

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.

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

AN ACT relating to education; eliminating certain requirements imposed by statute on school districts and public schools in this State; revising the requirements for the board of trustees of certain school districts to adopt a pilot program to provide a program of small learning communities in certain middle schools, junior high schools and high schools; extending the effective date for the implementation of academic plans for pupils enrolled in middle school or junior high school; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, the board of trustees of each school district is required to  
2 adopt a policy to engage certain administrators in the classroom. (NRS 391.235)  
3 **Section 21.5** of this bill makes the adoption of such a policy permissive rather than  
4 mandatory.

5 Under existing federal law, a school which is served under Title I and which is  
6 identified as needing improvement pursuant to the federal law is required to  
7 develop and implement a school improvement plan. (20 U.S.C. § 6316(b)(3)) Also  
8 under existing federal law, a school district which is served under Title I and which  
9 is identified as needing improvement pursuant to the federal law is required to  
10 develop and implement a plan for improvement for the school district. (20 U.S.C. §  
11 6316(c)(7)) Under existing state law, the board of trustees of each school district is  
12 required to prepare a plan to improve the achievement of pupils enrolled in the  
13 school district. (NRS 385.348) This bill repeals the state statutory requirement for a  
14 school district to prepare a plan for improvement.

15 Under existing law, certain school districts in this State are required to  
16 adopt a policy providing for the creation of small learning communities for certain  
17 pupils enrolled in middle school or junior high school and high school.



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18 (NRS 388.171, 388.215) **Section 21.3** of this bill requires the board of trustees of  
19 each school district which includes at least one high school with an enrollment of  
20 1,200 pupils or more to adopt a pilot program of small learning communities for  
21 implementation in at least 50 percent of those high schools. **Section 36.3** of this bill  
22 requires the board of trustees of each school district which includes at least one  
23 middle school or junior high school with an enrollment of 500 pupils or more to  
24 adopt a pilot program of small learning communities for pupils in their initial year  
25 of enrollment for implementation in at least 50 percent of those schools. **Sections**  
26 **36.5 and 38** of this bill require both pilot programs to be implemented beginning  
27 with the 2013-2014 school year.

28 Under existing law, effective on July 1, 2011, an academic plan must be  
29 developed for each pupil enrolled in middle school or junior high school in  
30 accordance with a policy adopted by the board of trustees of the school district.  
31 **Section 36.5** of this bill extends the date for adoption of such a policy to January 1,  
32 2013, for implementation beginning with the 2013-2014 school year.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

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

4 385.359 1. The Bureau shall contract with a person or entity  
5 to:

6 (a) Review and analyze, in accordance with the standards  
7 prescribed by the Committee pursuant to subsection 2 of NRS  
8 218E.615, the:

9 (1) Annual report of accountability prepared by:

10 (I) The State Board pursuant to NRS 385.3469; and

11 (II) The board of trustees of each school district pursuant  
12 to NRS 385.347.

13 (2) Plan to improve the achievement of pupils prepared by:

14 (I) The State Board pursuant to NRS 385.34691; *and*

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

17 ~~—(III)—~~ Each school pursuant to NRS 385.357 identified by  
18 the Bureau for review, if any, or if such a plan has not been  
19 prepared, the turnaround plan for the schools identified by the  
20 Bureau, if any, implemented pursuant to NRS 385.37603 or the plan  
21 for restructuring the school implemented pursuant to NRS  
22 385.37607, as applicable.

23 (b) Submit a written report to and consult with the State Board  
24 and the Department regarding any methods by which the State  
25 Board may improve the accuracy of the report of accountability  
26 required pursuant to NRS 385.3469 and the plan to improve the  
27 achievement of pupils required pursuant to NRS 385.34691, and the  
28 purposes for which the report and plan to improve are used.



1 (c) Submit a written report to and consult with each school  
2 district regarding any methods by which the district may improve  
3 the accuracy of the report required pursuant to subsection 2 of NRS  
4 385.347 ~~[and the plan to improve the achievement of pupils required~~  
5 ~~pursuant to NRS 385.348,]~~ and the purposes for which the report  
6 ~~[and plan to improve are]~~ is used.

