicable; and

35 (b) Provide the parent or legal guardian with a reasonable
36 opportunity to sign the educational involvement accord.

37 5. Except as otherwise provided in this subsection, the board of
38 trustees of each school district shall ensure that the form prescribed
39 by the Department is used for the educational involvement accord of
40 each public school in the school district. ~~[The board of trustees of a~~
41 ~~school district may authorize the use of an expanded form that~~
42 ~~contains additions to the form prescribed by the Department if the~~
43 ~~basic information contained in the expanded form complies with the~~
44 ~~form prescribed by the Department.]~~



1 6. The Department ~~[and the board of trustees of each school~~
2 ~~district]~~ shall, at least once each year, review and amend ~~[their~~
3 ~~respective]~~ *the* educational involvement ~~[accords.]~~ *accord.*

4 7. If a school support team is established in accordance with
5 the regulations of the State Board adopted pursuant to NRS 385.361
6 for an elementary school, the principal of the school shall provide to
7 the support team information concerning the distribution of the
8 educational involvement accord and the number of accords which
9 were signed and returned by parents and legal guardians. The
10 information must be provided in an aggregated format and must not
11 disclose the identity of an individual parent, legal guardian or pupil.

12 **Sec. 27.** NRS 392.600 is hereby amended to read as follows:

13 392.600 As used in NRS 392.600 to 392.656, inclusive, unless
14 the context otherwise requires, ~~[the words and terms defined in NRS~~
15 ~~392.604, 392.608 and 392.612 have the meanings ascribed to them~~
16 ~~in those sections.]~~ *“crisis” means a traumatic and sudden event or*
17 *emergency condition that:*

18 1. *Involves violence;*

19 2. *Profoundly and negatively affects or will affect pupils or*
20 *employees of a public school, or both;*

21 3. *Occurs on the property of a public school, at an activity*
22 *sponsored by a public school or on a school bus while the bus is*
23 *engaged in its official duties for a public school; and*

24 4. *May involve serious injury or death.*

25 **Sec. 28.** NRS 392.640 is hereby amended to read as follows:

26 392.640 1. The State Board shall, with assistance from other
27 state agencies, including, without limitation, the Division of
28 Emergency Management, the Investigation Division, and the
29 Nevada Highway Patrol of the Department of Public Safety, develop
30 a plan for the management of a crisis that involves a public school,
31 including, without limitation, a charter school, or a private school
32 and that requires immediate action. The plan must include, without
33 limitation, a procedure for coordinating the resources of local, state
34 and federal agencies, officers and employees, as appropriate. ~~[In~~
35 ~~developing the plan, the State Board shall consider the plans to~~
36 ~~respond to crises developed pursuant to NRS 392.620 and 394.1687~~
37 ~~and updated pursuant to NRS 392.624 and 394.1688.]~~

38 2. The State Board may disseminate to any appropriate local,
39 state or federal agency, officer or employee, as the State Board
40 determines is necessary ~~;~~

41 ~~—(a) The]~~ *the* plan developed by the State Board pursuant to
42 subsection 1. ~~;~~

43 ~~—(b) A plan developed pursuant to NRS 392.620 or updated~~
44 ~~pursuant to NRS 392.624;~~



1 ~~—(c) A plan developed pursuant to NRS 394.1687 or updated~~
2 ~~pursuant to NRS 394.1688; and~~

3 ~~—(d) A deviation approved pursuant to NRS 392.636~~
4 ~~or 394.1692.]~~

5 **Sec. 29.** NRS 392.644 is hereby amended to read as follows:
6 392.644 ~~[1.]~~ The State Board shall adopt regulations setting
7 forth requirements ~~[for:~~

8 ~~—(a) The plan required to be developed pursuant to NRS 392.620;~~
9 ~~and~~

10 ~~—(b) Reviewing and approving a deviation pursuant to~~
11 ~~NRS 392.636.~~

12 ~~—2. The regulations adopted pursuant to this section must~~
13 ~~include, without limitation, requirements]~~ concerning training and
14 practice in procedures for responding to a crisis.

