

ASSEMBLY BILL NO. 288—ASSEMBLYMEN FLORES, DONDERO
LOOP, KIRNER; AND ELLIOT ANDERSON

MARCH 15, 2013

Referred to Committee on Education

SUMMARY—Revises provisions governing graduation from high school. (BDR 34-524)

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

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

AN ACT relating to education; requiring the State Board of Education to select a high school equivalency assessment for certain persons who are not enrolled in high school and have not graduated; providing for the recognition of a document equivalent to a general educational development certificate, general educational development credential and general equivalency diploma; requiring the State Board to select a college and career readiness assessment for administration to pupils enrolled in grade 11 in public high schools; revising the requirements to receive a standard high school diploma by requiring pupils enrolled in grades 9 and 10 to pass end-of-course examinations for the courses of study prescribed by the State Board; eliminating the option for the issuance of a certificate of attendance indicating a pupil attended high school but did not satisfy the requirements for a standard high school diploma; eliminating the high school proficiency examination; repealing provisions relating to the high school proficiency examination; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes a person who is 16 or 17 years of age, is not enrolled in
- 2 high school and has not graduated from high school to take the tests of general
- 3 educational development to obtain a general educational development certificate
- 4 which demonstrates that the person has achieved an educational level which is an
- 5 acceptable substitute for completing a high school education. (NRS 385.448)



* A B 2 8 8 R 2 *

6 **Section 12.3** of this bill removes the reference to the tests of general educational
7 development and requires the State Board of Education to select a high school
8 equivalency assessment. Existing law also makes various references to a: (1)
9 general educational development certificate; (2) general educational development
10 credential; and (3) general equivalency diploma. (NRS 209.396, 209.433, 209.443,
11 209.446, 209.4465, 211.330, 213.315, 388.575, 389.810, 432B.595, 630.277,
12 641C.420, 652.127, 697.173) **Sections 17.5, 33.5, 41.1-41.7 and 42.2-42.7** of this
13 bill provide for the recognition of a document that is equivalent to such a
14 certificate, credential or diploma.

15 Existing law requires the administration of examinations based upon the State's
16 academic standards to pupils enrolled in grades 3 through 8 and requires pupils to
17 pass the high school proficiency examination to receive a standard high school
18 diploma. (NRS 389.015, 389.550) **Section 43** of this bill eliminates the high school
19 proficiency examination. **Section 19** of this bill requires the State Board to select a
20 college and career readiness assessment for administration to pupils enrolled in
21 grade 11 in public high schools commencing with the 2014-2015 school year.
22 **Section 19** further requires a pupil enrolled in grade 11 to take the assessment to
23 receive a standard high school diploma, but prohibits the use of the results of the
24 assessment in determining the pupil's eligibility for such a diploma.

25 Existing law prescribes the requirements for a standard high school diploma,
26 including passage of the high school proficiency examination. (NRS 389.805)
27 **Section 33** of this bill eliminates the requirement of passage of the high school
28 proficiency examination and instead requires the State Board to prescribe the
29 criteria for receipt of a standard high school diploma, which must include the
30 requirement that, commencing with the 2014-2015 school year, a pupil enrolled in
31 grade 9 or 10 pass an end-of-course examination. **Section 33** also requires the State
32 Board to adopt the courses of study in which pupils enrolled in grades 9 and 10
33 must pass such an examination, which must include, without limitation, the subject
34 areas for which the State Board has adopted the common core standards.

35 Under existing law, a pupil who does not pass the high school proficiency
36 examination may be issued a certificate of attendance in lieu of a diploma if he or
37 she is 18 years of age. (NRS 389.015) **Section 33** of this bill prohibits the issuance
38 to a pupil of a certificate of attendance or any other document indicating that the
39 pupil attended high school but did not satisfy the requirements for a standard high
40 school diploma.

41 As a transition from the administration of the high school proficiency
42 examination to the administration of end-of-course examinations, **sections 44-44.7**
43 of this bill require the State Board of Education to prescribe the requirements which
44 a pupil enrolled in grade 10, 11 or 12 in the 2013-2014 school year who has not
45 passed the high school proficiency examination and is required to pass the
46 examination to receive a standard high school diploma must satisfy to receive a
47 standard high school diploma. Such requirements may include the continuation of
48 the administration of the high school proficiency examination to those pupils.

49 The remaining sections of this bill make conforming changes relating to the
50 elimination of the high school proficiency examination.



