

ASSEMBLY BILL NO. 247—ASSEMBLYMEN LA RUE HATCH,  
KASAMA; CARTER, CONSIDINE, KOENIG, NGUYEN,  
SUMMERS-ARMSTRONG, TAYLOR AND THOMAS

MARCH 3, 2023

Referred to Committee on Education

SUMMARY—Revises provisions governing education.  
(BDR 34-570)

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

CONTAINS UNFUNDED MANDATE (§ 35)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; establishing committees to write and prepare college and career readiness assessments in mathematics, reading and writing and requiring the administration of such assessments to certain pupils in grades 11 and 12; requiring a pupil to obtain a passing score on each college and career readiness assessment to obtain a standard high school diploma; revising provisions governing the use of pupil growth in evaluating the performance of teachers; eliminating required end-of-course finals; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the State Board of Education to select a college and career readiness assessment for administration to pupils who are enrolled in grade 11 in public high schools and requires pupils in public high schools to take the assessment to receive a standard high school diploma. (NRS 390.600, 390.610) **Section 35** of this bill eliminates the requirement for the State Board to select a college and career readiness assessment. Instead, **section 24** of this bill creates three college and career readiness assessment committees to write and prepare college and career readiness assessments in mathematics, reading and writing, respectively. **Section 34** of this bill requires the State Board, in prescribing the criteria for a pupil to receive a standard high school diploma, to include a requirement that a pupil obtain a passing score on each of the college and career



readiness assessments written and prepared pursuant to **section 24**. **Section 35** requires the board of trustees of each school district and the governing body of each charter school that enrolls pupils in grade 11 or 12 to administer the college and career readiness assessments to certain pupils. **Section 44** of this bill provides that the college and career readiness assessments written and prepared pursuant to **section 24** will first be administered during the 2024-2025 school year. **Section 44** provides that a passing score on the college and career readiness assessments is not required to receive a standard high school diploma or college and career ready high school diploma before July 1, 2029. **Sections 1-22, 25-33, 36-38 and 43** of this bill make conforming changes to reflect that multiple college and career readiness assessments will be administered to pupils and to refer to certain provisions that have been renumbered by this bill.

Existing law requires the State Board to adopt regulations establishing a statewide performance evaluation system for evaluating the performance of educational employees. Existing law requires that pupil growth account for 0 percent of the evaluation of a teacher for the school year 2021-2022 and 15 percent of the evaluation of a teacher for the school year 2022-2023 and for each academic year thereafter. (NRS 391.465) **Sections 40 and 46** of this bill require that pupil growth not be used to evaluate the performance of a teacher under the statewide performance evaluation system, including during the school year 2022-2023. **Sections 39, 41 and 42** of this bill make conforming changes to reflect that pupil growth will not be used to evaluate teachers. **Section 45** of this bill authorizes the continued use of pupil growth and learning goals to evaluate a teacher in accordance with certain preexisting agreements between a school district and an employee organization for the duration of any such agreement.

Existing law requires the State Board to adopt regulations regarding end-of-course finals, including the courses for which an end-of-course final must be administered. (NRS 390.700) **Sections 23 and 49** of this bill eliminate end-of-course finals.

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

**Section 1.** NRS 385.112 is hereby amended to read as follows:  
385.112 A plan to improve the achievement of pupils enrolled in public schools in this State prepared pursuant to NRS 385.111 must include:

1. A review and analysis of the data upon which the report required pursuant to NRS 385A.400 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

2. The identification of any problems or factors common among the school districts or charter schools in this State, as revealed by the review and analysis.

3. Strategies based upon evidence-based research, as defined in 20 U.S.C. § 7801(21), that will strengthen the core academic subjects, as set forth in NRS 389.018.



4. Strategies to improve the academic achievement of pupils enrolled in public schools in this State, including, without limitation, strategies to:

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

(1) The curriculum appropriate to improve achievement;

(2) The manner by which the instruction will improve the achievement and proficiency of pupils on the examinations administered pursuant to NRS 390.105 and the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610, including, without limitation, the manner in which remediation will be provided to pupils who require remediation based on the results of an ~~examination~~ *assessment* administered pursuant to NRS 390.610; and

(3) An identification of the instruction and curriculum that is specifically designed to improve the achievement and proficiency of pupils in each group identified in the statewide system of accountability for public schools;

(b) Improve the literacy skills of pupils;

(c) Improve the development of English language skills and academic achievement of pupils who are English learners;

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

(e) Integrate technology into the instructional and administrative programs of the school districts;

(f) Manage effectively the discipline of pupils; and

(g) Enhance the professional development offered for the teachers and administrators employed at public schools in this State to include the activities set forth in 20 U.S.C. § 7801(42) and to address the specific needs of the pupils enrolled in public schools in this State, as deemed appropriate by the State Board.

5. Strategies designed to provide to the pupils enrolled in middle school, junior high school and high school, the teachers and counselors who provide instruction to those pupils, and the parents and guardians of those pupils information concerning:

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

(b) The availability of Governor Guinn Millennium Scholarships pursuant to NRS 396.911 to 396.945, inclusive, and Nevada Promise Scholarships pursuant to NRS 396.961 to 396.9685, inclusive; and

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



6. An identification, by category, of the employees of the Department who are responsible for ensuring that each provision of the plan is carried out effectively.

7. A timeline for carrying out the plan, including, without limitation:

(a) The rate of improvement and progress which must be attained annually in meeting the goals and benchmarks established by the State Board pursuant to NRS 385.113; and

(b) 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.

8. 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.

9. Strategies to improve the allocation of resources from this State, by program and by school district, 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, the State Board shall use that statewide program in complying with this subsection. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this subsection.

10. Based upon the reallocation of resources set forth in subsection 9, the resources available to the State Board and the Department to carry out the plan, including, without limitation, a budget for the overall cost of carrying out the plan.

11. A summary of the effectiveness of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

12. A 5-year strategic plan which identifies the recurring issues in improving the achievement and proficiency of pupils in this State and which establishes strategic goals to address those issues. The 5-year strategic plan must be:

(a) Based upon the data from previous years which is collected by the Department for the plan developed pursuant to NRS 385.111; and

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

13. Any additional plans addressing the achievement and proficiency of pupils adopted by the Department.



**Sec. 2.** NRS 385A.200 is hereby amended to read as follows:

385A.200 1. Except as otherwise provided in subsection 2, the annual report of accountability prepared pursuant to NRS 385A.070 must include information on pupil achievement and school performance, including, without limitation, pupil achievement for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 390.105 and the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610 and shall compare the results of those examinations for the school year for which the annual report is being prepared with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school sponsored by the district, and each grade in which the examinations and assessments were administered:

(a) The number of pupils who took the examinations and a record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school.

(b) Except as otherwise provided in subsection 2 of NRS 385A.070, pupil achievement, reported separately by gender and reported separately for the groups of pupils identified in the statewide system of accountability for public schools.

(c) A comparison of the achievement of pupils in each group identified in the statewide system of accountability for public schools with the performance targets established for that group.

(d) The percentage of pupils who were not tested.

(e) Except as otherwise provided in subsection 2 of NRS 385A.070, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in the statewide system of accountability for public schools.

(f) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 390.105 and the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

(g) Except as otherwise provided in subsection 3 of NRS 385A.720, the rating of each public school in the district, including, without limitation, each charter school sponsored by the district,



pursuant to the statewide system of accountability for public schools.

(h) Information on whether each school in the district, including, without limitation, each charter school sponsored by the district, has made progress based upon the model adopted by the Department pursuant to NRS 390.125.

(i) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools sponsored by the district, with the results of pupils throughout this State. The information required by this paragraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(j) For each school in the district, including, without limitation, each charter school sponsored by the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this paragraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

2. If the Department temporarily waives or otherwise pauses the requirement to administer examinations that comply with 20 U.S.C. § 6311(b)(2) pursuant to subsection 6 of NRS 390.105, the requirement of subsection 1 to include certain information in the annual report of accountability prepared pursuant to NRS 385A.070 does not apply for the period of time that such a waiver or pause is effective.

**Sec. 3.** NRS 385A.270 is hereby amended to read as follows:

385A.270 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, information concerning pupils who are eligible for free or reduced-price breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq., including, without limitation:

(a) The number and percentage of pupils who are eligible for free or reduced-price breakfasts;

(b) The percentage of pupils who receive free and reduced-price breakfasts;

(c) The number and percentage of pupils who are eligible for free or reduced-price lunches;

(d) The percentage of pupils who receive free and reduced-price lunches;

(e) A comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or



1 reduced-price breakfasts, pupils who receive free and reduced-price  
2 breakfasts, pupils who are eligible for free or reduced-price lunches,  
3 pupils who receive free and reduced-price lunches and pupils who  
4 are not eligible for free or reduced-price breakfasts or lunches;

5 (f) A comparison of pupils, reported separately by race and  
6 ethnicity, who are eligible for free or reduced-price breakfasts,  
7 pupils who receive free and reduced-price breakfasts, pupils who are  
8 eligible for free or reduced-price lunches and pupils who receive  
9 free and reduced-price lunches for which data is required to be  
10 collected in the following areas:

- 11 (1) Retention rates;
- 12 (2) Graduation rates;
- 13 (3) Dropout rates;
- 14 (4) Grade point averages; and

15 (5) Except as otherwise provided in subsection 6 of NRS  
16 390.105, scores on the examinations administered pursuant to NRS  
17 390.105 and the college and career readiness **[assessment]**  
18 **assessments** administered pursuant to NRS 390.610.

19 2. The State Board may adopt any regulations necessary to  
20 carry out the provisions of this section.