15 **Sec. 30.** NRS 392.648 is hereby amended to read as follows:

16 392.648 1. If a crisis that requires immediate action occurs at
17 a public school, including, without limitation, a charter school, the
18 principal of the school involved, or the principal's designated
19 representative, shall ~~[, in accordance with the plan to respond to a~~
20 ~~crisis developed for the school pursuant to NRS 392.620 and in~~
21 ~~accordance with any deviation approved pursuant to NRS 392.636,]~~
22 contact all appropriate local agencies to respond to the crisis.

23 2. If a local agency that is responsible for responding to a crisis
24 is contacted pursuant to subsection 1 and the local agency
25 determines that the crisis requires assistance from a state agency, the
26 local agency may:

27 (a) If a local organization for emergency management has been
28 established in the city or county in which the local agency that was
29 contacted is located, through such local organization for emergency
30 management, notify the Division of Emergency Management of the
31 Department of Public Safety of the crisis and request assistance
32 from the Division in responding to the crisis; or

33 (b) If a local organization for emergency management has not
34 been established in the city or county in which the local agency that
35 was contacted is located, directly notify the Division of Emergency
36 Management of the Department of Public Safety of the crisis and
37 request assistance from the Division in responding to the crisis.

38 3. If the Division of Emergency Management of the
39 Department of Public Safety receives notification of a crisis and a
40 request for assistance pursuant to subsection 2 and the Governor or
41 the Governor's designated representative determines that the crisis
42 requires assistance from a state agency, the Division shall carry out
43 its duties set forth in the plan developed pursuant to NRS 392.640
44 and its duties set forth in chapter 414 of NRS, including, without
45 limitation, addressing the immediate crisis and coordinating the



1 appropriate and available local, state and federal resources to
2 provide support services and counseling to pupils, teachers, and
3 parents or legal guardians of pupils, and providing support for law
4 enforcement agencies, for as long as is reasonably necessary.

5 **Sec. 31.** NRS 392.652 is hereby amended to read as follows:

6 392.652 ~~[A plan developed pursuant to NRS 392.620 or~~
7 ~~updated pursuant to NRS 392.624, a deviation and any information~~
8 ~~submitted to a development committee pursuant to NRS 392.632, a~~
9 ~~deviation approved pursuant to NRS 392.636 and the]~~ *The* plan
10 developed pursuant to NRS 392.640 ~~[are]~~ *is* confidential and, except
11 as otherwise provided in NRS 239.0115 and 392.600 to 392.656,
12 inclusive, must not be disclosed to any person or government,
13 governmental agency or political subdivision of a government.

14 **Sec. 32.** NRS 392.656 is hereby amended to read as follows:

15 392.656 The provisions of chapter 241 of NRS do not apply to
16 a meeting of ~~[-~~

17 ~~1. A development committee;~~

18 ~~2. A school committee; or~~

19 ~~3. The]~~ *the* State Board if the meeting concerns a regulation
20 adopted pursuant to NRS 392.644 or the plan developed pursuant to
21 NRS 392.640.

22 **Sec. 33.** NRS 394.1696 is hereby amended to read as follows:

23 394.1696 1. If a crisis that requires immediate action occurs
24 at a private school, the principal or other person in charge of the
25 private school involved, or his or her designated representative, shall
26 ~~[, in accordance with the plan to respond to a crisis developed for~~
27 ~~the school pursuant to NRS 394.1687 and in accordance with any~~
28 ~~deviation approved pursuant to NRS 394.1692,]~~ contact all
29 appropriate local agencies to respond to the crisis.

30 2. If a local agency that is responsible for responding to a crisis
31 is contacted pursuant to subsection 1 and the local agency
32 determines that the crisis requires assistance from a state agency, the
33 local agency may:

34 (a) If a local organization for emergency management has been
35 established in the city or county in which the local agency that was
36 contacted is located, through such local organization for emergency
37 management, notify the Division of Emergency Management of the
38 Department of Public Safety of the crisis and request assistance
39 from the Division in responding to the crisis; or

40 (b) If a local organization for emergency management has not
41 been established in the city or county in which the local agency that
42 was contacted is located, directly notify the Division of Emergency
43 Management of the Department of Public Safety of the crisis and
44 request assistance from the Division in responding to the crisis.



