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ASSEMBLY BILL NO. 224—ASSEMBLYMEN ELLIOT ANDERSON,  
BUSTAMANTE ADAMS; AND DONDERO LOOP

MARCH 8, 2013

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JOINT SPONSORS: SENATORS WOODHOUSE,  
SPEARMAN, PARKS; AND ATKINSON

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Referred to Committee on Education

SUMMARY—Revises provisions governing the collection and maintenance of certain data relating to public education. (BDR 34-269)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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

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AN ACT relating to education; requiring that the automated system of accountability information for Nevada established and maintained by the Department of Education include a unique identifier for each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, or has served as such and was discharged or released on or after September 11, 2001; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires the Department of Education to establish and maintain an  
2 automated system of accountability information for Nevada. In part, existing law  
3 requires that the system have: (1) a system of unique identification of each pupil;  
4 (2) the capacity to track and compare the academic achievement, rate of attendance  
5 and rate of graduation of pupils over time throughout the State; and (3) the capacity  
6 to perform analyses of the results of individual pupils on assessments. (NRS  
7 386.650) This bill requires that the system include a unique identifier for each pupil  
8 whose parent or guardian is a member of the Armed Forces of the United States, a  
9 reserve component thereof or the National Guard, or has served in the Armed  
10 Forces of the United States, a reserve component thereof or the National Guard and  
11 has been discharged or released therefrom on or after September 11, 2001.



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

- 1       **Section 1.** NRS 386.650 is hereby amended to read as follows:  
2       386.650 1. The Department shall establish and maintain an  
3 automated system of accountability information for Nevada. The  
4 system must:
- 5       (a) Have the capacity to provide and report information,  
6 including, without limitation, the results of the achievement of  
7 pupils:
    - 8           (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and  
9 the regulations adopted pursuant thereto, and NRS 385.3469 and  
10 385.347; and
    - 11           (2) In a separate reporting for each group of pupils identified  
12 in paragraph (b) of subsection 1 of NRS 385.361;
  - 13       (b) Include a system of unique identification for each pupil:
    - 14           (1) To ensure that individual pupils may be tracked over time  
15 throughout this State; ~~and~~
    - 16           (2) That, to the extent practicable, may be used for purposes  
17 of identifying a pupil for both the public schools and the Nevada  
18 System of Higher Education, if that pupil enrolls in the System after  
19 graduation from high school; *and*
    - 20           (3) *Which must include, without limitation, a unique*  
21 *identifier for each pupil whose parent or guardian is a member of*  
22 *the Armed Forces of the United States, a reserve component*  
23 *thereof or the National Guard, or has served in the Armed Forces*  
24 *of the United States, a reserve component thereof or the National*  
25 *Guard and has been discharged or released therefrom on or after*  
26 *September 11, 2001;*
  - 27       (c) Have the capacity to provide longitudinal comparisons of the  
28 academic achievement, rate of attendance and rate of graduation of  
29 pupils over time throughout this State;
  - 30       (d) Have the capacity to perform a variety of longitudinal  
31 analyses of the results of individual pupils on assessments,  
32 including, without limitation, the results of pupils by classroom and  
33 by school;
  - 34       (e) Have the capacity to identify which teachers are assigned to  
35 individual pupils;
  - 36       (f) Have the capacity to provide other information concerning  
37 schools and school districts that is not linked to individual pupils,  
38 including, without limitation, the designation of schools and school  
39 districts pursuant to NRS 385.3623 and 385.377, respectively, and  
40 an identification of which schools, if any, are persistently  
41 dangerous;



1 (g) Have the capacity to access financial accountability  
2 information for each public school, including, without limitation,  
3 each charter school, for each school district and for this State as a  
4 whole; and

5 (h) Be designed to improve the ability of the Department, the  
6 sponsors of charter schools, the school districts and the public  
7 schools in this State, including, without limitation, charter schools,  
8 to account for the pupils who are enrolled in the public schools,  
9 including, without limitation, charter schools.

10 ➤ The information maintained pursuant to paragraphs (c), (d) and  
11 (e) must be used for the purpose of improving the achievement of  
12 pupils and improving classroom instruction. The information must  
13 account for at least 50 percent, but must not be used as the sole  
14 criterion, in evaluating the performance of or taking disciplinary  
15 action against an individual teacher or other employee.

16 2. The board of trustees of each school district shall:

17 (a) Adopt and maintain the program prescribed by the  
18 Superintendent of Public Instruction pursuant to subsection 3 for the  
19 collection, maintenance and transfer of data from the records of  
20 individual pupils to the automated system of information, including,  
21 without limitation, the development of plans for the educational  
22 technology which is necessary to adopt and maintain the program;

23 (b) Provide to the Department electronic data concerning pupils  
24 as required by the Superintendent of Public Instruction pursuant to  
25 subsection 3; and

26 (c) Ensure that an electronic record is maintained in accordance  
27 with subsection 3 of NRS 386.655.

28 3. The Superintendent of Public Instruction shall:

29 (a) Prescribe a uniform program throughout this State for the  
30 collection, maintenance and transfer of data that each school district  
31 must adopt, which must include standardized software;

32 (b) Prescribe the data to be collected and reported to the  
33 Department by each school district and each sponsor of a charter  
34 school pursuant to subsection 2 and by each university school for  
35 profoundly gifted pupils;

36 (c) Prescribe the format for the data;

37 (d) Prescribe the date by which each school district shall report  
38 the data to the Department;

39 (e) Prescribe the date by which each charter school shall report  
40 the data to the sponsor of the charter school;

41 (f) Prescribe the date by which each university school for  
42 profoundly gifted pupils shall report the data to the Department;

43 (g) Prescribe standardized codes for all data elements used  
44 within the automated system and all exchanges of data within the  
45 automated system, including, without limitation, data concerning:



- 1 (1) Individual pupils;
- 2 (2) Individual teachers;
- 3 (3) Individual schools and school districts; and
- 4 (4) Programs and financial information;
- 5 (h) Provide technical assistance to each school district to ensure
- 6 that the data from each public school in the school district,
- 7 including, without limitation, each charter school and university
- 8 school for profoundly gifted pupils located within the school
- 9 district, is compatible with the automated system of information and
- 10 comparable to the data reported by other school districts; and

11 (i) Provide for the analysis and reporting of the data in the

12 automated system of information.

13 4. The Department shall establish, to the extent authorized by

14 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §

15 1232g, and any regulations adopted pursuant thereto, a mechanism

16 by which persons or entities, including, without limitation, state

17 officers who are members of the Executive or Legislative Branch,

18 administrators of public schools and school districts, teachers and

19 other educational personnel, and parents and guardians, will have

20 different types of access to the accountability information contained

21 within the automated system to the extent that such information is

22 necessary for the performance of a duty or to the extent that such

23 information may be made available to the general public without

24 posing a threat to the confidentiality of an individual pupil.

25 5. The Department may, to the extent authorized by the Family

26 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,

27 and any regulations adopted pursuant thereto, enter into an

28 agreement with the Nevada System of Higher Education to provide

29 access to data contained within the automated system for research

30 purposes.

31 **Sec. 2.** This act becomes effective on July 1, 2014.