21 **Sec. 4.** NRS 385A.280 is hereby amended to read as follows:

22 385A.280 1. The annual report of accountability prepared  
23 pursuant to NRS 385A.070 must include, for each school in the  
24 district and the district as a whole, including, without limitation,  
25 each charter school sponsored by the district, information regarding  
26 the progression of pupils who are English learners in attaining  
27 proficiency in the English language, including, without limitation:

28 (a) The number and percentage of pupils who were identified as  
29 English learners at the beginning of the school year, were  
30 continually enrolled throughout the school year and were identified  
31 as proficient in English by the completion of the school year;

32 (b) The achievement and proficiency of pupils who are English  
33 learners in comparison to the pupils who are proficient in English;

34 (c) A comparison of pupils who are English learners and pupils  
35 who are proficient in the English language in the following areas:

- 36 (1) Retention rates;
- 37 (2) Graduation rates;
- 38 (3) Dropout rates;
- 39 (4) Grade point averages; and

40 (5) Except as otherwise provided in subsection 6 of NRS  
41 390.105, scores on the examinations administered pursuant to NRS  
42 390.105 and the college and career readiness **[assessment]**  
43 **assessments** administered pursuant to NRS 390.610; and

44 (d) Results of the assessments and reassessments of pupils who  
45 are English learners, reported separately by the primary language of



1 the pupils, pursuant to the policy developed by the board of trustees  
2 of the school district pursuant to NRS 388.407.

3 2. The data reported pursuant to subparagraph (5) of paragraph  
4 (c) of subsection 1 must be reported separately:

5 (a) According to subject matter areas measured using the  
6 examinations administered pursuant to NRS 390.105 and the college  
7 and career readiness ~~assessment~~ *assessments* administered  
8 pursuant to NRS 390.610;

9 (b) For pupils who are newcomers to the English language,  
10 pupils who are short-term English learners and pupils who are long-  
11 term English learners, as designated by regulation of the State  
12 Board; and

13 (c) For middle schools, junior high schools and high schools,  
14 according to any identified trends in the proficiency in the English  
15 language of pupils who are English learners over the immediately  
16 preceding 3 years.

17 3. In addition to including the information prescribed by this  
18 section in the annual report of accountability prepared pursuant to  
19 NRS 385A.070, the board of trustees of each school district and the  
20 governing body of each charter school shall, on or before October 1  
21 of each year:

22 (a) Submit a report of the information prescribed by this section  
23 to the Department of Education and the Director of the Legislative  
24 Counsel Bureau for transmittal to:

25 (1) In odd-numbered years, the Joint Interim Standing  
26 Committee on Education; and

27 (2) In even-numbered years, the next regular session of the  
28 Legislature; and

29 (b) Post the report on an Internet website maintained by the  
30 school district or charter school, as applicable.

31 **Sec. 5.** NRS 385A.290 is hereby amended to read as follows:

32 385A.290 The annual report of accountability prepared  
33 pursuant to NRS 385A.070 must include, for each school in the  
34 district and the district as a whole, including, without limitation,  
35 each charter school sponsored by the district, information on pupils  
36 enrolled in career and technical education, including, without  
37 limitation:

38 1. The number of pupils enrolled in a course of career and  
39 technical education;

40 2. The number of pupils who completed a course of career and  
41 technical education;

42 3. The average daily attendance of pupils who are enrolled in a  
43 program of career and technical education;





4. The annual rate of pupils who dropped out of school and were enrolled in a program of career and technical education before dropping out;

5. The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma, an adjusted diploma or an alternative diploma; and

6. The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to satisfy the requirements of subsection ~~[3]~~ 2 or ~~[4]~~ 3 of NRS 390.600 or the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600.

**Sec. 6.** NRS 385A.410 is hereby amended to read as follows:

385A.410 Except as otherwise provided in subsection 6 of NRS 390.105, the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on pupil achievement and school performance, including, without limitation:

1. Information on the achievement of all pupils based upon the results of the examinations administered pursuant to NRS 390.105 and the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

2. Except as otherwise provided in subsection 2 of NRS 385A.400, pupil achievement, reported separately by gender and reported separately for the groups of pupils identified in the statewide system of accountability for public schools.

3. A comparison of the achievement of pupils in each group identified in the statewide system of accountability for public schools with the performance targets established for that group.

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

5. Except as otherwise provided in subsection 2 of NRS 385A.400, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in the statewide system of accountability for public schools.

6. The most recent 3-year trend in the achievement of pupils in each subject area tested and each grade level tested pursuant to NRS 390.105 and the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610, reported for each school district, including, without limitation, each charter



1 school in the district, and for this State as a whole, which may  
2 include information regarding the trend in the achievement of pupils  
3 for more than 3 years, if such information is available.

4 7. Except as otherwise provided in subsection 3 of NRS  
5 385A.720, the rating of each public school, including, without  
6 limitation, each charter school, pursuant to the statewide system of  
7 accountability for public schools.

8 8. Information on whether each public school, including,  
9 without limitation, each charter school, has made progress based  
10 upon the model adopted by the Department pursuant to NRS  
11 390.125, if applicable for the grade level of pupils enrolled at the  
12 school.

13 9. Information on the results of pupils who participated in the  
14 examinations of the National Assessment of Educational Progress  
15 required pursuant to NRS 390.830.

16 **Sec. 7.** NRS 385A.480 is hereby amended to read as follows:

17 385A.480 The annual report of accountability prepared by the  
18 State Board pursuant to NRS 385A.400 must include for each  
19 school district, including, without limitation, each charter school in  
20 the district, and for this State as a whole, information concerning  
21 pupils who are eligible for free or reduced-price breakfasts pursuant  
22 to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or  
23 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.,  
24 including, without limitation:

25 1. The number and percentage of pupils who are eligible for  
26 free or reduced-price breakfasts;

27 2. The number and percentage of pupils who receive free and  
28 reduced-price breakfasts;

29 3. The number and percentage of pupils who are eligible for  
30 free or reduced-price lunches;

31 4. The number and percentage of pupils who receive free and  
32 reduced-price lunches;

33 5. A comparison of the achievement and proficiency of pupils,  
34 reported separately by race and ethnicity, who are eligible for free or  
35 reduced-price breakfasts, pupils who receive free and reduced-price  
36 breakfasts, pupils who are eligible for free or reduced-price lunches,  
37 pupils who receive free and reduced-price lunches and pupils who  
38 are not eligible for free or reduced-price breakfasts or lunches;

39 6. A comparison of pupils, reported separately by race and  
40 ethnicity, who are eligible for free or reduced-price breakfasts,  
41 pupils who receive free and reduced-price breakfasts, pupils who are  
42 eligible for free or reduced-price lunches and pupils who receive  
43 free and reduced-price lunches for which data is required to be  
44 collected in the following areas:

45 (a) Retention rates;



- 1 (b) Graduation rates;
- 2 (c) Dropout rates;
- 3 (d) Grade point averages; and
- 4 (e) Except as otherwise provided in subsection 6 of NRS
- 5 390.105, scores on the examinations administered pursuant to NRS
- 6 390.105 and the college and career readiness ~~assessment~~
- 7 ~~assessments~~ administered pursuant to NRS 390.610.

8 **Sec. 8.** NRS 385A.490 is hereby amended to read as follows:

9 385A.490 1. The annual report of accountability prepared by

10 the State Board pursuant to NRS 385A.400 must include for each

11 school district, including, without limitation, each charter school in

12 the district, and for this State as a whole, information regarding the

13 progression of pupils who are English learners in attaining

14 proficiency in the English language, including, without limitation:

15 (a) The number and percentage of pupils who were identified as

16 English learners at the beginning of the school year, were

17 continually enrolled throughout the school year and were identified

18 as proficient in English by the completion of the school year;

19 (b) The achievement and proficiency of pupils who are English

20 learners in comparison to the pupils who are proficient in English;

21 (c) A comparison of pupils who are English learners and pupils

22 who are proficient in the English language in the following areas:

- 23 (1) Retention rates;
- 24 (2) Graduation rates;
- 25 (3) Dropout rates;
- 26 (4) Grade point averages; and

27 (5) Except as otherwise provided in subsection 6 of NRS

28 390.105, scores on the examinations administered pursuant to NRS

29 390.105 and the college and career readiness ~~assessment~~

30 ~~assessments~~ administered pursuant to NRS 390.610; and

31 (d) Results of the assessments and reassessments of pupils who

32 are English learners, reported separately by the primary language of

33 the pupils, pursuant to the policies developed by the boards of

34 trustees of school districts pursuant to NRS 388.407.

35 2. The data reported pursuant to subparagraph (5) of paragraph

36 (c) of subsection 1 must be reported separately:

37 (a) According to subject matter areas measured using the

38 examinations administered pursuant to NRS 390.105 and the college

39 and career readiness ~~assessment~~ ~~assessments~~ administered

40 pursuant to NRS 390.610;

41 (b) For pupils who are newcomers to the English language,

42 pupils who are short-term English learners and pupils who are long-

43 term English learners, as designated by regulation of the State

44 Board; and



(c) For middle schools, junior high schools and high schools, according to any identified trends in the proficiency in the English language of pupils who are English learners over the immediately preceding 3 years.

**Sec. 9.** NRS 385A.500 is hereby amended to read as follows:

385A.500 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include for each school district, including, without limitation, each charter school in the district and for this State as a whole, information on pupils enrolled in career and technical education, including, without limitation:

1. The number of pupils enrolled in a course of career and technical education;

2. The number of pupils who completed a course of career and technical education;

3. The average daily attendance of pupils who are enrolled in a program of career and technical education;

4. The annual rate of pupils who dropped out of school and were enrolled in a program of career and technical education before dropping out;

5. The number and percentage of pupils who completed a program of career and technical education and who received a standard high school diploma, an adjusted diploma or an alternative diploma; and

6. The number and percentage of pupils who completed a program of career and technical education and who did not receive a high school diploma because the pupils failed to satisfy the requirements of subsection ~~3~~ 2 or ~~4~~ 3 of NRS 390.600 or the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600.

**Sec. 10.** NRS 385A.610 is hereby amended to read as follows:

385A.610 1. The Department shall establish a monitoring system for the statewide system of accountability. The monitoring system must identify significant levels of achievement of pupils on the examinations that are administered pursuant to NRS 390.105 and the college and career readiness ~~assessment~~ **assessments** administered pursuant to NRS 390.610, identified by school and by school district.