1 3. If the Division of Emergency Management of the
2 Department of Public Safety receives notification of a crisis and a
3 request for assistance pursuant to subsection 2 and the Governor or
4 the Governor's designated representative determines that the crisis
5 requires assistance from a state agency, the Division shall carry out
6 its duties set forth in the plan developed pursuant to NRS 392.640
7 and its duties set forth in chapter 414 of NRS, including, without
8 limitation, addressing the immediate crisis and coordinating the
9 appropriate and available local, state and federal resources to
10 provide support services and counseling to pupils, teachers, and
11 parents or legal guardians of pupils, and providing support for law
12 enforcement agencies, for as long as is reasonably necessary.

13 *4. As used in this section, "crisis" means a traumatic and*
14 *sudden event or emergency condition that:*

15 *(a) Involves violence;*

16 *(b) Profoundly and negatively affects or will affect pupils or*
17 *employees of a private school;*

18 *(c) Occurs on the property of a private school, at an activity*
19 *sponsored by a private school or on a school bus while the bus is*
20 *engaged in its official duties for a private school; and*

21 *(d) May involve serious injury or death.*

22 **Sec. 34.** NRS 394.170 is hereby amended to read as follows:

23 394.170 1. The authorities in charge of every private school
24 within this State shall provide drills for the pupils in the schools at
25 least once in each month during the school year to instruct those
26 pupils in the appropriate procedures to be followed in the event of a
27 fire or other emergency . [~~except a crisis governed by NRS~~
28 ~~394.168 to 394.1699, inclusive.~~] Not more than two of those drills
29 may include instruction in the appropriate procedures to be followed
30 in the event of a chemical explosion, related emergencies and other
31 natural disasters.

32 2. In all cities or towns which have regularly organized, paid
33 fire departments or voluntary fire departments, the drills required by
34 subsection 1 must be conducted under the supervision of the chief of
35 the fire department of the city or town.

36 3. The State Fire Marshal shall prescribe general regulations
37 governing the drills required by subsection 1 and shall, with the
38 cooperation of the Superintendent of Public Instruction, arrange for
39 the supervision of drills in schools where the drills are not
40 supervised pursuant to subsection 2.

41 4. A copy of this section must be kept posted in every
42 classroom of every private school by the principal or teacher in
43 charge thereof.



1 5. The principal, teacher or other person in charge of each
2 school building shall cause the provisions of this section to be
3 enforced.

4 6. Any violation of the provisions of this section is a
5 misdemeanor.

6 **Sec. 35.** NRS 233B.039 is hereby amended to read as follows:

7 233B.039 1. The following agencies are entirely exempted
8 from the requirements of this chapter:

9 (a) The Governor.

10 (b) Except as otherwise provided in NRS 209.221, the
11 Department of Corrections.

12 (c) The Nevada System of Higher Education.

13 (d) The Office of the Military.

14 (e) The State Gaming Control Board.

15 (f) Except as otherwise provided in NRS 368A.140, the Nevada
16 Gaming Commission.

17 (g) The Division of Welfare and Supportive Services of the
18 Department of Health and Human Services.

19 (h) Except as otherwise provided in NRS 422.390, the Division
20 of Health Care Financing and Policy of the Department of Health
21 and Human Services.

22 (i) The State Board of Examiners acting pursuant to chapter 217
23 of NRS.

24 (j) Except as otherwise provided in NRS 533.365, the Office of
25 the State Engineer.

26 (k) The Division of Industrial Relations of the Department of
27 Business and Industry acting to enforce the provisions of
28 NRS 618.375.

29 (l) The Administrator of the Division of Industrial Relations of
30 the Department of Business and Industry in establishing and
31 adjusting the schedule of fees and charges for accident benefits
32 pursuant to subsection 2 of NRS 616C.260.

33 (m) The Board to Review Claims in adopting resolutions to
34 carry out its duties pursuant to NRS 590.830.

35 2. Except as otherwise provided in subsection 5 and NRS
36 391.323, the Department of Education, the Board of the Public
37 Employees' Benefits Program and the Commission on Professional
38 Standards in Education are subject to the provisions of this chapter
39 for the purpose of adopting regulations but not with respect to any
40 contested case.