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

12 (1) Plan to improve the achievement of pupils required  
13 pursuant to NRS 385.357;

14 (2) Turnaround plan for the school implemented pursuant to  
15 NRS 385.37603; or

16 (3) Plan for restructuring the school implemented pursuant to  
17 NRS 385.37607,

18 ➔ whichever is applicable for the school.

19 (e) Submit written reports and any recommendations to the  
20 Committee and the Bureau concerning:

21 (1) The effectiveness of the provisions of NRS 385.3455 to  
22 385.391, inclusive, in improving the accountability of the schools of  
23 this State;

24 (2) The status of each school district that is designated as  
25 demonstrating need for improvement pursuant to NRS 385.377 and  
26 each school that is designated as demonstrating need for  
27 improvement pursuant to NRS 385.3623; and

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

30 2. The consultant with whom the Bureau contracts to perform  
31 the duties required pursuant to subsection 1 must possess the  
32 experience and knowledge necessary to perform those duties, as  
33 determined by the Committee.

34 **Sec. 4.** (Deleted by amendment.)

35 **Sec. 4.5.** (Deleted by amendment.)

36 **Sec. 5.** (Deleted by amendment.)

37 **Sec. 5.5.** (Deleted by amendment.)

38 **Sec. 6.** (Deleted by amendment.)

39 **Sec. 6.5.** (Deleted by amendment.)

40 **Sec. 7.** (Deleted by amendment.)

41 **Sec. 7.5.** (Deleted by amendment.)

42 **Sec. 8.** (Deleted by amendment.)

43 **Sec. 8.5.** (Deleted by amendment.)

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

45 385.3785 1. The Commission shall:



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

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

6 ~~(2) The [plan to improve the achievement of pupils prepared~~  
7 ~~by the board of trustees of each school district pursuant to~~  
8 ~~NRS 385.348;~~

9 ~~— (3) The] plan to improve the achievement of pupils prepared~~  
10 ~~by the principal of each school pursuant to NRS 385.357, which~~  
11 ~~may include a program of innovation, the turnaround plan for the~~  
12 ~~school implemented pursuant to NRS 385.37603 or the plan for~~  
13 ~~restructuring the school implemented pursuant to NRS 385.37607,~~  
14 ~~whichever is applicable for the school; and~~

15 ~~[(4)] (3) Any other information that the Commission~~  
16 ~~considers relevant to the development of the program of educational~~  
17 ~~excellence.~~

18 (b) Identify programs, practices and strategies that have proven  
19 effective in improving the academic achievement and proficiency of  
20 pupils.

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

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

43 (e) Establish guidelines for the review, evaluation and approval  
44 of applications for grants of money from the Account, including,  
45 without limitation, consideration of the list of priorities of public



1 schools provided by the Department pursuant to subsection 6. To  
2 ensure consistency in the review, evaluation and approval of  
3 applications, if the guidelines authorize the review and evaluation of  
4 applications by less than the entire membership of the Commission,  
5 money must not be allocated from the Account for a grant until the  
6 entire membership of the Commission has reviewed and approved  
7 the application for the grant.

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

12 (1) The specific levels of achievement expected of schools  
13 that participate; and

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

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

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

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

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

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

35 (II) Turnaround plan for the school implemented pursuant  
36 to NRS 385.37603; or

37 (III) Plan for restructuring the school implemented  
38 pursuant to NRS 385.37607;

39 (2) If applicable, the effectiveness of the program of  
40 innovation on the achievement of pupils and the overall  
41 effectiveness for pupils and staff;

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



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

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

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

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

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

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

18 (2) A substantially similar program.

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

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

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

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

30 (c) Does not implement the program for which the money was  
31 received, as determined in an audit conducted pursuant to subsection  
32 4 of NRS 385.3789 or an evaluation conducted pursuant to  
33 subsection 3 of NRS 385.379,

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

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

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

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



1   ↳ for consideration by the Commission in its development of  
2 procedures for the applications.

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

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

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

13       (2) Turnaround plan for the school implemented pursuant to  
14 NRS 385.37603; or

15       (3) Plan for restructuring the school implemented pursuant to  
16 NRS 385.37607;

17   (b) Is developed in accordance with the criteria established by  
18 the Commission; and

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

21   ↳ A school district may make recommendations to the individual  
22 schools and consortiums of public schools. Such schools and  
23 consortiums of public schools are not required to follow the  
24 recommendations of a school district.