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

1 **Section 1.** NRS 385.3469 is hereby amended to read as
2 follows:
3 385.3469 1. The State Board shall prepare an annual report
4 of accountability that includes, without limitation:
5 (a) Information on the achievement of all pupils based upon the
6 results of the examinations administered pursuant to NRS ~~389.015~~
7 ~~and~~ 389.550 ~~+~~ **and 389.805**, reported for each school district,
8 including, without limitation, each charter school in the district, and
9 for this State as a whole.
10 (b) Except as otherwise provided in subsection 2, pupil
11 achievement, reported separately by gender and reported separately
12 for the following groups of pupils:
13 (1) Pupils who are economically disadvantaged, as defined
14 by the State Board;
15 (2) Pupils from major racial and ethnic groups, as defined by
16 the State Board;
17 (3) Pupils with disabilities;
18 (4) Pupils who are limited English proficient; and
19 (5) Pupils who are migratory children, as defined by the State
20 Board.
21 (c) A comparison of the achievement of pupils in each group
22 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
23 annual measurable objectives of the State Board.
24 (d) The percentage of all pupils who were not tested, reported
25 for each school district, including, without limitation, each charter
26 school in the district, and for this State as a whole.
27 (e) Except as otherwise provided in subsection 2, the percentage
28 of pupils who were not tested, reported separately by gender and
29 reported separately for the groups identified in paragraph (b).
30 (f) The most recent 3-year trend in the achievement of pupils in
31 each subject area tested and each grade level tested pursuant to NRS
32 ~~389.015 and~~ 389.550 ~~+~~ **and 389.805**, reported for each school
33 district, including, without limitation, each charter school in the
34 district, and for this State as a whole, which may include
35 information regarding the trend in the achievement of pupils for
36 more than 3 years, if such information is available.
37 (g) Information on whether each school district has made
38 adequate yearly progress, including, without limitation, the name of
39 each school district, if any, designated as demonstrating need for
40 improvement pursuant to NRS 385.377 and the number of
41 consecutive years that the school district has carried that
42 designation.



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

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

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

10 (i) Information on the results of pupils who participated in the
11 examinations of the National Assessment of Educational Progress
12 required pursuant to NRS 389.012.

13 (j) The ratio of pupils to teachers in kindergarten and at each
14 grade level for all elementary schools, reported for each school
15 district, including, without limitation, each charter school in the
16 district, and for this State as a whole, and the average class size for
17 each core academic subject, as set forth in NRS 389.018, for each
18 secondary school, reported for each school district and for this State
19 as a whole.

20 (k) The total number of persons employed by each school
21 district in this State, including without limitation, each charter
22 school in the district. Each such person must be reported as either an
23 administrator, a teacher or other staff and must not be reported in
24 more than one category. In addition to the total number of persons
25 employed by each school district in each category, the report must
26 include the number of employees in each of the three categories
27 expressed as a percentage of the total number of persons employed
28 by the school district. As used in this paragraph:

29 (1) "Administrator" means a person who spends at least 50
30 percent of his or her work year supervising other staff or licensed
31 personnel, or both, and who is not classified by the board of trustees
32 of a school district as a professional-technical employee.

33 (2) "Other staff" means all persons who are not reported as
34 administrators or teachers, including, without limitation:

35 (I) School counselors, school nurses and other employees
36 who spend at least 50 percent of their work year providing
37 emotional support, noninstructional guidance or medical support to
38 pupils;

39 (II) Noninstructional support staff, including, without
40 limitation, janitors, school police officers and maintenance staff; and

41 (III) Persons classified by the board of trustees of a school
42 district as professional-technical employees, including, without
43 limitation, technical employees and employees on the professional-
44 technical pay scale.



1 (3) "Teacher" means a person licensed pursuant to chapter
2 391 of NRS who is classified by the board of trustees of a school
3 district:

4 (I) As a teacher and who spends at least 50 percent of his
5 or her work year providing instruction or discipline to pupils; or

6 (II) As instructional support staff, who does not hold a
7 supervisory position and who spends not more than 50 percent of
8 his or her work year providing instruction to pupils. Such
9 instructional support staff includes, without limitation, librarians
10 and persons who provide instructional support.

11 (I) For each school district, including, without limitation, each
12 charter school in the district, and for this State as a whole,
13 information on the professional qualifications of teachers employed
14 by the school districts and charter schools, including, without
15 limitation:

16 (1) The percentage of teachers who are:

17 (I) Providing instruction pursuant to NRS 391.125;

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

21 (III) Otherwise providing instruction without an
22 endorsement for the subject area in which the teachers are
23 employed;

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

27 (3) The percentage of classes in the core academic subjects,
28 as set forth in NRS 389.018, in this State that are not taught by
29 highly qualified teachers, in the aggregate and disaggregated by
30 high-poverty compared to low-poverty schools, which for the
31 purposes of this subparagraph means schools in the top quartile of
32 poverty and the bottom quartile of poverty in this State;

33 (4) For each middle school, junior high school and high
34 school:

35 (I) The number of persons employed as substitute
36 teachers for 20 consecutive days or more in the same classroom or
37 assignment, designated as long-term substitute teachers, including
38 the total number of days long-term substitute teachers were
39 employed at each school, identified by grade level and subject area;
40 and

41 (II) The number of persons employed as substitute
42 teachers for less than 20 consecutive days, designated as short-term
43 substitute teachers, including the total number of days short-term
44 substitute teachers were employed at each school, identified by
45 grade level and subject area; and



1 (5) For each elementary school:

2 (I) The number of persons employed as substitute
3 teachers for 20 consecutive days or more in the same classroom or
4 assignment, designated as long-term substitute teachers, including
5 the total number of days long-term substitute teachers were
6 employed at each school, identified by grade level; and

7 (II) The number of persons employed as substitute
8 teachers for less than 20 consecutive days, designated as short-term
9 substitute teachers, including the total number of days short-term
10 substitute teachers were employed at each school, identified by
11 grade level.