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

(a) The Committee; and

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



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

**Sec. 11.** NRS 385A.620 is hereby amended to read as follows:

385A.620 1. The State Board shall adopt regulations that prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, the manner in which pupils enrolled in:

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

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

(c) A program of education that:

(1) Primarily serves pupils with disabilities; or

(2) Is operated within a:

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

(II) Juvenile forestry camp;

(III) Child welfare agency; or

(IV) Correctional institution,

↪ will be included within the statewide system of accountability set forth in this chapter.

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

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

(b) The results of pupils enrolled in a program of distance education, an alternative program or a program of education described in subsection 1 on the examinations administered pursuant to NRS 390.105 and, if applicable for the grade levels of the pupils enrolled, the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610 will be reported.

**Sec. 12.** NRS 385A.730 is hereby amended to read as follows:

385A.730 1. The State Board shall adopt regulations that prescribe an alternative performance framework to evaluate public schools that are approved pursuant to NRS 385A.740. Such regulations must include, without limitation, an alternative manner in which to evaluate such a school and the manner in which the school will be included within the statewide system of accountability set forth in this chapter.

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

(a) The progress of pupils enrolled in a public school for which an alternative performance framework has been approved pursuant



to NRS 385A.740 will be accounted for within the statewide system of accountability; and

(b) To report the results of pupils enrolled in such a public school on the examinations administered pursuant to NRS 390.105 and, if applicable for the grade levels of the pupils enrolled, the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610.

**Sec. 13.** NRS 388.205 is hereby amended to read as follows:

388.205 1. The board of trustees of each school district shall adopt a policy for each public school in the school district in which ninth grade pupils are enrolled to develop a 4-year academic plan for each of those pupils. Except as otherwise provided in subsection 4, the policy must require each public school to provide each pupil with an academic plan at the beginning of the pupil's ninth grade year. The academic plan must set forth the specific educational goals established pursuant to subsection 7 each year and the steps that the pupil intends to take in order to achieve those goals. The plan may include, without limitation, the designation of a career pathway and enrollment in dual credit courses, career and technical education courses, advanced placement courses and honors courses.

2. The policy must ensure that each pupil enrolled in ninth grade and the pupil's parent or legal guardian are provided with, to the extent practicable, information regarding:

(a) The advanced placement courses, honors courses, international baccalaureate courses, dual credit courses, career and technical education courses, including, without limitation, career and technical skills-building programs, and any other educational programs, pathways or courses available to the pupil which will assist the pupil in the advancement of his or her education;

(b) The requirements for graduation from high school with a diploma and the types of diplomas available;

(c) The requirements for admission to the Nevada System of Higher Education, including, without limitation, the average score on the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610 of students admitted to each community college, state college or university in the Nevada System of Higher Education, and the eligibility requirements for a Governor Guinn Millennium Scholarship;

(d) The Free Application for Federal Student Aid and advice concerning how to finance enrollment in an institution that provides postsecondary and vocational education; and

(e) The charter schools within the school district.

3. The policy required by subsection 1 must require each pupil enrolled in ninth grade and the pupil's parent or legal guardian to:



(a) Be notified of opportunities to work in consultation with a school counselor to develop and review an academic plan for the pupil;

(b) Sign the academic plan; and

(c) Review the academic plan at least once each school year in consultation with a school counselor and revise the plan if necessary.

4. If a pupil enrolls in a high school after ninth grade, an academic plan must be developed for that pupil as soon as reasonably practicable with appropriate modifications for the grade level of the pupil.

5. If an academic plan for a pupil includes enrollment in a dual credit course, the plan must address how the dual credit course will enable the pupil to achieve his or her postgraduation goals.

6. An academic plan for a pupil must be used as a guide for the pupil and the parent or legal guardian of the pupil to plan, monitor and manage the pupil's educational and occupational development and make determinations of the appropriate courses of study for the pupil. If a pupil does not satisfy all the goals set forth in the academic plan, the pupil is eligible to graduate and receive a high school diploma if the pupil otherwise satisfies the requirements for a diploma.

7. Except as otherwise provided in subsection 4, a school counselor shall establish specific educational goals for each pupil in consultation with the pupil and the parent or legal guardian of the pupil, to the extent practicable, at the beginning of each pupil's ninth grade year and as a part of the review conducted pursuant to paragraph (c) of subsection 3.

8. The policy adopted pursuant to subsection 1 must require each public school in the school district to:

(a) Develop a procedure to identify a homeless pupil, unaccompanied pupil or pupil who lives in foster care; and

(b) Review the academic plan for each such pupil and adjust the plan as appropriate to maximize the accrual of credits by the pupil and the progress of the pupil towards graduation.

9. As used in this section:

(a) "Foster care" has the meaning ascribed to it in 45 C.F.R. § 1355.20.

(b) "Homeless pupil" has the meaning ascribed to the term "homeless children and youths" in 42 U.S.C. § 11434a(2).

(c) "Unaccompanied pupil" has the meaning ascribed to the term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

**Sec. 14.** NRS 388.208 is hereby amended to read as follows:

388.208 1. Except as otherwise provided in this subsection, the board of trustees of each school district shall adopt a policy for



each public high school in the school district to ensure that a counselor, administrator or other licensed educational personnel from the public high school meets individually at least once each school year with each pupil enrolled in grades 9, 10, 11 and 12 in the public high school to review with the pupil the academic plan developed for the pupil pursuant to NRS 388.205. The parent or guardian of a pupil may elect to waive the requirements of this subsection on behalf of the pupil.

2. At a meeting conducted pursuant to subsection 1, the counselor, administrator or other licensed educational personnel must use the results of the pupil's college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610, if the results of the ~~assessment~~ *assessments* are available at the time of the meeting, the results of a preliminary National Merit Scholarship Qualifying Test, if the results of the test are available at the time of the meeting, and the pupil's academic records, to review with the pupil the areas of his or her academic strengths and weaknesses, including, without limitation, areas where additional work in the subject areas tested on the assessment or test, as applicable, is necessary to prepare the pupil for college and career success without the need for remediation.

3. If it is determined that the pupil requires remediation, the counselor, administrator or other licensed educational personnel must coordinate with the pupil and the pupil's parent or legal guardian to revise the academic plan for the pupil to ensure that the pupil is prepared for college and career success before he or she graduates.

**Sec. 15.** NRS 388.227 is hereby amended to read as follows:

388.227 1. The board of trustees of each school district shall, and the governing body of each charter school that operates as a high school and is in good standing with its sponsor may, adopt a policy to authorize the establishment of individual graduation plans for pupils enrolled in a high school within the school district or operated by the charter school, as applicable, who:

(a) Are deficient in credits and not likely to graduate according to schedule;

(b) Have performed poorly on the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610; or

(c) Have attended or will attend school in another country as a foreign exchange student for at least one semester.

2. In addition to the conditions set forth in paragraphs (a), (b) and (c) of subsection 1, the Superintendent of Public Instruction may establish other conditions for a pupil to be eligible for an individual graduation plan.





3. An individual graduation plan must establish an academic plan for a pupil to allow the pupil to graduate with a standard high school diploma not later than 3 semesters after the date on which the pupil was otherwise scheduled to graduate. The individual graduation plan must include any conditions to which a pupil must agree to comply to remain enrolled in the high school. Such conditions may include, without limitation, any subjects that must be completed, the minimum number of units of credit in which the pupil must enroll each semester, the minimum grade point average that must be maintained by the pupil and any other conditions necessary to ensure that the pupil makes adequate progress to obtain a standard high school diploma within the time allowed.

4. The Superintendent of Public Instruction shall make a determination each year concerning:

(a) The number of credits by which a pupil must be deficient to be eligible for an individual graduation plan;

(b) The maximum score on *each of* the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610 that a pupil may receive to be eligible for an individual graduation plan; and

(c) Any other conditions that must be met for participation in an individual graduation plan.

5. An individual graduation plan may be withdrawn by the school district or charter school if the pupil is not making adequate progress as outlined in the individual graduation plan or for other good cause.

6. A pupil for whom an individual graduation plan has been established must be counted when calculating the graduation rates of pupils in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to NRS 385A.070 and the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 for the year in which the pupil was scheduled to graduate until the pupil obtains a standard high school diploma and then must be counted for the appropriate year as determined by the Department pursuant to subsection 8.

7. A pupil for whom an individual graduation plan has been established must not be counted when calculating the graduation rates of pupils used to determine whether the sponsor of a charter school may take certain actions concerning the charter school pursuant to NRS 388A.330.

8. If a pupil for whom an individual graduation plan has been established:

(a) Obtains a standard high school diploma within the time allowed by the individual graduation plan, the pupil must be counted as having received a standard high school diploma when calculating



the graduation rates of pupils for the purposes of NRS 388A.330, if applicable, in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to NRS 385A.070 and the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 for the year in which the pupil graduates.

(b) Fails to obtain a standard high school diploma within the time allowed by the individual graduation plan, the pupil must be counted as having failed to receive a standard high school diploma when calculating the graduation rates of pupils for the purpose of NRS 388A.330, if applicable, in the annual report of accountability for the school district or charter school in which the pupil is enrolled pursuant to NRS 385A.070 and the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 for the year in which the pupil was scheduled to graduate pursuant to his or her individual graduation plan.

9. Any pupil for whom an individual graduation plan has been established who receives a score on *each of* the college and career readiness ~~assessment~~ *assessments* that is less than the score prescribed by the Superintendent of Public Instruction pursuant to paragraph (b) of subsection 4 must, unless his or her individual graduation plan provides otherwise, enroll in the maximum number of units of credit per semester allowed by the public school in which the pupil is enrolled.

10. For the purposes of this section, a charter school for which the governing body has been reconstituted or the charter contract terminated or restarted in accordance with NRS 388A.285, 388A.300 or 388A.330, as applicable, shall not be deemed to be in good standing unless the charter school is carrying out an improvement plan approved by the sponsor of the charter school and incorporated into the charter contract.