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

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

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

42   **Sec. 10.** (Deleted by amendment.)

43   **Sec. 11.** (Deleted by amendment.)

44   **Sec. 11.5.** (Deleted by amendment.)

45   **Sec. 12.** (Deleted by amendment.)



- 1     **Sec. 13.** (Deleted by amendment.)
- 2     **Sec. 14.** (Deleted by amendment.)
- 3     **Sec. 15.** (Deleted by amendment.)
- 4     **Sec. 16.** (Deleted by amendment.)
- 5     **Sec. 17.** (Deleted by amendment.)
- 6     **Sec. 18.** (Deleted by amendment.)
- 7     **Sec. 19.** (Deleted by amendment.)
- 8     **Sec. 20.** (Deleted by amendment.)
- 9     **Sec. 21.** (Deleted by amendment.)

10    **Sec. 21.3.** NRS 388.215 is hereby amended to read as follows:  
11        388.215 1. The board of trustees of each school district  
12    which includes at least one high school with an enrollment of 1,200  
13    pupils or more, including pupils enrolled in ninth grade, shall adopt  
14    a ~~[policy for each of those high schools]~~ *pilot program* to provide a  
15    program of small learning communities. The ~~[policy]~~ *pilot program*  
16    *must be implemented in at least 50 percent of the high schools in*  
17    *the school district with an enrollment of 1,200 pupils or more and*  
18    must require:

19        (a) Where practicable, the designation of a separate area  
20    geographically within the high school where the pupils enrolled in  
21    ninth grade attend classes;

22        (b) The collection and maintenance of information relating to  
23    pupils enrolled in ninth grade, including, without limitation, credits  
24    earned, attendance, truancy and indicators that a pupil may be at risk  
25    of dropping out of high school;

26        (c) Based upon the information collected pursuant to paragraph  
27    (b), the timely identification of any special needs of a pupil enrolled  
28    in ninth grade, including, without limitation, any need for programs  
29    of remedial study for a particular subject area and appropriate  
30    counseling;

31        (d) Methods to increase the involvement of parents and legal  
32    guardians of pupils enrolled in ninth grade in the education of their  
33    children; and

34        (e) The assignment of:

- 35            (1) Guidance counselors;
- 36            (2) At least one licensed school administrator; and
- 37            (3) Appropriate adult mentors,

38    ↳ specifically for the pupils enrolled in ninth grade.

39        2. The principal of ~~[each]~~ *a* high school in which 1,200 pupils  
40    or more are enrolled, including pupils enrolled in ninth grade, *and*  
41    *which the board of trustees of the school district has designated to*  
42    *participate in the pilot program adopted pursuant to subsection 1*  
43    shall:





1 (a) Carry out a program of small learning communities in  
2 accordance with the ~~policy prescribed by the board of trustees~~  
3 ~~pursuant to subsection 1;~~ *pilot program*; and

4 (b) Submit an annual report, on a date prescribed by the board of  
5 trustees, that sets forth the specific strategies, programs and methods  
6 that are used to focus on the pupils enrolled in ninth grade at the  
7 school.

8 **Sec. 21.5.** NRS 391.235 is hereby amended to read as follows:

9 391.235 1. The board of trustees of each school district  
10 ~~shall~~ *may* adopt a policy that sets forth procedures and conditions  
11 for a program to engage administrators employed by the school  
12 district at the district level in annual classroom instruction,  
13 observation and other activities in a manner that is appropriate for  
14 the responsibilities, position and duties of the administrators. ~~The~~  
15 *If the board of trustees adopts such a policy, the* policy must  
16 require each administrator employed by the school district at the  
17 district level to:

18 (a) If the administrator holds a license to teach, provide  
19 instruction in a core academic subject in a classroom for at least 1  
20 regularly scheduled full instructional day in each school year; or

21 (b) If the administrator does not hold a license to teach:

22 (1) Personally observe a classroom for at least one-half of a  
23 regularly scheduled full instructional day in each school year; or

24 (2) Otherwise participate in activities with pupils in the  
25 classroom in each school year, including, without limitation, serving  
26 as a guest speaker in the classroom, reading to pupils in elementary  
27 school and participating in career day.