12 (m) The total expenditure per pupil for each school district in
13 this State, including, without limitation, each charter school in the
14 district. If this State has a financial analysis program that is designed
15 to track educational expenditures and revenues to individual
16 schools, the State Board shall use that statewide program in
17 complying with this paragraph. If a statewide program is not
18 available, the State Board shall use the Department's own financial
19 analysis program in complying with this paragraph.

20 (n) The total statewide expenditure per pupil. If this State has a
21 financial analysis program that is designed to track educational
22 expenditures and revenues to individual schools, the State Board
23 shall use that statewide program in complying with this paragraph.
24 If a statewide program is not available, the State Board shall use the
25 Department's own financial analysis program in complying with
26 this paragraph.

27 (o) For all elementary schools, junior high schools and middle
28 schools, the rate of attendance, reported for each school district,
29 including, without limitation, each charter school in the district, and
30 for this State as a whole.

31 (p) The annual rate of pupils who drop out of school in grade 8
32 and a separate reporting of the annual rate of pupils who drop out of
33 school in grades 9 to 12, inclusive, reported for each school district,
34 including, without limitation, each charter school in the district, and
35 for this State as a whole. The reporting for pupils in grades 9 to 12,
36 inclusive, excludes pupils who:

37 (1) Provide proof to the school district of successful
38 completion of the ~~examinations of general educational~~
39 ~~development.~~ *high school equivalency assessment selected by the*
40 *State Board pursuant to NRS 385.448.*

41 (2) Are enrolled in courses that are approved by the
42 Department as meeting the requirements for an adult standard
43 diploma.

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



1 (q) The attendance of teachers who provide instruction, reported
2 for each school district, including, without limitation, each charter
3 school in the district, and for this State as a whole.

4 (r) Incidents involving weapons or violence, reported for each
5 school district, including, without limitation, each charter school in
6 the district, and for this State as a whole.

7 (s) Incidents involving the use or possession of alcoholic
8 beverages or controlled substances, reported for each school district,
9 including, without limitation, each charter school in the district, and
10 for this State as a whole.

11 (t) The suspension and expulsion of pupils required or
12 authorized pursuant to NRS 392.466 and 392.467, reported for each
13 school district, including, without limitation, each charter school in
14 the district, and for this State as a whole.

15 (u) The number of pupils who are deemed habitual disciplinary
16 problems pursuant to NRS 392.4655, reported for each school
17 district, including, without limitation, each charter school in the
18 district, and for this State as a whole.

19 (v) The number of pupils in each grade who are retained in the
20 same grade pursuant to NRS 392.033 or 392.125, reported for each
21 school district, including, without limitation, each charter school in
22 the district, and for this State as a whole.

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

30 (x) Each source of funding for this State to be used for the
31 system of public education.

32 (y) A compilation of the programs of remedial study purchased
33 in whole or in part with money received from this State that are used
34 in each school district, including, without limitation, each charter
35 school in the district. The compilation must include:

36 (1) The amount and sources of money received for programs
37 of remedial study.

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

40 (z) The percentage of pupils who graduated from a high school
41 or charter school in the immediately preceding year and enrolled in
42 remedial courses in reading, writing or mathematics at a university,
43 state college or community college within the Nevada System of
44 Higher Education, reported for each school district, including,



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

3 (aa) The technological facilities and equipment available for
4 educational purposes, reported for each school district, including,
5 without limitation, each charter school in the district, and for this
6 State as a whole.

7 (bb) For each school district, including, without limitation, each
8 charter school in the district, and for this State as a whole, the
9 number and percentage of pupils who received:

10 (1) A standard high school diploma . ~~[- reported separately~~
11 ~~for pupils who received the diploma pursuant to:~~

12 ~~—(I) Paragraph (a) of subsection 1 of NRS 389.805; and~~

13 ~~—(II) Paragraph (b) of subsection 1 of NRS 389.805.]~~

14 (2) An adult diploma.

15 (3) An adjusted diploma.

16 ~~[(4) A certificate of attendance.]~~

17 (cc) ~~[(For each school district, including, without limitation, each~~
18 ~~charter school in the district, and for this State as a whole, the~~
19 ~~number and percentage of pupils who failed to pass the high school~~
20 ~~proficiency examination.~~

21 ~~—(dd)]~~ The number of habitual truants who are reported to a
22 school police officer or local law enforcement agency pursuant to
23 paragraph (a) of subsection 2 of NRS 392.144 and the number of
24 habitual truants who are referred to an advisory board to review
25 school attendance pursuant to paragraph (b) of subsection 2 of NRS
26 392.144, reported for each school district, including, without
27 limitation, each charter school in the district, and for this State as a
28 whole.

29 ~~[(ee)]~~ (dd) Information on the paraprofessionals employed at
30 public schools in this State, including, without limitation, the charter
31 schools in this State. The information must include:

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

35 (2) For each school district, including, without limitation,
36 each charter school in the district, and for this State as a whole, the
37 number and percentage of all paraprofessionals who do not satisfy
38 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
39 requirements of this subparagraph apply to paraprofessionals who
40 are employed in programs supported with Title I money and to
41 paraprofessionals who are not employed in programs supported with
42 Title I money.