41 3. The special provisions of:

42 (a) Chapter 612 of NRS for the distribution of regulations by
43 and the judicial review of decisions of the Employment Security
44 Division of the Department of Employment, Training and
45 Rehabilitation;



1 (b) Chapters 616A to 617, inclusive, of NRS for the
2 determination of contested claims;

3 (c) Chapter 703 of NRS for the judicial review of decisions of
4 the Public Utilities Commission of Nevada;

5 (d) Chapter 91 of NRS for the judicial review of decisions of the
6 Administrator of the Securities Division of the Office of the
7 Secretary of State; and

8 (e) NRS 90.800 for the use of summary orders in contested
9 cases,

10 ➔ prevail over the general provisions of this chapter.

11 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and
12 233B.126 do not apply to the Department of Health and Human
13 Services in the adjudication of contested cases involving the
14 issuance of letters of approval for health facilities and agencies.

15 5. The provisions of this chapter do not apply to:

16 (a) Any order for immediate action, including, but not limited
17 to, quarantine and the treatment or cleansing of infected or infested
18 animals, objects or premises, made under the authority of the State
19 Board of Agriculture, the State Board of Health, or any other agency
20 of this State in the discharge of a responsibility for the preservation
21 of human or animal health or for insect or pest control;

22 (b) An extraordinary regulation of the State Board of Pharmacy
23 adopted pursuant to NRS 453.2184; or

24 (c) A regulation adopted by the State Board of Education
25 pursuant to NRS 392.644. ~~[or 394.1694.]~~

26 6. The State Board of Parole Commissioners is subject to the
27 provisions of this chapter for the purpose of adopting regulations but
28 not with respect to any contested case.

29 **Sec. 36.** NRS 284.1729 is hereby amended to read as follows:

30 284.1729 1. Except as otherwise provided in this section, a
31 department, division or other agency of this State shall not employ,
32 by contract or otherwise, a person to provide services as a consultant
33 for the agency if:

34 (a) The person is a current employee of an agency of this State;

35 (b) The person is a former employee of an agency of this State
36 and less than 1 year has expired since the termination of the
37 person's employment with the State;

38 (c) Except as otherwise provided in paragraph (d), the term of
39 the contract is for more than 2 years, or is amended or otherwise
40 extended beyond 2 years; or

41 (d) The person is employed by the Department of Transportation
42 for a transportation project that is federally funded and the term of
43 the contract is for more than 4 years, or is amended or otherwise
44 extended beyond 4 years,



1 ↪ unless, before the person is employed by the agency, the Interim
2 Finance Committee approves the employment of the person.

3 2. The provisions of paragraph (b) of subsection 1 apply to
4 employment through a temporary employment service. A temporary
5 employment service providing employees for a state agency shall
6 provide the agency with the names of the employees to be provided
7 to the agency. The Interim Finance Committee shall not approve the
8 employment of a consultant pursuant to paragraph (b) of subsection
9 1 unless the Interim Finance Committee determines that one or more
10 of the following circumstances exist:

11 (a) The person provides services that are not provided by any
12 other employee of the agency or for which a critical labor shortage
13 exists; or

14 (b) A short-term need or unusual economic circumstance exists
15 for the agency to employ the person as a consultant.

16 3. A department, division or other agency of this State may
17 employ a person pursuant to paragraph (a) or (b) of subsection 1
18 without obtaining the approval of the Interim Finance Committee if
19 the term of employment is for less than 4 months and the executive
20 head of the department, division or agency determines that an
21 emergency exists which necessitates the employment. If a
22 department, division or agency employs a person pursuant to this
23 subsection, the department, division or agency shall include in the
24 report to the Interim Finance Committee pursuant to subsection 4 a
25 description of the emergency.

26 4. Except as otherwise provided in subsection 7, a department,
27 division or other agency of this State shall report to the Interim
28 Finance Committee whenever it employs, by contract or otherwise,
29 a person to provide services as a consultant for the agency who is a
30 former employee of a department, division or other agency of this
31 State.

32 5. Except as otherwise provided in subsection 7, a department,
33 division or other agency of this State shall not contract with a
34 temporary employment service unless the contracting process is
35 controlled by rules of open competitive bidding.