28 2. ~~A~~ *If the board of trustees of a school district adopts a*  
29 *policy pursuant to subsection 1, a* district-level administrator may  
30 choose a school within the school district at which the administrator  
31 will carry out the ~~requirements~~ *provisions* of this section.

32 3. ~~An~~ *If the board of trustees of a school district adopts a*  
33 *policy pursuant to subsection 1, an* administrator who provides  
34 instruction pursuant to paragraph (a) of subsection 1 must be  
35 assigned as a substitute teacher for the full instructional day in  
36 which the administrator carries out the ~~requirements~~ *provisions* of  
37 this section.

38 4. The provisions of this section do not apply to administrators  
39 who are employed by a school district to provide administrative  
40 service at the school level, including, without limitation, a principal  
41 or vice principal.

42 5. As used in this section, “core academic subject” means the  
43 core academic subjects designated pursuant to NRS 389.018.



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

2 391.298 If the board of trustees of a school district or the  
3 superintendent of schools of a school district schedules a day or  
4 days for the professional development of teachers or administrators  
5 employed by the school district:

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

9 (a) ~~[Plan to improve the achievement of pupils enrolled in the~~  
10 ~~school district prepared pursuant to NRS 385.348;~~

11 ~~—(b)]~~ Plan to improve the achievement of pupils prepared  
12 pursuant to NRS 385.357;

13 ~~[(e)]~~ (b) Turnaround plan for the school implemented pursuant  
14 to NRS 385.37603; or

15 ~~[(d)]~~ (c) Plan for restructuring the school implemented pursuant  
16 to NRS 385.37607,

17 ↪ as applicable.

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

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

22 391.540 1. The governing body of each regional training  
23 program shall:

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

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

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

39 (1) Plans to improve the achievement of pupils prepared  
40 pursuant to NRS 385.357;

41 (2) Turnaround plans for schools implemented pursuant to  
42 NRS 385.37603; and

43 (3) Plans for restructuring schools implemented pursuant to  
44 NRS 385.37607,



1   ↳ for individual schools within the primary jurisdiction of the  
2 regional training program.

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

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

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

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

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

28   **Sec. 24.** (Deleted by amendment.)

29   **Sec. 25.** (Deleted by amendment.)

30   **Sec. 26.** (Deleted by amendment.)

31   **Sec. 27.** (Deleted by amendment.)

32   **Sec. 28.** (Deleted by amendment.)

33   **Sec. 29.** (Deleted by amendment.)

34   **Sec. 30.** (Deleted by amendment.)

35   **Sec. 31.** (Deleted by amendment.)

36   **Sec. 32.** (Deleted by amendment.)

37   **Sec. 33.** (Deleted by amendment.)

38   **Sec. 34.** (Deleted by amendment.)

39   **Sec. 35.** (Deleted by amendment.)

40   **Sec. 36.** (Deleted by amendment.)

41   **Sec. 36.3.** Section 3 of chapter 311, Statutes of Nevada 2009,  
42 at page 1332, is hereby amended to read as follows:

43       Sec. 3. 1. The board of trustees of each school district  
44 which includes at least one middle school or junior high  
45 school with an enrollment of 500 pupils or more shall adopt a



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1 ~~[policy for each of those middle schools and junior high~~  
2 ~~schools]~~ ***pilot program*** to provide a program of small  
3 learning communities for pupils enrolled in the grade level at  
4 which those middle schools or junior high schools initially  
5 enroll pupils. The ~~[policy]~~ ***pilot program must be***  
6 ***implemented in at least 50 percent of the middle schools and***  
7 ***junior high schools in the school district with an enrollment***  
8 ***of 500 pupils or more and*** must require:

9 (a) Where practicable, the designation of a separate area  
10 geographically within the middle school or junior high school  
11 where the pupils enrolled in their initial year at the middle  
12 school or junior high school attend classes;

13 (b) The collection and maintenance of information  
14 relating to pupils enrolled in their initial year at the middle  
15 school or junior high school, including, without limitation,  
16 credits earned, attendance, truancy and indicators that a pupil  
17 may be at risk of dropping out of middle school or junior high  
18 school;

19 (c) Based upon the information collected pursuant to  
20 paragraph (b), the timely identification of any special needs  
21 of a pupil enrolled in his initial year at the middle school or  
22 junior high school, including, without limitation, any need for  
23 programs of remedial study for a particular subject area and  
24 appropriate counseling;

25 (d) Methods to increase the involvement of parents and  
26 legal guardians of pupils enrolled in their initial year in a  
27 middle school or junior high school in the education of their  
28 children; and

29 (e) The assignment of:

30 (1) Guidance counselors;

31 (2) At least one licensed school administrator or his  
32 designee; and

33 (3) Appropriate adult mentors,  
34 ↪ specifically for the pupils enrolled in their initial year at  
35 the middle school or junior high school.