43 ~~[(ff)]~~ (ee) An identification of appropriations made by the
44 Legislature to improve the academic achievement of pupils and



1 programs approved by the Legislature to improve the academic
2 achievement of pupils.

3 ~~(gg)~~ (ff) A compilation of the special programs available for
4 pupils at individual schools, listed by school and by school district,
5 including, without limitation, each charter school in the district.

6 ~~(hh)~~ (gg) For each school district, including, without
7 limitation, each charter school in the district and for this State as a
8 whole, information on pupils enrolled in career and technical
9 education, including, without limitation:

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

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

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

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

19 (5) The number and percentage of pupils who completed a
20 program of career and technical education and who received a
21 standard high school diploma ~~†~~ or an adjusted diploma ; ~~for a~~
22 ~~certificate of attendance;~~ and

23 (6) The number and percentage of pupils who completed a
24 program of career and technical education and who did not receive a
25 high school diploma because the pupils failed to ~~pass the high~~
26 ~~school proficiency examination.~~

27 ~~—(ii)~~ *satisfy the criteria prescribed by the State Board pursuant*
28 *to NRS 389.805.*

29 (hh) The number of incidents resulting in suspension or
30 expulsion for bullying, cyber-bullying, harassment or intimidation,
31 reported for each school district, including, without limitation, each
32 charter school in the district, and for the State as a whole.

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

40 3. The annual report of accountability must:

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

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



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

4 4. On or before October 15 of each year, the State Board shall:

5 (a) Provide for public dissemination of the annual report of
6 accountability by posting a copy of the report on the Internet
7 website maintained by the Department; and

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

11 (1) Governor;

12 (2) Committee;

13 (3) Bureau;

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

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

16 (6) Governing body of each charter school.

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

21 6. As used in this section:

22 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

23 (b) "Cyber-bullying" has the meaning ascribed to it in
24 NRS 388.123.

25 (c) "Harassment" has the meaning ascribed to it in
26 NRS 388.125.

27 (d) "Highly qualified" has the meaning ascribed to it in 20
28 U.S.C. § 7801(23).

29 (e) "Intimidation" has the meaning ascribed to it in
30 NRS 388.129.

31 (f) "Paraprofessional" has the meaning ascribed to it in
32 NRS 391.008.

33 **Sec. 2.** NRS 385.34691 is hereby amended to read as follows:

34 385.34691 1. The State Board shall prepare a plan to improve
35 the achievement of pupils enrolled in the public schools in this
36 State. The plan:

37 (a) Must be prepared in consultation with:

38 (1) Employees of the Department;

39 (2) At least one employee of a school district in a county
40 whose population is 100,000 or more, appointed by the Nevada
41 Association of School Boards;

42 (3) At least one employee of a school district in a county
43 whose population is less than 100,000, appointed by the Nevada
44 Association of School Boards; and



1 (4) At least one representative of the Statewide Council for
2 the Coordination of the Regional Training Programs created by NRS
3 391.516, appointed by the Council; and

4 (b) May be prepared in consultation with:

5 (1) Representatives of institutions of higher education;

6 (2) Representatives of regional educational laboratories;

7 (3) Representatives of outside consultant groups;

8 (4) Representatives of the regional training programs for the
9 professional development of teachers and administrators created by
10 NRS 391.512;

11 (5) The Bureau; and

12 (6) Other persons who the State Board determines are
13 appropriate.

14 2. A plan to improve the achievement of pupils enrolled in
15 public schools in this State must include:

16 (a) A review and analysis of the data upon which the report
17 required pursuant to NRS 385.3469 is based and a review and
18 analysis of any data that is more recent than the data upon which the
19 report is based.

20 (b) The identification of any problems or factors common
21 among the school districts or charter schools in this State, as
22 revealed by the review and analysis.

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

26 (d) Strategies to improve the academic achievement of pupils
27 enrolled in public schools in this State, including, without limitation,
28 strategies to:

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

31 (I) The curriculum appropriate to improve achievement;

32 (II) The manner by which the instruction will improve the
33 achievement and proficiency of pupils on the examinations
34 administered pursuant to NRS ~~389.015 and~~ 389.550 ~~+~~ and
35 **389.805**; and

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

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

42 (3) Integrate technology into the instructional and
43 administrative programs of the school districts;

44 (4) Manage effectively the discipline of pupils; and



1 (5) Enhance the professional development offered for the
2 teachers and administrators employed at public schools in this State
3 to include the activities set forth in 20 U.S.C. § 7801(34) and to
4 address the specific needs of the pupils enrolled in public schools in
5 this State, as deemed appropriate by the State Board.

6 (e) Strategies designed to provide to the pupils enrolled in
7 middle school, junior high school and high school, the teachers and
8 counselors who provide instruction to those pupils, and the parents
9 and guardians of those pupils information concerning:

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

12 (2) The availability of Governor Guinn Millennium
13 Scholarships pursuant to NRS 396.911 to 396.945, inclusive; and

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

17 (f) An identification, by category, of the employees of the
18 Department who are responsible for ensuring that each provision of
19 the plan is carried out effectively.