**Sec. 16.** NRS 388.283 is hereby amended to read as follows:

388.283 1. “School service” means an Internet website, online service or mobile application that:

(a) Collects or maintains personally identifiable information concerning a pupil;

(b) Is used primarily for educational purposes; and

(c) Is designed and marketed for use in public schools and is used at the direction of teachers and other educational personnel.

2. The term does not include:

(a) An Internet website, online service or mobile application that is designed or marketed for use by a general audience, even if the school service is also marketed to public schools;



(b) An internal database, system or program maintained or operated by a school district, charter school or university school for profoundly gifted pupils;

(c) A school service for which a school service provider has:

(1) Been designated by a school district, the sponsor of a charter school, the governing body of a university school for profoundly gifted pupils or the Department as a school official pursuant to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g;

(2) Entered into a contract with the school district, the sponsor of a charter school, the governing body of a university school for profoundly gifted pupils or the Department; and

(3) Agreed to comply with and be subject to the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, relating to personally identifiable information;

(d) Any examinations administered pursuant to NRS 390.105 or the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610; or

(e) Any instructional programs purchased by a school district, a charter school, the governing body of a university school for profoundly gifted pupils or the Department.

**Sec. 17.** NRS 388.874 is hereby amended to read as follows:

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

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

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

(c) The qualifications and conditions for enrollment that a pupil must satisfy to enroll in a program of distance education, consistent with NRS 388.850 and any other applicable statute;

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

(e) The requirements for assessing the achievement of pupils who are enrolled in a program of distance education, which must include, without limitation, the administration of the examinations required pursuant to NRS 390.105 and, if applicable for the grade levels of the pupils enrolled, the college and career readiness ~~[assessment]~~ *assessments administered* pursuant to NRS 390.610; and



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

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

**Sec. 18.** NRS 388A.366 is hereby amended to read as follows:  
388A.366 1. A charter school shall:

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

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

(c) Refrain from charging tuition or fees, except for tuition or fees that the board of trustees of a school district is authorized to charge, levying taxes or issuing bonds.

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

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

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

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

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

(g) Cooperate with the board of trustees of the school district in the administration of the examinations administered pursuant to NRS 390.105 and, if the charter school enrolls pupils at a high school grade level, the college and career readiness ~~assessment~~ **assessments** administered pursuant to NRS 390.610 to the pupils who are enrolled in the charter school.

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

(i) Provide instruction in the core academic subjects set forth in subsection 1 of NRS 389.018, as applicable for the grade levels of pupils who are enrolled in the charter school, and provide at least the courses of study that are required of pupils by statute or



1 regulation for promotion to the next grade or graduation from a  
2 public high school and require the pupils who are enrolled in the  
3 charter school to take those courses of study. This paragraph does  
4 not preclude a charter school from offering, or requiring the pupils  
5 who are enrolled in the charter school to take, other courses of study  
6 that are required by statute or regulation.

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

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

13 (l) Hold harmless, indemnify and defend the sponsor of the  
14 charter school against any claim or liability arising from an act or  
15 omission by the governing body of the charter school or an  
16 employee or officer of the charter school. An action at law may not  
17 be maintained against the sponsor of a charter school for any cause  
18 of action for which the charter school has obtained liability  
19 insurance.

20 (m) Provide written notice to the parents or legal guardians of  
21 pupils in grades 9 to 12, inclusive, who are enrolled in the charter  
22 school of whether the charter school is accredited by the Northwest  
23 Accreditation Commission.

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

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

32 2. A charter school shall not provide instruction through a  
33 program of distance education to children who are exempt from  
34 compulsory attendance pursuant to NRS 392.070. As used in this  
35 subsection, “distance education” has the meaning ascribed to it in  
36 NRS 388.826.

37 **Sec. 19.** NRS 388A.405 is hereby amended to read as follows:

38 388A.405 1. To the extent money is available from  
39 legislative appropriation or otherwise, a charter school may apply to  
40 the Department for money for facilities if:

41 (a) The charter school has been operating in this State for at  
42 least 5 consecutive years and is in good financial standing;

43 (b) Each financial audit and each performance audit of the  
44 charter school required by the Department pursuant to  
45 NRS 388A.105 or 388A.110 contains no major notations,



1 corrections or errors concerning the charter school for at least 5  
2 consecutive years;

3 (c) The charter school has met or exceeded the school  
4 achievement targets and performance targets established pursuant to  
5 the statewide system of accountability for public schools or has  
6 demonstrated improvement in the achievement of pupils enrolled in  
7 the charter school, as indicated by those school achievement targets  
8 and performance targets, for the majority of the years of its  
9 operation; and

10 (d) At least 75 percent of the pupils enrolled in grade 12 in the  
11 charter school in the immediately preceding school year have  
12 satisfied the requirements of subsection ~~f3~~ 2 or ~~f4~~ 3 of NRS  
13 390.600 or the criteria prescribed by the State Board pursuant to  
14 subsection 1 of NRS 390.600, if the charter school enrolls pupils at  
15 a high school grade level.

16 2. A charter school that satisfies the requirements of subsection  
17 1 shall submit to a performance audit as required by the Department  
18 one time every 3 years. The sponsor of the charter school and the  
19 Department shall not request a performance audit of the charter  
20 school more frequently than every 3 years without reasonable  
21 evidence of noncompliance in achieving the educational goals and  
22 objectives of the charter school based upon the annual report  
23 submitted to the Department pursuant to NRS 388A.351. If the  
24 charter school no longer satisfies the requirements of subsection 1 or  
25 if reasonable evidence of noncompliance in achieving the  
26 educational goals and objectives of the charter school exists based  
27 upon the annual report, the charter school shall, upon written notice  
28 from the sponsor, submit to an annual performance audit.  
29 Notwithstanding the provisions of paragraph (b) of subsection 1,  
30 such a charter school:

31 (a) May, after undergoing the annual performance audit, reapply  
32 to the sponsor to determine whether the charter school satisfies the  
33 requirements of paragraphs (a), (c) and (d) of subsection 1.

34 (b) Is not eligible for any available money pursuant to  
35 subsection 1 until the sponsor determines that the charter school  
36 satisfies the requirements of that subsection.

37 3. A charter school that does not satisfy the requirements of  
38 subsection 1 shall submit a quarterly report of the financial status of  
39 the charter school if requested by the sponsor of the charter school.

40 **Sec. 20.** NRS 388C.120 is hereby amended to read as follows:

41 388C.120 1. A university school for profoundly gifted pupils  
42 shall determine the eligibility of a pupil for admission to the school  
43 based upon a comprehensive assessment of the pupil's potential for  
44 academic and intellectual achievement at the school, including,  
45 without limitation, intellectual and academic ability, motivation,



emotional maturity and readiness for the environment of an accelerated educational program. The assessment must be conducted by a broad-based committee of professionals in the field of education.

2. A person who wishes to apply for admission to a university school for profoundly gifted pupils must:

(a) Submit to the governing body of the school:

(1) A completed application;

(2) Evidence that the applicant possesses advanced intellectual and academic ability, including, without limitation, proof that he or she satisfies the requirements of NRS 388C.030;

(3) At least three letters of recommendation from teachers or mentors familiar with the academic and intellectual ability of the applicant;

(4) A transcript from each school previously attended by the applicant; and

(5) Such other information as may be requested by the university school or governing body of the school.

(b) If requested by the governing body of the school, participate in an on-campus interview.

3. The curriculum developed for pupils in a university school for profoundly gifted pupils must provide exposure to the subject areas required of pupils enrolled in other public schools.

4. The Superintendent of Public Instruction shall, upon recommendation of the governing body, issue a high school diploma to a pupil who is enrolled in a university school for profoundly gifted pupils if that pupil:

(a) Satisfies the requirements of subsection ~~3~~ 2 or ~~4~~ 3 of NRS 390.600; or

(b) Satisfies the criteria prescribed by the State Board pursuant to subsection 1 of NRS 390.600, successfully passes the courses in American government and American history as required by NRS 389.054 and 389.057 and successfully completes any requirements established by the State Board of Education for graduation from high school.

5. On or before March 1 of each odd-numbered year, the governing body of a university school for profoundly gifted pupils shall prepare and submit to the Superintendent of Public Instruction, the president of the university where the university school for profoundly gifted pupils is located, the State Board and the Director of the Legislative Counsel Bureau a report that contains information regarding the school, including, without limitation, the process used by the school to identify and recruit profoundly gifted pupils from diverse backgrounds and with diverse talents, and data assessing the success of the school in meeting the educational needs of its pupils.



**Sec. 21.** NRS 388G.120 is hereby amended to read as follows:

388G.120 1. Each empowerment plan for a school must:

(a) Set forth the manner by which the school will be governed;

(b) Set forth the proposed budget for the school, including, without limitation, the cost of carrying out the empowerment plan, and the manner by which the money apportioned to the school will be administered;

(c) Prescribe the academic plan for the school, including, without limitation, the manner by which courses of study will be provided to the pupils enrolled in the school and any special programs that will be offered for pupils;

(d) Prescribe the manner by which the achievement of pupils will be measured and reported for the school, including, without limitation, the results of the pupils on the examinations administered pursuant to NRS 390.105 and, if applicable for the grade levels of the empowerment school, the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610;

(e) Prescribe the manner by which teachers and other licensed educational personnel will be selected and hired for the school, which must be determined and negotiated pursuant to chapter 288 of NRS;

(f) Prescribe the manner by which all other staff for the school will be selected and hired, which must be determined and negotiated pursuant to chapter 288 of NRS;

(g) Indicate whether the empowerment plan will offer an incentive pay structure for staff and a description of that pay structure, if applicable;

(h) Indicate the intended ratio of pupils to teachers at the school, designated by grade level, which must comply with NRS 388.700 or 388.720, as applicable;

(i) Provide a description of the professional development that will be offered to the teachers and other licensed educational personnel employed at the school;

(j) Prescribe the manner by which the empowerment plan will increase the involvement of parents and legal guardians of pupils enrolled in the school;

(k) Comply with the plan to improve the achievement of the pupils enrolled in the school prepared pursuant to NRS 385A.650;

(l) Address the specific educational needs and concerns of the pupils who are enrolled in the school; and

(m) Set forth the calendar and schedule for the school.