36 2. The principal of ~~each~~ ***a*** middle school or junior high  
37 school in which 500 pupils or more are enrolled ***and which***  
38 ***the board of trustees of the school district has designated to***  
39 ***participate in the pilot program adopted pursuant to***  
40 ***subsection 1*** shall:

41 (a) Carry out a program of small learning communities in  
42 accordance with the ~~[policy prescribed by the board of~~  
43 ~~trustees pursuant to subsection 1;]~~ ***pilot program***; and

44 (b) Submit an annual report, on a date prescribed by the  
45 board of trustees, that sets forth the specific strategies,



1 programs and methods which are used to focus on the pupils  
2 enrolled in their initial year at the middle school or junior  
3 high school, including, without limitation, the program of  
4 mentoring provided pursuant to section 5 of this act.

5 **Sec. 36.5.** Section 7 of chapter 311, Statutes of Nevada 2009,  
6 at page 1334, is hereby amended to read as follows:

7 Sec. 7. 1. *The board of trustees of each school*  
8 *district shall adopt the policy required by section 2 of this*  
9 *act not later than January 1, 2013, for implementation*  
10 *beginning with the 2013-2014 School Year. On or before*  
11 *June 1, 2012, the board of trustees of each school district*  
12 *shall provide a report to the Superintendent of Public*  
13 *Instruction on the status of the adoption of the policy*  
14 *required by section 2 of this act, including, without*  
15 *limitation, a plan for the implementation of that policy*  
16 *beginning with the 2013-2014 School Year. On or before*  
17 *July 1, 2012, the Superintendent of Public Instruction shall*  
18 *compile the reports and provide a report of the compilation*  
19 *to the Legislative Committee on Education.*

20 2. *The board of trustees of each school district which*  
21 *includes at least one middle school or junior high school*  
22 *with an enrollment of 500 pupils or more shall adopt the*  
23 *pilot program required by section 3 of this act not later than*  
24 *January 1, 2013, for implementation beginning with the*  
25 *2013-2014 School Year. On or before June 1, 2012, the*  
26 *board of trustees of each such school district shall provide a*  
27 *report to the Superintendent of Public Instruction on the*  
28 *status of the adoption of the pilot program required by*  
29 *section 3 of this act, including, without limitation, a plan for*  
30 *the implementation of the pilot program beginning with the*  
31 *2013-2014 School Year. On or before July 1, 2012,*  
32 *the Superintendent of Public Instruction shall compile the*  
33 *reports and provide a report of the compilation to the*  
34 *Legislative Committee on Education.*

35 3. The board of trustees of each school district shall  
36 adopt the policies required by sections ~~[2, 3]~~ 5 and 6 of this  
37 act not later than January 1, 2011, for implementation  
38 beginning with the 2011-2012 School Year.

39 ~~[2, 3]~~ 4. On or before June 1, 2010, the board of trustees  
40 of each school district shall provide a report to the  
41 Superintendent of Public Instruction on the status of the  
42 adoption of the policies required by sections ~~[2, 3]~~ 5 and 6 of  
43 this act, including, without limitation, a plan for  
44 implementation of those policies beginning with the 2011-  
45 2012 School Year. On or before July 1, 2010, the



1 Superintendent of Public Instruction shall compile the reports  
2 and provide a report of the compilation to the Legislative  
3 Committee on Education.

4 **Sec. 36.7.** Section 8 of chapter 311, Statutes of Nevada 2009,  
5 at page 1334, is hereby amended to read as follows:

6 Sec. 8. 1. This section and section 7 of this act  
7 become effective on July 1, 2009.

8 2. Sections ~~[2 to]~~ 4, 5 and 6 ~~[-, inclusive,]~~ of this act  
9 become effective on July 1, 2009, for the purpose of adopting  
10 the policies required by sections ~~[2, 3,]~~ 5 and 6 of this act and  
11 on July 1, 2011, for all other purposes.