20 (g) A timeline for carrying out the plan, including, without
21 limitation:

22 (1) The rate of improvement and progress which must be
23 attained annually in meeting the goals and benchmarks established
24 by the State Board pursuant to subsection 3; and

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

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

33 (i) Strategies to improve the allocation of resources from this
34 State, by program and by school district, in a manner that will
35 improve the academic achievement of pupils. If this State has a
36 financial analysis program that is designed to track educational
37 expenditures and revenues to individual schools, the State Board
38 shall use that statewide program in complying with this paragraph.
39 If a statewide program is not available, the State Board shall use the
40 Department's own financial analysis program in complying with
41 this paragraph.

42 (j) Based upon the reallocation of resources set forth in
43 paragraph (i), the resources available to the State Board and the
44 Department to carry out the plan, including, without limitation, a
45 budget for the overall cost of carrying out the plan.



1 (k) A summary of the effectiveness of appropriations made by
2 the Legislature to improve the academic achievement of pupils and
3 programs approved by the Legislature to improve the academic
4 achievement of pupils.

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

9 (1) Based upon the data from previous years which is
10 collected by the Department for the plan developed pursuant to this
11 section; and

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

14 (m) Any additional plans addressing the achievement and
15 proficiency of pupils adopted by the Department.

16 3. The State Board shall:

17 (a) In developing the plan to improve the achievement of pupils
18 enrolled in public schools, establish clearly defined goals and
19 benchmarks for improving the achievement of pupils, including,
20 without limitation, goals for:

21 (1) Improving proficiency results in core academic subjects;

22 (2) Increasing the number of pupils enrolled in public middle
23 schools and junior high schools, including, without limitation,
24 charter schools, who enter public high schools with the skills
25 necessary to succeed in high school;

26 (3) Improving the percentage of pupils who enroll in grade 9
27 and who graduate from a public high school, including, without
28 limitation, a charter school, with a standard or higher diploma upon
29 completion;

30 (4) Improving the performance of pupils on standardized
31 college entrance examinations;

32 (5) Increasing the percentage of pupils enrolled in high
33 schools who enter postsecondary educational institutions or who are
34 career and workforce ready; and

35 (6) Reengaging disengaged youth who have dropped out of
36 high school or who are at risk of dropping out of high school,
37 including, without limitation, a mechanism for tracking and
38 maintaining communication with those youth who have dropped out
39 of school or who are at risk of doing so;

40 (b) Review the plan annually to evaluate the effectiveness of the
41 plan;

42 (c) Examine the timeline for implementing the plan and each
43 provision of the plan to determine whether the annual goals and
44 benchmarks have been attained; and



1 (d) Based upon the evaluation of the plan, make revisions, as
2 necessary, to ensure that:

3 (1) The goals and benchmarks set forth in the plan are being
4 attained in a timely manner; and

5 (2) The plan is designed to improve the academic
6 achievement of pupils enrolled in public schools in this State.

7 4. On or before January 31 of each year, the State Board shall
8 submit the plan or the revised plan, as applicable, to the:

9 (a) Governor;

10 (b) Committee;

11 (c) Bureau;

12 (d) Board of Regents of the University of Nevada;

13 (e) Council to Establish Academic Standards for Public Schools
14 created by NRS 389.510;

15 (f) Board of trustees of each school district; and

16 (g) Governing body of each charter school.

17 **Sec. 3.** NRS 385.34692 is hereby amended to read as follows:

18 385.34692 1. The State Board shall prepare a summary of the
19 annual report of accountability prepared pursuant to NRS 385.3469
20 that includes, without limitation, a summary of the following
21 information for each school district, each charter school and the
22 State as a whole:

23 (a) Demographic information of pupils, including, without
24 limitation, the number and percentage of pupils:

25 (1) Who are economically disadvantaged, as defined by the
26 State Board;

27 (2) Who are from major racial or ethnic groups, as defined
28 by the State Board;

29 (3) With disabilities;

30 (4) Who are limited English proficient; and

31 (5) Who are migratory children, as defined by the State
32 Board;

33 (b) The average daily attendance of pupils, reported separately
34 for the groups identified in paragraph (a);

35 (c) The transiency rate of pupils;

36 (d) The percentage of pupils who are habitual truants;

37 (e) The percentage of pupils who are deemed habitual
38 disciplinary problems pursuant to NRS 392.4655;

39 (f) The number of incidents resulting in suspension or expulsion
40 for:

41 (1) Violence to other pupils or to school personnel;

42 (2) Possession of a weapon;

43 (3) Distribution of a controlled substance;

44 (4) Possession or use of a controlled substance;