36 6. Each board or commission of this State ~~[, each school~~
37 ~~district in this State]~~ and each institution of the Nevada System of
38 Higher Education that employs a consultant shall, at least once
39 every 6 months, submit to the Interim Finance Committee a report
40 setting forth:

41 (a) The number of consultants employed by the board,
42 commission ~~[, school district]~~ or institution;

43 (b) The purpose for which the board, commission ~~[, school~~
44 ~~district]~~ or institution employs each consultant;



1 (c) The amount of money or other remuneration received by
2 each consultant from the board, commission [~~school district~~] or
3 institution; and

4 (d) The length of time each consultant has been employed by the
5 board, commission [~~school district~~] or institution.

6 7. The provisions of subsections 1 to 5, inclusive, do not apply
7 to the:

8 (a) Nevada System of Higher Education or a board or
9 commission of this State.

10 (b) Employment of professional engineers by the Department of
11 Transportation if those engineers are employed for a transportation
12 project that is federally funded.

13 8. For the purposes of this section, "consultant" includes any
14 person employed by a business or other entity that is providing
15 consulting services if the person will be performing or producing the
16 work for which the business or entity is employed.

17 **Sec. 37.** NRS 385.210, 385.348, 385.357, 386.365, 386.370,
18 386.552, 387.613, 388.134, 388.1345, 388.165, 388.171, 388.176,
19 388.181, 388.205, 388.215, 388.221, 388.5317, 389.011, 389.065,
20 390.220, 391.235, 392.018, 392.126, 392.127, 392.128, 392.129,
21 392.141, 392.146, 392.147, 392.461, 392.4635, 392.4637, 392.4642,
22 392.4643, 392.4644, 392.4645, 392.4646, 392.4647, 392.4648,
23 392.604, 392.608, 392.612, 392.616, 392.620, 392.624, 392.628,
24 392.632, 392.636, 393.097, 394.168, 394.1681, 394.1682, 394.1683,
25 394.1685, 394.1687, 394.1688, 394.169, 394.1691, 394.1692,
26 394.1694, 394.1698 and 394.1699 are hereby repealed.

27 **Sec. 38.** This act becomes effective on July 1, 2011.

LEADLINES OF REPEALED SECTIONS

NRS 385.210 Form of school register; dissemination of information regarding statutes and regulations relating to schools; memorandum to school districts and charter schools; preparation and publication of Department bulletin.

NRS 385.348 Plan by school district to improve achievement of pupils: Preparation; contents; submission; annual review.

NRS 385.357 Plan to improve achievement of pupils for individual schools; duties of school support team in preparing plan; annual review; process for submission and approval of plan; timeline for carrying out plan. [Effective July 1, 2010.]



NRS 386.365 Policies and regulations in county whose population is 100,000 or more: Procedure.

NRS 386.370 Reports to Superintendent of Public Instruction.

NRS 386.552 Preparation of plan for implementation of statutes; written notice to parents and teachers concerning statutes and plan for implementation.

NRS 387.613 Review of school districts; recommendations by Legislative Auditor; selection of school districts by Legislature; qualifications and selection of consultant to conduct reviews; monitoring and oversight of consultant; self-assessment by school district required.

NRS 388.134 Adoption of policy by school districts for provision of safe and respectful learning environment; adoption of policy by school districts for ethical, safe and secure use of computers; provision of training to school personnel; annual report of violations. [Effective July 1, 2010.]

NRS 388.1345 Compilation of reports by Superintendent of Public Instruction; submission of written compilation to Attorney General.

NRS 388.165 Development of academic plan required. [Effective July 1, 2011.]

NRS 388.171 Program of small learning communities required in certain schools. [Effective July 1, 2011.]

NRS 388.176 Adoption of policy for peer mentoring. [Effective July 1, 2011.]

NRS 388.181 Adoption of policy for pupil-led conferences. [Effective July 1, 2011.]

NRS 388.205 Development of academic plan required for ninth grade pupils.

NRS 388.215 Program of small learning communities required for ninth grade pupils enrolled in larger schools.

NRS 388.221 Adoption of policy for peer mentoring.

NRS 388.5317 Annual report by school districts on use of restraint and violations; compilation of reports by Department; submission of compilation to Legislature.

NRS 389.011 Administration to pupils who are limited English proficient; State Board required to prescribe modifications and accommodations; administration in language other than English required under certain circumstances; assessment of proficiency in English language.