12 *3. Section 2 of this act becomes effective on July 1,*  
13 *2009, for the purpose of adopting the policy required by that*  
14 *section and on July 1, 2013, for all other purposes.*

15 *4. Section 3 of this act becomes effective on July 1,*  
16 *2011, for the purposes of adopting the pilot program*  
17 *required by that section and on July 1, 2013, for all other*  
18 *purposes.*

19 **Sec. 37.** NRS 385.348 is hereby repealed.

20 **Sec. 37.5.** (Deleted by amendment.)

21 **Sec. 38.** 1. This section and section 36.7 of this act become  
22 effective upon passage and approval.

23 2. Sections 1 to 21, inclusive, 21.5 to 36.5, inclusive, and 37 of  
24 this act become effective on July 1, 2011.

25 3. Section 21.3 of this act becomes effective on July 1, 2011,  
26 for the purpose of adopting the pilot program required by that  
27 section and on July 1, 2013, for all other purposes.

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**TEXT OF REPEALED SECTION**

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

385.348 1. The board of trustees of each school district shall, in consultation with the employees of the school district, prepare a plan to improve the achievement of pupils enrolled in the school district, excluding pupils who are enrolled in charter schools located in the school district. If the school district is a Title I school district designated as demonstrating need for improvement pursuant to NRS 385.377, the plan must also be prepared in consultation with parents and guardians of pupils enrolled in the school district and other persons who the board of trustees determines are appropriate.



2. Except as otherwise provided in this subsection, the plan must include the items set forth in 20 U.S.C. § 6316(c)(7) and the regulations adopted pursuant thereto. If a school district has not been designated as demonstrating need for improvement pursuant to NRS 385.377, the board of trustees of the school district is not required to include those items set forth in 20 U.S.C. § 6316(c)(7) and the regulations adopted pursuant thereto that directly relate to the status of a school district as needing improvement.

3. In addition to the requirements of subsection 2, a plan to improve the achievement of pupils enrolled in a school district must include:

(a) A review and analysis of the data upon which the report required pursuant to subsection 2 of NRS 385.347 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

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

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

(d) Strategies to improve the academic achievement of pupils enrolled in the school district, including, without limitation, strategies to:

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

(I) The curriculum appropriate to improve achievement;

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

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

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

(3) Integrate technology into the instructional and administrative programs of the school district;

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed by the school district to include the activities set forth in 20 U.S.C. § 7801(34) and to address the specific needs of the pupils enrolled in the school district, as deemed appropriate by the board of trustees of the school district.



(e) An identification, by category, of the employees of the school district who are responsible for ensuring that each provision of the plan is carried out effectively.

(f) In consultation with the Department, an identification, by category, of the employees of the Department, if any, who are responsible for overseeing and monitoring whether the plan is carried out effectively.

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

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

(i) Strategies to improve the allocation of resources from the school district, by program and by school, in a manner that will improve the academic achievement of pupils. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

(j) Based upon the reallocation of resources set forth in paragraph (i), the resources available to the school district to carry out the plan, including, without limitation, a budget of the overall cost for carrying out the plan.

(k) A summary of the effectiveness of appropriations made by the Legislature that are available to the school district or the schools within the school district to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

(l) An identification of the programs, practices and strategies that are used throughout the school district and by the schools within the school district that have proven successful in improving the achievement and proficiency of pupils, including, without limitation:

(1) An identification of each school that carries out such a program, practice or strategy;

(2) An indication of which programs, practices and strategies are carried out throughout the school district and which programs, practices and strategies are carried out by individual schools;

(3) The extent to which the programs, practices and strategies include methods to improve the achievement and





proficiency of pupils in each group identified in paragraph (b) of subsection 1 of NRS 385.361; and

(4) A description of how the school district disseminates information concerning the successful programs, practices and strategies to all schools within the school district.

4. The board of trustees of each school district shall:

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

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

5. On or before December 15 of each year, the board of trustees of each school district shall submit the plan or the revised plan, as applicable, to the:

- (a) Superintendent of Public Instruction;
- (b) Governor;
- (c) State Board;
- (d) Department;
- (e) Committee; and
- (f) Bureau.