45 (5) Possession or use of alcohol; and



- 1 (6) Bullying, cyber-bullying, harassment or intimidation;
- 2 (g) For kindergarten through grade 8, the number and
- 3 percentage of pupils who are retained in the same grade;
- 4 (h) For grades 9 to 12, inclusive, the number and percentage of
- 5 pupils who are deficient in the number of credits required for
- 6 promotion to the next grade or graduation from high school;
- 7 (i) The pupil-teacher ratio for kindergarten and grades 1 to 8,
- 8 inclusive;
- 9 (j) The average class size for the subject area of mathematics,
- 10 English, science and social studies in schools where pupils rotate to
- 11 different teachers for different subjects;
- 12 (k) The number and percentage of pupils who graduated from
- 13 high school;
- 14 (l) The number and percentage of pupils who received a:
- 15 (1) Standard diploma;
- 16 (2) Adult diploma; *and*
- 17 (3) Adjusted diploma; ~~and~~
- 18 ~~(4) Certificate of attendance;~~
- 19 (m) The number and percentage of pupils who graduated from
- 20 high school and enrolled in remedial courses at the Nevada System
- 21 of Higher Education;
- 22 (n) Per pupil expenditures;
- 23 (o) Information on the professional qualifications of teachers;
- 24 (p) The average daily attendance of teachers and licensure
- 25 information;
- 26 (q) Information on the adequate yearly progress of the schools
- 27 and school districts;
- 28 (r) Pupil achievement based upon the:
- 29 (1) Examinations administered pursuant to NRS 389.550,
- 30 including, without limitation, whether public schools have made
- 31 progress based upon the model adopted by the Department pursuant
- 32 to NRS 385.3595; and
- 33 (2) ~~High school proficiency examination administered~~
- 34 ~~pursuant to NRS 389.015; and~~ *End-of-course examinations*
- 35 *administered pursuant to NRS 389.805; and*
- 36 (s) Other information required by the Superintendent of Public
- 37 Instruction in consultation with the Bureau.
- 38 2. The summary prepared pursuant to subsection 1 must:
- 39 (a) Comply with 20 U.S.C. § 6311(h)(1) and the regulations
- 40 adopted pursuant thereto;
- 41 (b) Be prepared in a concise manner; and
- 42 (c) Be presented in an understandable and uniform format and,
- 43 to the extent practicable, provided in a language that parents will
- 44 likely understand.
- 45 3. On or before October 20 of each year, the State Board shall:



1 (a) Provide for public dissemination of the summary prepared
2 pursuant to subsection 1 by posting the summary on the Internet
3 website maintained by the Department; and

4 (b) Submit a copy of the summary in an electronic format to the:

5 (1) Governor;

6 (2) Committee;

7 (3) Bureau;

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

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

10 (6) Governing body of each charter school.

11 4. The board of trustees of each school district and the
12 governing body of each charter school shall ensure that the parents
13 and guardians of pupils enrolled in the school district or charter
14 school, as applicable, have sufficient information concerning the
15 availability of the summary prepared by the State Board pursuant to
16 subsection 1, including, without limitation, information that
17 describes how to access the summary on the Internet website
18 maintained by the Department. Upon the request of a parent or
19 guardian of a pupil, the Department shall provide the parent or
20 guardian with a written copy of the summary.

21 5. The Department shall, in consultation with the Bureau and
22 the school districts, prescribe a form for the summary required by
23 this section.

24 6. As used in this section:

25 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

26 (b) "Cyber-bullying" has the meaning ascribed to it in
27 NRS 388.123.

28 (c) "Harassment" has the meaning ascribed to it in
29 NRS 388.125.

30 (d) "Intimidation" has the meaning ascribed to it in
31 NRS 388.129.

32 **Sec. 4.** NRS 385.347 is hereby amended to read as follows:

33 385.347 1. The board of trustees of each school district in
34 this State, in cooperation with associations recognized by the State
35 Board as representing licensed educational personnel in the district,
36 shall adopt a program providing for the accountability of the school
37 district to the residents of the district and to the State Board for the
38 quality of the schools and the educational achievement of the pupils
39 in the district, including, without limitation, pupils enrolled in
40 charter schools sponsored by the school district. The board of
41 trustees of each school district shall report the information required
42 by subsection 2 for each charter school sponsored by the school
43 district. The information for charter schools must be reported
44 separately.



1 2. The board of trustees of each school district shall, on or
2 before September 30 of each year, prepare an annual report of
3 accountability concerning:

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

5 (b) Pupil achievement for each school in the district and the
6 district as a whole, including, without limitation, each charter school
7 sponsored by the district. The board of trustees of the district shall
8 base its report on the results of the examinations administered
9 pursuant to NRS ~~389.015 and~~ 389.550 and **389.805 and** shall
10 compare the results of those examinations for the current school
11 year with those of previous school years. The report must include,
12 for each school in the district, including, without limitation, each
13 charter school sponsored by the district, and each grade in which the
14 examinations were administered:

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

16 (2) A record of attendance for the period in which the
17 examinations were administered, including an explanation of any
18 difference in the number of pupils who took the examinations and
19 the number of pupils who are enrolled in the school.

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

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

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

27 (III) Pupils with disabilities;

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

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

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

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

35 (6) Except as otherwise provided in this paragraph, the
36 percentage of pupils who were not tested, reported separately by
37 gender and reported separately for the groups identified in
38 subparagraph (3).

39 (7) The most recent 3-year trend in pupil achievement in
40 each subject area tested and each grade level tested pursuant to NRS
41 ~~389.015 and~~ 389.550 ~~+~~ and **389.805**, which may include
42 information regarding the trend in the achievement of pupils for
43 more than 3 years, if such information is available.

44 (8) Information that compares the results of pupils in the
45 school district, including, without limitation, pupils enrolled in



1 charter schools sponsored by the district, with the results of pupils
2 throughout this State. The information required by this subparagraph
3 must be provided in consultation with the Department to ensure the
4 accuracy of the comparison.