2. If the empowerment plan includes an incentive pay structure, that pay structure must:

(a) Provide an incentive for all staff employed at the school;





(b) Set forth the standards that must be achieved by the pupils enrolled in the school and any other measurable objectives that must be met to be eligible for incentive pay; and

(c) Be in addition to the salary or hourly rate of pay negotiated pursuant to chapter 288 of NRS that is otherwise payable to the employee.

3. An empowerment plan may:

(a) Request a waiver from a statute contained in this title or a regulation of the State Board or the Department.

(b) Identify the services of the school district which the school wishes to receive, including, without limitation, professional development, transportation, food services and discretionary services. Upon approval of the empowerment plan, the school district may deduct from the total apportionment to the empowerment school the costs of such services.

4. For purposes of determining the budget pursuant to paragraph (b) of subsection 1, if a public school which converts to an empowerment school is a:

(a) Charter school, the amount of the budget is the amount equal to the apportionments and allowances from the State Education Fund pursuant to NRS 387.121 to 387.12468, inclusive, and its proportionate share of any other money available from federal, state or local sources that the school or the pupils enrolled in the school are eligible to receive.

(b) Public school, other than a charter school, the empowerment team for the school shall have discretion of 90 percent of the amount of money from the state financial aid and local funds that the school district apportions for the school, without regard to any line-item specifications or specific uses determined advisable by the school district, unless the empowerment team determines that a lesser amount is necessary to carry out the empowerment plan.

**Sec. 22.** NRS 388G.210 is hereby amended to read as follows:

388G.210 1. Except as otherwise provided pursuant to a waiver granted in accordance with NRS 388G.130 or 388G.140, each empowerment school, each person employed by an empowerment school and each pupil enrolled in an empowerment school shall comply with the applicable requirements of state law, including, without limitation, the standards of content and performance prescribed pursuant to NRS 389.520 and the examinations that are administered pursuant to NRS 390.105 and the college and career readiness ~~assessment~~ **assessments** administered pursuant to NRS 390.610.

2. Each empowerment school may accept gifts, grants and donations from any source for the support of its empowerment plan. A person who gives a gift, grant or donation may designate all or



part of the gift, grant or donation specifically to carry out the incentive pay structure of the school, if applicable.

**Sec. 23.** NRS 389.0186 is hereby amended to read as follows:

389.0186 1. Except as otherwise provided in this section, each public high school, including without limitation, a charter school, must allow a pupil enrolled in the school to receive a fourth unit of credit towards the mathematics credits required for graduation from high school or a third unit of credit towards the science credits required for graduation from high school for successful completion of:

(a) An advanced placement computer science course;

(b) A computer science course that is offered through a program of career and technical education; or

(c) A computer science course that is offered by a community college or university which has been approved pursuant to NRS 389.160.

2. A pupil ~~is~~:

~~—(a) May~~ *may* not apply more than one unit of credit received for the completion of one or more courses described in subsection 1 toward the mathematics or science credits required for graduation from high school.

~~[(b) Must successfully complete each mathematics or science course for which an end-of-course examination is prescribed by the State Board pursuant to 20 U.S.C. § 6311(b)(2).]~~

**Sec. 24.** Chapter 390 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. There are hereby created the following committees within the Department:*

*(a) The College and Career Readiness Assessment in Mathematics Committee, which shall write and prepare the college and career readiness assessment in the subject area of mathematics to be administered to pupils pursuant to NRS 390.610.*

*(b) The College and Career Readiness Assessment in Reading Committee, which shall write and prepare the college and career readiness assessment in the subject area of reading to be administered to pupils pursuant to NRS 390.610.*

*(c) The College and Career Readiness Assessment in Writing Committee, which shall write and prepare the college and career readiness assessment in the subject area of writing to be administered to pupils pursuant to NRS 390.610.*

*2. Each committee consists of 10 members appointed by the Council to Establish Academic Standards for Public Schools.*

*3. The Council to Establish Academic Standards for Public Schools shall ensure that the members appointed pursuant to*



subsection 2 represent the geographic diversity of this State, are experts in the subject area of the committee to which they are appointed and that:

(a) At least six members of each committee are licensed teachers who teach in a public high school; and

(b) Not more than four members of each committee are:

(1) Professors at a university or college within the Nevada System of Higher Education; or

(2) Staff of a school district who are responsible for developing curriculum.

4. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of a committee created pursuant to subsection 1 must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

5. Each committee shall, at its first meeting and each odd-numbered year thereafter, elect a Chair from among its members.

6. Each committee shall meet at least quarterly and may meet at other times upon the call of the Chair or a majority of the members of the committee.

7. Members serve without compensation, except that members are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the official business of a committee.

8. Each member of a committee created pursuant to subsection 1 who is an officer or employee of the State or a local government must be relieved from his or her duties without loss of his or her regular compensation so that the member may prepare for and attend meetings of the committee and perform any work necessary to carry out the duties of the committee in the most timely manner practicable. A state agency or local government shall not require an officer or employee who is a member of a committee to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence.

9. In writing and preparing the college and career readiness assessment pursuant to subsection 1, each committee shall consult with members of the community, including, without limitation, labor unions, parents and businesses operating in this State.

10. A majority of the members of a committee constitutes a quorum for the transaction of business and the majority of a quorum present at any meeting is sufficient for any official action taken by the committee.



1 *11. The meetings of each committee are closed to the public,*  
2 *unless the Chair opens a meeting to the public.*

3 *12. Each committee may apply for and accept gifts, grants or*  
4 *donations from any source for the purpose of carrying out the*  
5 *provisions of this section.*

6 **Sec. 25.** NRS 390.015 is hereby amended to read as follows:

7 390.015 The board of trustees of each school district shall  
8 maintain on its Internet website, and shall post in a timely manner,  
9 all pertinent information concerning the examinations and  
10 assessments available to children who reside in the school district,  
11 including, without limitation, the dates and times of, and contact  
12 information concerning, such examinations and assessments. The  
13 examinations and assessments posted must include, without  
14 limitation:

15 1. The college and career readiness ~~assessment~~ *assessments*  
16 administered pursuant to NRS 390.610.

17 2. All other college entrance examinations offered in this State,  
18 including, without limitation, the Scholastic Aptitude Test, the  
19 American College Test, the Preliminary Scholastic Aptitude Test  
20 and the National Merit Scholarship Qualifying Test.

21 **Sec. 26.** NRS 390.255 is hereby amended to read as follows:

22 390.255 “Irregularity in testing administration” means the  
23 failure to administer an examination to pupils pursuant to NRS  
24 390.105 or the college and career readiness ~~assessment~~  
25 *assessments* pursuant to NRS 390.610 in the manner intended by  
26 the person or entity that created the examination or assessment.

27 **Sec. 27.** NRS 390.260 is hereby amended to read as follows:

28 390.260 “Irregularity in testing security” means an act or  
29 omission that tends to corrupt or impair the security of an  
30 examination administered to pupils pursuant to NRS 390.105 or the  
31 college and career readiness ~~assessment~~ *assessments* administered  
32 pursuant to NRS 390.610, including, without limitation:

33 1. The failure to comply with security procedures adopted  
34 pursuant to NRS 390.270 or 390.275;

35 2. The disclosure of questions or answers to questions on an  
36 examination or assessment in a manner not otherwise approved by  
37 law; and

38 3. Other breaches in the security or confidentiality of the  
39 questions or answers to questions on an examination or assessment.

40 **Sec. 28.** NRS 390.270 is hereby amended to read as follows:

41 390.270 1. The Department shall, by regulation or otherwise,  
42 adopt and enforce a plan setting forth procedures to ensure the  
43 security of examinations that are administered to pupils pursuant to  
44 NRS 390.105 and the college and career readiness ~~assessment~~  
45 *assessments* administered pursuant to NRS 390.610.



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

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

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

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

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

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

(d) Objective criteria that set forth the conditions under which a school, including, without limitation, a charter school or a school district, or both, is required to file a plan for corrective action in response to an irregularity in testing administration or testing security for the purposes of NRS 390.295.

3. The Department shall post a copy of the plan adopted pursuant to this section and the procedures set forth therein on the Internet website maintained by the Department.

**Sec. 29.** NRS 390.275 is hereby amended to read as follows:

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

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

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

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

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

(d) Procedures that specifically set forth the action that must be taken in response to a report of an irregularity in testing administration or testing security and the action that must be taken during an investigation of such an irregularity. For each action that



1 is required, the procedures must identify, by category, the  
2 employees of the school district or charter school who are  
3 responsible for taking the action and for ensuring that the action is  
4 carried out successfully.

5 ➤ The procedures adopted pursuant to this subsection must be  
6 consistent, to the extent applicable, with the procedures adopted by  
7 the Department pursuant to NRS 390.270.

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

11 (a) The State Board; and

12 (b) The Joint Interim Standing Committee on Education, created  
13 pursuant to NRS 218E.320.

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

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

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

29 5. As used in this section:

30 (a) “Assessment” means the college and career readiness  
31 ~~[assessment]~~ *assessments* administered to pupils enrolled in grade  
32 11 pursuant to NRS 390.610.

33 (b) “Examination” means:

34 (1) The examinations that are administered to pupils pursuant  
35 to NRS 390.105; and

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

39 (c) “Irregularity in testing administration” means the failure to  
40 administer an examination or assessment in the manner intended by  
41 the person or entity that created the examination or assessment.