NRS 389.065 Instruction on acquired immune deficiency syndrome, human reproductive system, related communicable diseases and sexual responsibility.



NRS 390.220 Enforcement by board of trustees of use of prescribed textbooks; exception for charter schools.

NRS 391.235 Program to engage district-level administrators in classroom.

NRS 392.018 Written notice of certain courses, services and educational programs available to pupils within school district; posting at public schools; availability to parents.

NRS 392.126 Creation of advisory board in each county; membership; terms; compensation.

NRS 392.127 Administrative support to advisory boards and school attendance councils.

NRS 392.128 Duties of advisory boards; division into subcommittees; provision of assistance in conjunction with community service providers; use and accounting of available money by advisory board.

NRS 392.129 Establishment of school attendance councils; membership; duties; annual report.

NRS 392.141 Applicability of provisions to pupils.

NRS 392.146 Contents of written referral to advisory board; notice to parents or guardian.

NRS 392.147 Hearing by advisory board; written agreement for participation of pupil in certain programs; reporting of pupil to law enforcement agency under certain circumstances; confidentiality of information.

NRS 392.461 Code of honor relating to cheating; contents; distribution.

NRS 392.4635 Policy for prohibition of activities of criminal gangs on school property.

NRS 392.4637 Policy concerning use and possession of pagers, cellular telephones and other electronic devices.

NRS 392.4642 "Principal" defined.

NRS 392.4643 Actions taken against pupils with disabilities.

NRS 392.4644 Plan for progressive discipline and on-site review of disciplinary decisions; annual review and revision of plan; posting and availability of plan; written reports by superintendent of schools, board of trustees and Superintendent of Public Instruction concerning compliance with section.

NRS 392.4645 Removal of pupil from classroom: Notice; assignment to temporary alternative placement; exceptions.

NRS 392.4646 Removal of pupil from classroom: Conference; recommendation of principal.

NRS 392.4647 Establishment of committee to review temporary alternative placement of pupils.



NRS 392.4648 Powers and duties of committee to review temporary alternative placement of pupils.

NRS 392.604 "Crisis" defined.

NRS 392.608 "Development committee" defined.

NRS 392.612 "School committee" defined.

NRS 392.616 Development committee: Establishment by school districts and charter schools; membership; terms of members.

NRS 392.620 Development committee: Development of plan to be used by schools in responding to crisis; submission of plan to board of trustees or governing body of charter school; compliance with plan required.

NRS 392.624 Annual review and update of plan for responding to crisis; maintenance, posting and distribution of plan; annual training for school employees in responding to crisis; acceptance of gifts and grants.

NRS 392.628 School committee: Establishment; membership; terms of members.

NRS 392.632 School committee: Annual review of plan prepared by development committee; determination whether to request deviation from plan; notice of review.

NRS 392.636 Review by development committee of proposed deviation from plan; notice of approval or denial; submission of copy of approved deviation to board of trustees or governing body.

NRS 393.097 Duty to submit recommendations for financing costs for construction to Legislature; oversight panels required to approve or deny request for issuance of certain bonds.

NRS 394.168 Definitions.

NRS 394.1681 "Crisis" defined.

NRS 394.1682 "Development committee" defined.

NRS 394.1683 "School committee" defined.

NRS 394.1685 Development committee: Establishment by private school; membership; terms of members.

NRS 394.1687 Development committee: Development of plan to be used by private school in responding to crisis; submission of plan to governing body of private school; compliance with plan required of private school.

NRS 394.1688 Annual review and update of plan for responding to crisis; maintenance, posting and distribution of plan; annual training for school employees.

NRS 394.169 School committee: Establishment; membership; terms of members.



NRS 394.1691 School committee: Annual review of plan prepared by development committee; determination whether to request deviation from plan; notice of review.

NRS 394.1692 Review by development committee of proposed deviation from plan; notice of approval or denial; submission of copy of approved deviation to governing body of private school.

NRS 394.1694 Adoption of regulations concerning development of plans in responding to crisis, review of proposed deviations and requirements for training.

NRS 394.1698 Confidentiality of plans, approved deviations and certain other information.

NRS 394.1699 Inapplicability of Open Meeting Law to development committee, school committee and certain meetings of State Board related to crisis response.

Ⓢ



* S B 3 6 5 *