5 (9) For each school in the district, including, without
6 limitation, each charter school sponsored by the district, information
7 that compares the results of pupils in the school with the results of
8 pupils throughout the school district and throughout this State. The
9 information required by this subparagraph must be provided in
10 consultation with the Department to ensure the accuracy of the
11 comparison.

12 (10) Information on whether each school in the district,
13 including, without limitation, each charter school sponsored by the
14 district, has made progress based upon the model adopted by the
15 Department pursuant to NRS 385.3595.

16 ➔ A separate reporting for a group of pupils must not be made
17 pursuant to this paragraph if the number of pupils in that group is
18 insufficient to yield statistically reliable information or the results
19 would reveal personally identifiable information about an individual
20 pupil. The State Board shall prescribe the mechanism for
21 determining the minimum number of pupils that must be in a group
22 for that group to yield statistically reliable information.

23 (c) The ratio of pupils to teachers in kindergarten and at each
24 grade level for each elementary school in the district and the district
25 as a whole, including, without limitation, each charter school
26 sponsored by the district, and the average class size for each core
27 academic subject, as set forth in NRS 389.018, for each secondary
28 school in the district and the district as a whole, including, without
29 limitation, each charter school sponsored by the district.

30 (d) The total number of persons employed for each elementary
31 school, middle school or junior high school, and high school in the
32 district, including, without limitation, each charter school sponsored
33 by the district. Each such person must be reported as either an
34 administrator, a teacher or other staff and must not be reported in
35 more than one category. In addition to the total number of persons
36 employed by each school in each category, the report must include
37 the number of employees in each of the three categories for each
38 school expressed as a percentage of the total number of persons
39 employed by the school. As used in this paragraph:

40 (1) "Administrator" means a person who spends at least 50
41 percent of his or her work year supervising other staff or licensed
42 personnel, or both, and who is not classified by the board of trustees
43 of the school district as a professional-technical employee.

44 (2) "Other staff" means all persons who are not reported as
45 administrators or teachers, including, without limitation:



1 (I) School counselors, school nurses and other employees
2 who spend at least 50 percent of their work year providing
3 emotional support, noninstructional guidance or medical support to
4 pupils;

5 (II) Noninstructional support staff, including, without
6 limitation, janitors, school police officers and maintenance staff; and

7 (III) Persons classified by the board of trustees of the
8 school district as professional-technical employees, including,
9 without limitation, technical employees and employees on the
10 professional-technical pay scale.

11 (3) "Teacher" means a person licensed pursuant to chapter
12 391 of NRS who is classified by the board of trustees of the school
13 district:

14 (I) As a teacher and who spends at least 50 percent of his
15 or her work year providing instruction or discipline to pupils; or

16 (II) As instructional support staff, who does not hold a
17 supervisory position and who spends not more than 50 percent of
18 his or her work year providing instruction to pupils. Such
19 instructional support staff includes, without limitation, librarians
20 and persons who provide instructional support.

21 (e) The total number of persons employed by the school district,
22 including without limitation, each charter school sponsored by the
23 district. Each such person must be reported as either an
24 administrator, a teacher or other staff and must not be reported in
25 more than one category. In addition to the total number of persons
26 employed by the school district in each category, the report must
27 include the number of employees in each of the three categories
28 expressed as a percentage of the total number of persons employed
29 by the school district. As used in this paragraph, "administrator,"
30 "other staff" and "teacher" have the meanings ascribed to them in
31 paragraph (d).

32 (f) Information on the professional qualifications of teachers
33 employed by each school in the district and the district as a whole,
34 including, without limitation, each charter school sponsored by the
35 district. The information must include, without limitation:

36 (1) The percentage of teachers who are:

37 (I) Providing instruction pursuant to NRS 391.125;

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

41 (III) Otherwise providing instruction without an
42 endorsement for the subject area in which the teachers are
43 employed;



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

4 (3) The percentage of classes in the core academic subjects,
5 as set forth in NRS 389.018, that are not taught by highly qualified
6 teachers, in the aggregate and disaggregated by high-poverty
7 compared to low-poverty schools, which for the purposes of this
8 subparagraph means schools in the top quartile of poverty and the
9 bottom quartile of poverty in this State;

10 (4) For each middle school, junior high school and high
11 school:

12 (I) The number of persons employed as substitute
13 teachers for 20 consecutive days or more in the same classroom or
14 assignment, designated as long-term substitute teachers, including
15 the total number of days long-term substitute teachers were
16 employed at each school, identified by grade level and subject area;
17 and

18 (II) The number of persons employed as substitute
19 teachers for less than 20 consecutive days, designated as short-term
20 substitute teachers, including the total number of days short-term
21 substitute teachers were employed at each school, identified by
22 grade level and subject area; and

23 (5) For each elementary school:

24 (I) The number of persons employed as substitute
25 teachers for 20 consecutive days or more in the same classroom or
26 assignment, designated as long-term substitute teachers, including
27 the total number of days long-term substitute teachers were
28 employed at each school, identified by grade level; and

29 (II) The number of persons employed as substitute
30 teachers for less than 20 consecutive days, designated as short-term
31 substitute teachers, including the total number of days short-term
32 substitute teachers were employed at each school, identified by
33 grade level.