42 (d) “Irregularity in testing security” means an act or omission  
43 that tends to corrupt or impair the security of an examination or  
44 assessment, including, without limitation:



(1) The failure to comply with security procedures adopted pursuant to this section or NRS 390.270;

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

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

**Sec. 30.** NRS 390.280 is hereby amended to read as follows:

390.280 1. If the Department:

(a) Has reason to believe that a violation of the plan adopted pursuant to NRS 390.270 may have occurred;

(b) Has reason to believe that a violation of the plan adopted pursuant to NRS 390.275 may have occurred with respect to an examination that is administered pursuant to NRS 390.105 or the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610; or

(c) Receives a request pursuant to subparagraph (2) of paragraph (b) of subsection 1 of NRS 390.285 to investigate a potential violation of the plan adopted pursuant to NRS 390.275 with respect to an examination that is administered pursuant to NRS 390.105 or the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610,  
➤ the Department shall investigate the matter as it deems appropriate.

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

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

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

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

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

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

4. Upon receipt of such a petition, the court shall enter an order directing the witness to appear before the court at a time and place



1 to be fixed by the court in its order, the time to be not more than 10  
2 days after the date of the order, and then and there show cause  
3 why the witness has not attended, testified or produced materials  
4 before the Department. A certified copy of the order must be served  
5 upon the witness.

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

12 **Sec. 31.** NRS 390.285 is hereby amended to read as follows:

13 390.285 1. If a school official has reason to believe that a  
14 violation of the plan adopted pursuant to NRS 390.275 may have  
15 occurred, the school official shall immediately report the incident to  
16 the board of trustees of the school district. If the board of trustees of  
17 a school district has reason to believe that a violation of the plan  
18 adopted pursuant to NRS 390.275 may have occurred, the board of  
19 trustees shall:

20 (a) If the violation is with respect to an examination  
21 administered pursuant to NRS 390.105 or the college and career  
22 readiness ~~assessment~~ *assessments* administered pursuant to NRS  
23 390.610, immediately report the incident to the Department orally or  
24 in writing followed by a comprehensive written report within 14  
25 school days after the incident occurred; and

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

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

32 (2) With respect to an examination that is administered  
33 pursuant to NRS 390.105 or the college and career readiness  
34 ~~assessment~~ *assessments* administered pursuant to NRS 390.610,  
35 requesting that the Department investigate the incident pursuant to  
36 NRS 390.280.

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

42 2. Except as otherwise provided in this subsection, if the board  
43 of trustees of a school district proceeds in accordance with  
44 subparagraph (1) of paragraph (b) of subsection 1, the board of  
45 trustees may issue a subpoena to compel the attendance or testimony





1 of a witness or the production of any relevant materials, including,  
2 without limitation, books, papers, documents, records, photographs,  
3 recordings, reports and tangible objects. A board of trustees shall  
4 not issue a subpoena to compel the attendance or testimony of a  
5 witness or the production of materials unless the attendance,  
6 testimony or production sought to be compelled is related directly to  
7 a violation or an alleged violation of the plan adopted pursuant to  
8 NRS 390.275.

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

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

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

17 (c) The witness has failed or refused to attend, testify or produce  
18 materials before the board of trustees as required by the subpoena,  
19 or has refused to answer questions propounded to him or her,

20 ➤ and asking for an order of the court compelling the witness to  
21 attend, testify or produce materials before the board of trustees.

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

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

35 **Sec. 32.** NRS 390.300 is hereby amended to read as follows:

36 390.300 1. The Department shall establish a program of  
37 education and training regarding the administration and security of  
38 the examinations administered pursuant to NRS 390.105 and the  
39 college and career readiness ~~assessment~~ *assessments* administered  
40 pursuant to NRS 390.610. Upon approval of the Department, the  
41 board of trustees of a school district or the governing body of a  
42 charter school may establish an expanded program of education and  
43 training that includes additional education and training if the  
44 expanded program complies with the program established by the  
45 Department.



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

(a) All the teachers and other educational personnel who provide instruction to pupils enrolled in a grade level that is required to be tested pursuant to NRS 390.105, 390.600 or 390.610, and all other personnel who are involved with the administration of the examinations that are administered pursuant to NRS 390.105 or the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610, receive, on an annual basis, the program of education and training established by the Department or the expanded program, if applicable; and

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

**Sec. 33.** NRS 390.355 is hereby amended to read as follows:

390.355 “Assessment” means the college and career readiness ~~assessment~~ *assessments* administered to pupils in grade 11 pursuant to NRS 390.610.

**Sec. 34.** NRS 390.600 is hereby amended to read as follows:

390.600 1. The State Board shall adopt regulations that, except as otherwise provided in subsection ~~3.~~ 2, prescribe the criteria for a pupil to receive a standard high school diploma, which must include, without limitation, the requirement that:

(a) A pupil ~~enrolled in grade 11 take~~ *receive a passing a score on each of* the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610; and

(b) Commencing with the graduating class of 2022 and each graduating class thereafter, a pupil successfully complete a course of study designed to prepare the pupil for graduation from high school and for readiness for college and career.

~~2. The criteria prescribed by the State Board pursuant to subsection 1 for a pupil to receive a standard high school diploma must not include the results of the pupil on the college and career readiness assessment administered to the pupil in grade 11 pursuant to NRS 390.610.~~

~~3.]~~ A pupil with a disability who does not satisfy the requirements to receive a standard high school diploma prescribed by the State Board pursuant to subsection 1 may receive a standard high school diploma if the pupil demonstrates, through a portfolio of the pupil’s work, proficiency in the standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520.

~~4.]~~ 3. A pupil with a disability who does not satisfy the requirements for receipt of a standard high school diploma



prescribed in subsection ~~[3]~~ 2 or by the State Board pursuant to subsection 1 may receive a diploma designated as an:

(a) Adjusted diploma if the pupil satisfies the requirements set forth in his or her individualized education program; or

(b) Alternative diploma if the pupil:

(1) Has a significant cognitive disability; and

(2) Participates in an alternate assessment prescribed by the State Board.

~~[5-]~~ 4. If a pupil does not satisfy the requirements to receive a standard high school diploma prescribed by subsection ~~[3]~~ 2 or by the State Board pursuant to subsection 1, the pupil must not be issued a certificate of attendance or any other document indicating that the pupil attended high school but did not satisfy the requirements for such a diploma. The provisions of this subsection do not apply to a pupil who receives an adjusted diploma or an alternative diploma pursuant to subsection ~~[4-]~~ 3.

~~[6-]~~ 5. As used in this section, “individualized education program” has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

**Sec. 35.** NRS 390.610 is hereby amended to read as follows:

390.610 1. ~~[The State Board shall select a college and career readiness assessment for administration to pupils who are enrolled in grade 11 in public high schools.~~

~~—2. Except as otherwise provided in this subsection, a pupil must take the college and career readiness assessment to receive a standard high school diploma. A pupil with a disability may, in accordance with his or her individualized education program, be exempt from the requirement to take the college and career readiness assessment.~~

~~—3. The results of a pupil on the college and career readiness assessment:~~

~~—(a) Must not be used in the determination of whether the pupil satisfies the requirements for receipt of standard high school diploma.~~

~~—(b) May be used in the determination of whether the pupil satisfies the requirements for receipt of a college and career ready high school diploma.~~

~~—4.]~~ The ~~[assessment selected]~~ college and career readiness assessments in mathematics, reading and writing written and prepared pursuant to ~~[subsection 1]~~ section 24 of this act must be:

(a) Administered at the same time during the school year by the board of trustees of each school district to pupils enrolled in grade 11 and pupils enrolled in grade 12 who have not received a passing score on one or more of the assessments in all public high schools of the school district and by the governing body of each



1 charter school that enrolls pupils in grade 11 ~~§~~ *or 12*, as prescribed  
2 by the State Board, and in accordance with uniform procedures  
3 adopted by the State Board. The Department shall monitor the  
4 compliance of the school districts and individual schools with the  
5 uniform procedures and report to the State Board any instance of  
6 noncompliance.

7 (b) Administered in accordance with the plan adopted by the  
8 Department pursuant to NRS 390.270 and with the plan adopted by  
9 the board of trustees of the school district in which the ~~assessment~~  
10 *is* *assessments are* administered pursuant to NRS 390.275. The  
11 Department shall monitor the compliance of the school districts and  
12 individual schools with:

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

14 (2) The plan adopted by the board of trustees of the  
15 applicable school district, to the extent that the plan adopted by the  
16 board of trustees of the school district is consistent with the plan  
17 adopted by the Department,

18 ➤ and shall report to the State Board any instance of  
19 noncompliance.

20 ~~{5.—The}~~

21 *2. A pupil with a disability may, in accordance with his or her*  
22 *individualized education program, be exempt from the*  
23 *requirement to take the college and career readiness assessments.*

24 *3. Each* assessment ~~{selected}~~ *administered* pursuant to  
25 subsection 1 must:

26 (a) Be used to provide data and information to each pupil who  
27 takes the assessment in a manner that allows the pupil to review the  
28 areas of his or her academic strengths and weaknesses, including,  
29 without limitation, areas where additional work in the subject  
30 ~~{areas}~~ *area* tested on the assessment is necessary to prepare for  
31 college and career success without the need for remediation; and

32 (b) Allow teachers and other educational personnel to use the  
33 results of a pupil on the assessment to provide appropriate  
34 interventions for the pupil to prepare for college and career success.

35 ~~{6.}~~ *4.* The Department shall ensure the availability of  
36 authorized supports to pupils who are English learners for the  
37 ~~{assessment—selected}~~ *assessments administered* pursuant to  
38 subsection 1.

39 ~~{7.}~~ *5.* The State Board shall adopt regulations prescribing the  
40 manner in which the results of ~~{a}~~ *the* college and career readiness  
41 ~~{assessment—selected}~~ *assessments administered* pursuant to  
42 subsection 1 must be used by a school district or charter school that  
43 operates as a high school to inform the instruction provided to  
44 pupils enrolled in grade 12, including, without limitation, to



determine whether to provide remediation in areas of academic weakness and acceleration in areas of academic strength.

~~[8-]~~ 6. The State Board may work in consultation with the boards of trustees of school districts and, if a charter school enrolls pupils at a high school grade level, the governing body of the charter school to develop and implement appropriate plans of remediation for pupils based upon the results of the pupils on the ~~[assessment-]~~ *assessments*.

**Sec. 36.** NRS 390.620 is hereby amended to read as follows:

390.620 1. The Department shall develop an informational pamphlet concerning the college and career readiness ~~[assessment]~~ *assessments* administered pursuant to NRS 390.610 for pupils who are enrolled in junior high, middle school and high school, and their parents and legal guardians. The pamphlet must include a written explanation of the:

(a) Importance of taking the college and career readiness ~~[assessment-]~~ *assessments*;

(b) Subject areas tested on the college and career readiness ~~[assessment-]~~ *assessments*; and

(c) Format for the college and career readiness ~~[assessment-]~~ *assessments*, including, without limitation, the range of items that is contained on ~~[the]~~ *each* assessment.

2. The Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as it considers necessary to ensure that pupils and their parents or legal guardians fully understand the college and career readiness ~~[assessment-]~~ *assessments*.

3. On or before September 1, the Department shall:

(a) Provide an electronic copy of the pamphlet or revised pamphlet to the board of trustees of each school district and the governing body of each charter school that includes pupils enrolled in a junior high, middle school or high school grade level; and

(b) Post a copy of the pamphlet or revised pamphlet on the Internet website maintained by the Department.

4. The board of trustees of each school district shall provide a copy of the pamphlet to each junior high, middle school or high school within the school district for posting. The governing body of each charter school shall ensure that a copy of the pamphlet is posted at the charter school. Each principal of a junior high, middle school, high school or charter school shall ensure that the teachers, counselors and administrators employed at the school fully understand the contents of the pamphlet.

5. On or before October 1, the:

(a) Board of trustees of each school district shall provide a copy of the pamphlet to each pupil who is enrolled in a junior high,



1 middle school or high school of the school district and to the parents  
2 or legal guardians of such a pupil.

3 (b) Governing body of each charter school shall provide a copy  
4 of the pamphlet to each pupil who is enrolled in the charter school at  
5 a junior high, middle school or high school grade level and to the  
6 parents or legal guardians of such a pupil.

7 **Sec. 37.** NRS 390.840 is hereby amended to read as follows:

8 390.840 If the Department enters into a contract with a person  
9 or entity to score the results of an examination that is administered  
10 to pupils pursuant to NRS 390.105 or the college and career  
11 readiness ~~assessment~~ *assessments* administered pursuant to NRS  
12 390.610, and the contract sets forth penalties or sanctions in the  
13 event that the person or entity fails to deliver the scored results to a  
14 school district or charter school on a timely basis, the Department  
15 shall ensure that any such penalties or sanctions are fully enforced.

16 **Sec. 38.** NRS 391.330 is hereby amended to read as follows:

17 391.330 1. The State Board may suspend or revoke the  
18 license of any teacher, administrator or other licensed employee, or  
19 may issue a letter of reprimand to any teacher, administrator or other  
20 licensed employee, after notice and an opportunity for hearing have  
21 been provided pursuant to NRS 391.322 and 391.323, for:

22 (a) Unprofessional conduct.

23 (b) Immorality, as defined in NRS 391.650.

24 (c) Evident unfitness for service.

25 (d) Physical or mental incapacity which renders the teacher,  
26 administrator or other licensed employee unfit for service.

27 (e) Conviction of a felony or crime involving moral turpitude.

28 (f) Conviction of a sex offense under NRS 200.366, 200.368,  
29 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil  
30 enrolled in a school of a county school district was the victim.

31 (g) Knowingly advocating the overthrow of the Federal  
32 Government or of the State of Nevada by force, violence or  
33 unlawful means.

34 (h) Persistent defiance of or refusal to obey the regulations of  
35 the State Board, the Commission or the Superintendent of Public  
36 Instruction, defining and governing the duties of teachers,  
37 administrators and other licensed employees.

38 (i) Breaches in the security or confidentiality of the questions  
39 and answers of the examinations that are administered pursuant to  
40 NRS 390.105 and the college and career readiness ~~assessment~~  
41 *assessments* administered pursuant to NRS 390.610.

42 (j) Intentional failure to observe and carry out the requirements  
43 of a plan to ensure the security of examinations and assessments  
44 adopted pursuant to NRS 390.270 or 390.275.

45 (k) An intentional violation of NRS 388.497 or 388.499.



(l) Knowingly and willfully failing to comply with the provisions of NRS 388.1351.

(m) A substantiated report of abuse or neglect of a child, as defined in NRS 432B.020, or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made against the applicant in any state.

2. The State Board shall adopt regulations governing the process by which a letter of reprimand may be issued to a teacher, administrator or other licensed employee pursuant to this section, including, without limitation, regulations concerning the time period during which a letter of reprimand will remain on the record of the teacher, administrator or other licensed employee.

3. A teacher, administrator or other licensed employee whose license is suspended pursuant to this section:

(a) May apply to reinstate his or her license after the period of suspension, as determined by the State Board, is completed; and

(b) If he or she applies to reinstate his or her license pursuant to paragraph (a), shall:

(1) Submit a new application for licensure to the Department; and

(2) Pay the appropriate fee for licensure.

4. A teacher, administrator or other licensed employee whose license is revoked may not apply to reinstate his or her license and the Department shall not grant a new license to such a person.

**Sec. 39.** NRS 391.460 is hereby amended to read as follows:

391.460 1. The Council shall:

(a) Make recommendations to the State Board concerning the adoption of regulations for establishing a statewide performance evaluation system to ensure that teachers, administrators who provide primarily administrative services at the school level, administrators at the district level who provide direct supervision of the principal of a school, and who do not provide primarily direct instructional services to pupils, and other licensed educational personnel, regardless of whether licensed as a teacher or administrator, including, without limitation, a principal and vice principal are:

(1) Evaluated using multiple, fair, timely, rigorous and valid methods ; ~~[-, which includes evaluations based upon pupil growth as required by NRS 391.465;-]~~

(2) Afforded a meaningful opportunity to improve their effectiveness through professional development that is linked to their evaluations; and

(3) Provided with the means to share effective educational methods with other teachers, administrators and other licensed educational personnel throughout this State.



(b) Develop and recommend to the State Board a plan, including duties and associated costs, for the development and implementation of the performance evaluation system by the Department and school districts.

(c) Consider the role of professional standards for teachers, administrators and other licensed educational personnel, to which paragraph (a) applies and, as it determines appropriate, develop a plan for recommending the adoption of such standards by the State Board.

(d) Develop and recommend to the State Board a process for peer observations of teachers by qualified educational personnel which is designed to provide assistance to teachers in meeting the standards of effective teaching, and includes, without limitation, conducting observations, participating in conferences before and after observations of the teacher and providing information and resources to the teacher about strategies for effective teaching.

2. The performance evaluation system recommended by the Council must ensure that:

(a) Data derived from the evaluations is used to create professional development programs that enhance the effectiveness of teachers, administrators and other licensed educational personnel; and

(b) A timeline is included for monitoring the performance evaluation system at least annually for quality, reliability, validity, fairness, consistency and objectivity.

3. The Council may establish such working groups, task forces and similar entities from within or outside its membership as necessary to address specific issues or otherwise to assist in its work.

4. The State Board shall consider the recommendations made by the Council pursuant to this section and shall adopt regulations establishing a statewide performance evaluation system as required by NRS 391.465.

**Sec. 40.** NRS 391.465 is hereby amended to read as follows:

391.465 1. The State Board shall, based upon the recommendations of the Teachers and Leaders Council of Nevada submitted pursuant to NRS 391.460, adopt regulations establishing a statewide performance evaluation system which incorporates multiple measures of an employee's performance. Except as otherwise provided in subsection 3, the State Board shall prescribe the tools to be used by a school district for obtaining such measures.

2. The statewide performance evaluation system must:

(a) Require that an employee's overall performance is determined to be:

(1) Highly effective;





- (2) Effective;
- (3) Developing; or
- (4) Ineffective.

(b) Include the criteria for making each designation identified in paragraph (a), which must include, without limitation, consideration of whether the classes for which the employee is responsible exceed the applicable recommended ratios of pupils per licensed teacher prescribed by the State Board pursuant to NRS 388.890 and, if so, the degree to which the ratios affect:

(1) The ability of the employee to carry out his or her professional responsibilities; and

(2) The instructional practices of the employee.

(c) Except as otherwise provided in ~~subsections 2 and 3 of NRS 391.695 and~~ subsections 2 and 3 of NRS 391.715, require that pupil growth, as determined pursuant to NRS 391.480, account for:

(1) Zero percent of the evaluation of ~~a teacher or~~ *an* administrator who provides direct instructional services to pupils at a school in a school district for the school year 2021-2022; and

(2) Fifteen percent of the evaluation of ~~a teacher or~~ *an* administrator who provides direct instructional services to pupils at a school in a school district for each academic year beginning with the school year 2022-2023.

(d) Include an evaluation of whether the teacher, or administrator who provides primarily administrative services at the school level or administrator at the district level who provides direct supervision of the principal of a school, and who does not provide primarily direct instructional services to pupils, regardless of whether the probationary administrator is licensed as a teacher or administrator, including, without limitation, a principal and vice principal or licensed educational employee, other than a teacher or administrator, employs practices and strategies to involve and engage the parents and families of pupils.

(e) Include a process for peer observations of teachers by qualified educational personnel which is designed to provide assistance to teachers in meeting the standards of effective teaching, and includes, without limitation, conducting observations, participating in conferences before and after observations of the teacher and providing information and resources to the teacher about strategies for effective teaching. The regulations must include the criteria for school districts to determine which educational personnel are qualified to conduct peer observations pursuant to the process.

(f) Require a person who evaluates a teacher who is responsible for a number of pupils that exceeds the applicable recommended ratio of pupils per licensed teacher prescribed by the State Board pursuant to NRS 388.890, who is a postprobationary employee as



defined in NRS 391.650 and whose performance on that evaluation is designated as effective or highly effective to, under the statewide performance evaluation system, award the teacher an additional weight for criteria relating to:

(1) The manner in which the teacher structures a classroom environment;

(2) The manner in which the teacher provides an opportunity for extended discourse;

(3) The manner in which the teacher employs the cognitive abilities and skills of all pupils;

(4) The manner in which the teacher engages with the families of pupils; and

(5) The perception of pupils of the performance of the teacher,

➔ that is equivalent to the percentage by which the ratio of pupils for which the teacher is responsible exceeds the recommended ratio of pupils per licensed teacher. Any additional weight awarded to a teacher pursuant to this paragraph must not cause the score on a criterion to exceed the maximum score that would otherwise be possible on the criterion for a teacher rated as highly effective.

(g) If an employee knowingly and willfully failed to comply with the provisions of NRS 388.1351, indicate any disciplinary actions taken against the employee pursuant to NRS 388.1354.

*(h) Require that pupil growth not be used to evaluate the performance of a teacher.*

3. A school district may apply to the State Board to use a performance evaluation system and tools that are different than the evaluation system and tools prescribed pursuant to subsection 1. The application must be in the form prescribed by the State Board and must include, without limitation, a description of the evaluation system and tools proposed to be used by the school district. The State Board may approve the use of the proposed evaluation system and tools if it determines that the proposed evaluation system and tools apply standards and indicators that are equivalent to those prescribed by the State Board.

4. An administrator at the district level who provides direct supervision of the principal of a school and who also serves as the superintendent of schools of a school district must not be evaluated using the statewide performance evaluation system.

**Sec. 41.** NRS 391.480 is hereby amended to read as follows:

391.480 For each school year beginning with the school year 2022-2023:

1. ~~Each teacher at a school in a school district shall, in consultation with the principal of the school at which the teacher is employed or other administrator who is assigned by the principal,~~



~~develop learning goals for the pupils of the teacher for a specified period.~~

~~—2.]~~ Each principal, vice principal and other administrator who provides direct instructional services to pupils at a school in a school district shall, in consultation with his or her direct supervisor, develop learning goals for the pupils at the school where the principal, vice principal or other administrator, as applicable, is employed for a specified period.

~~[3.]~~ 2. The Department shall establish a list of assessments that may be used by a school or school district to measure the achievement of learning goals established pursuant to this section.

~~[4.]~~ 3. The board of trustees of each school district shall ensure that the learning goals for pupils established pursuant to this section measure pupil growth in accordance with the criteria established by regulation of the State Board.

~~[5.]~~ 4. Each ~~[teacher—and]~~ administrator who establishes learning goals for pupils pursuant to this section must be evaluated at the end of the specified period to determine the extent to which the learning goals of the pupils were achieved. Such an evaluation must be conducted in accordance with the criteria established by regulation of the State Board for determining the level of pupil growth for the purposes of the statewide performance evaluation system. The State Board may establish by regulation the manner in which to include certain categories of pupils in the evaluation conducted pursuant to this subsection.

**Sec. 42.** NRS 391.695 is hereby amended to read as follows:

391.695 1. The evaluation of a probationary teacher or a postprobationary teacher pursuant to NRS 391.685 or 391.690 must comply with the regulations of the State Board adopted pursuant to NRS 391.465, which must include, without limitation:

(a) An evaluation of the instructional practice of the teacher in the classroom;

(b) An evaluation of the professional responsibilities of the teacher to support learning and promote the effectiveness of the school community;

(c) ~~[Except as otherwise provided in subsection 2 or 3, an evaluation of the performance of pupils enrolled in the school;~~

~~—(d)]~~ An evaluation of whether the teacher employs practices and strategies to involve and engage the parents and families of pupils in the classroom;

~~[(e)]~~ (d) Recommendations for improvements in the performance of the teacher;

~~[(f)]~~ (e) A description of the action that will be taken to assist the teacher in the areas of instructional practice, professional responsibilities and the performance of pupils; and



~~(e)~~ (f) A statement by the administrator who evaluated the teacher indicating the amount of time that the administrator personally observed the performance of the teacher in the classroom.

2. ~~[The evaluation of a probationary teacher in his or her initial year of employment as a probationary teacher must not include an evaluation of the performance of pupils enrolled in the school. This subsection does not apply to a postprobationary employee who is deemed to be a probationary employee pursuant to NRS 391.730.~~

~~—3. The evaluation of a teacher at a school designated as a turnaround school pursuant to NRS 388G.400 must not include an evaluation of the performance of pupils enrolled in the school for the first and second years after the school has been designated as a turnaround school.~~

~~—4.]~~ The teacher must receive a copy of each evaluation not later than 15 days after the evaluation. A copy of the evaluation and the teacher's response must be permanently attached to the teacher's personnel file. Upon the request of a teacher, a reasonable effort must be made to assist the teacher to improve his or her performance based upon the recommendations reported in the evaluation of the teacher.

**Sec. 43.** NRS 391.750 is hereby amended to read as follows:

391.750 1. A teacher may be suspended, dismissed or not reemployed and an administrator may be demoted, suspended, dismissed or not reemployed for the following reasons:

- (a) Inefficiency;
- (b) Immorality;
- (c) Unprofessional conduct;
- (d) Insubordination;
- (e) Neglect of duty;
- (f) Physical or mental incapacity;
- (g) A justifiable decrease in the number of positions due to decreased enrollment or district reorganization;
- (h) Conviction of a felony or of a crime involving moral turpitude;
- (i) Inadequate performance;
- (j) Evident unfitness for service;
- (k) Failure to comply with such reasonable requirements as a board may prescribe;
- (l) Failure to show normal improvement and evidence of professional training and growth;
- (m) Advocating overthrow of the Government of the United States or of the State of Nevada by force, violence or other unlawful means, or the advocating or teaching of communism with the intent to indoctrinate pupils to subscribe to communistic philosophy;



(n) Any cause which constitutes grounds for the revocation of a teacher's license;

(o) Willful neglect or failure to observe and carry out the requirements of this title;

(p) Dishonesty;

(q) Intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations and assessments adopted pursuant to NRS 390.270 or 390.275;

(r) An intentional violation of NRS 388.497 or 388.499;

(s) Knowingly and willfully failing to comply with the provisions of NRS 388.1351;

(t) Knowingly and willfully violating any provision of NRS 391.850 to 391.930, inclusive;

(u) Gross misconduct; or

(v) An intentional failure to report a violation of NRS 388.135 if the teacher or administrator witnessed the violation.

2. If a teacher or administrator is found, through an investigation of a testing irregularity, to have willfully breached the security or confidentiality of the questions and answers of the examinations that are administered pursuant to NRS 390.105 or the college and career readiness ~~assessment~~ *assessments* administered pursuant to NRS 390.610, the board of trustees of a school district, governing body of a charter school or governing body of a university school for profoundly gifted pupils, as applicable, shall:

(a) Suspend, dismiss or fail to reemploy the teacher; or

(b) Demote, suspend, dismiss or fail to reemploy the administrator.

3. In determining whether the professional performance of a licensed employee is inadequate, consideration must be given to the regular and special evaluation reports prepared in accordance with the policy of the employing school district and to any written standards of performance which may have been adopted by the board.

4. As used in this section, "gross misconduct" includes any act or omission that is in wanton, willful, reckless or deliberate disregard of the interests of a school or school district or a pupil thereof.

**Sec. 44.** Notwithstanding the amendatory provisions of sections 33 and 34 of this act:

1. The board of trustees of each school district shall first administer the college and career readiness assessments written and prepared by the committees created by section 24 of this act during the 2024-2025 school year.

2. A pupil is not required to receive a passing score on each of the college and career readiness assessments administered pursuant



1 to NRS 390.600, as amended by section 34 of this act, to receive a  
2 standard high school diploma or college and career ready high  
3 school diploma before July 1, 2029.

4 **Sec. 45.** Notwithstanding the amendatory provisions of  
5 sections 40, 41 and 42 of this act, if an agreement entered into  
6 between a school district and an employee organization before the  
7 effective date of this act provides incentives to teachers on the basis  
8 of learning goals for the pupils of a teacher, a teacher who is subject  
9 to such an agreement may continue to develop such learning goals  
10 for pupils pursuant to NRS 391.480, as that section existed before  
11 the effective date of this act, to satisfy the requirements of the  
12 agreement for the duration of the agreement. Any learning goals for  
13 pupils developed by a teacher pursuant to this section shall account  
14 for the percentage of the evaluation of a teacher as provided in NRS  
15 391.465, as that section existed before the effective date of this act.

16 **Sec. 46.** Except as otherwise provided in this section and  
17 section 45 of this act, pupil growth, as determined pursuant to NRS  
18 391.480, as that section existed before the effective date of this act,  
19 must account for zero percent of the evaluation of a teacher for the  
20 2022-2023 school year. A school district shall ensure that any  
21 evaluation of a teacher which occurs during the 2022-2023 school  
22 year before the effective date of this act is amended to conform with  
23 the provisions of this section, unless such an amendment would  
24 result in the decrease of the overall rating of the teacher.

25 **Sec. 47.** The provisions of NRS 354.599 do not apply to any  
26 additional expenses of a local government that are related to the  
27 provisions of this act.

28 **Sec. 48.** Any regulations adopted by the State Board of  
29 Education relating to the administration of end-of-course finals are  
30 void. The Legislative Counsel shall remove any such regulation  
31 from the Nevada Administrative Code as soon as practicable after  
32 the passage and approval of this act.

33 **Sec. 49.** NRS 390.700 is hereby repealed.

34 **Sec. 50.** This act becomes effective upon passage and  
35 approval.

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## TEXT OF REPEALED SECTION

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### **390.700 Regulations relating to end-of-course finals.**

1. The State Board shall adopt regulations that prescribe the:
  - (a) Courses of study for which an end-of-course final must be administered; and



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

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