34 (g) The total expenditure per pupil for each school in the district
35 and the district as a whole, including, without limitation, each
36 charter school sponsored by the district. If this State has a financial
37 analysis program that is designed to track educational expenditures
38 and revenues to individual schools, each school district shall use that
39 statewide program in complying with this paragraph. If a statewide
40 program is not available, each school district shall use its own
41 financial analysis program in complying with this paragraph.

42 (h) The curriculum used by the school district, including:

43 (1) Any special programs for pupils at an individual school;
44 and



1 (2) The curriculum used by each charter school sponsored by
2 the district.

3 (i) Records of the attendance and truancy of pupils in all grades,
4 including, without limitation:

5 (1) The average daily attendance of pupils, for each school in
6 the district and the district as a whole, including, without limitation,
7 each charter school sponsored by the district.

8 (2) For each elementary school, middle school and junior
9 high school in the district, including, without limitation, each charter
10 school sponsored by the district that provides instruction to pupils
11 enrolled in a grade level other than high school, information that
12 compares the attendance of the pupils enrolled in the school with the
13 attendance of pupils throughout the district and throughout this
14 State. The information required by this subparagraph must be
15 provided in consultation with the Department to ensure the accuracy
16 of the comparison.

17 (j) The annual rate of pupils who drop out of school in grade 8
18 and a separate reporting of the annual rate of pupils who drop out of
19 school in grades 9 to 12, inclusive, for each such grade, for each
20 school in the district and for the district as a whole. The reporting
21 for pupils in grades 9 to 12, inclusive, excludes pupils who:

22 (1) Provide proof to the school district of successful
23 completion of the ~~examinations of general educational~~
24 ~~development.~~ *high school equivalency assessment selected by the*
25 *State Board pursuant to NRS 385.448.*

26 (2) Are enrolled in courses that are approved by the
27 Department as meeting the requirements for an adult standard
28 diploma.

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

30 (k) Records of attendance of teachers who provide instruction,
31 for each school in the district and the district as a whole, including,
32 without limitation, each charter school sponsored by the district.

33 (l) Efforts made by the school district and by each school in the
34 district, including, without limitation, each charter school sponsored
35 by the district, to increase:

36 (1) Communication with the parents of pupils enrolled in the
37 district;

38 (2) The participation of parents in the educational process
39 and activities relating to the school district and each school,
40 including, without limitation, the existence of parent organizations
41 and school advisory committees; and

42 (3) The involvement of parents and the engagement of
43 families of pupils enrolled in the district in the education of their
44 children.



1 (m) Records of incidents involving weapons or violence for
2 each school in the district, including, without limitation, each
3 charter school sponsored by the district.

4 (n) Records of incidents involving the use or possession of
5 alcoholic beverages or controlled substances for each school in the
6 district, including, without limitation, each charter school sponsored
7 by the district.

8 (o) Records of the suspension and expulsion of pupils required
9 or authorized pursuant to NRS 392.466 and 392.467.

10 (p) The number of pupils who are deemed habitual disciplinary
11 problems pursuant to NRS 392.4655, for each school in the district
12 and the district as a whole, including, without limitation, each
13 charter school sponsored by the district.

14 (q) The number of pupils in each grade who are retained in the
15 same grade pursuant to NRS 392.033 or 392.125, for each school in
16 the district and the district as a whole, including, without limitation,
17 each charter school sponsored by the district.

18 (r) The transiency rate of pupils for each school in the district
19 and the district as a whole, including, without limitation, each
20 charter school sponsored by the district. For the purposes of this
21 paragraph, a pupil is not transient if the pupil is transferred to a
22 different school within the school district as a result of a change in
23 the zone of attendance by the board of trustees of the school district
24 pursuant to NRS 388.040.

25 (s) Each source of funding for the school district.

26 (t) A compilation of the programs of remedial study that are
27 purchased in whole or in part with money received from this State,
28 for each school in the district and the district as a whole, including,
29 without limitation, each charter school sponsored by the district. The
30 compilation must include:

31 (1) The amount and sources of money received for programs
32 of remedial study for each school in the district and the district as a
33 whole, including, without limitation, each charter school sponsored
34 by the district.

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

37 (u) For each high school in the district, including, without
38 limitation, each charter school sponsored by the district, the
39 percentage of pupils who graduated from that high school or charter
40 school in the immediately preceding year and enrolled in remedial
41 courses in reading, writing or mathematics at a university, state
42 college or community college within the Nevada System of Higher
43 Education.

44 (v) The technological facilities and equipment available at each
45 school, including, without limitation, each charter school sponsored



1 by the district, and the district's plan to incorporate educational
2 technology at each school.

3 (w) For each school in the district and the district as a whole,
4 including, without limitation, each charter school sponsored by the
5 district, the number and percentage of pupils who received:

6 (1) A standard high school diploma . ~~[(reported separately~~
7 ~~for pupils who received the diploma pursuant to:~~

8 ~~—(I) Paragraph (a) of subsection 1 of NRS 389.805; and~~

9 ~~—(II) Paragraph (b) of subsection 1 of NRS 389.805.]~~

10 (2) An adult diploma.

11 (3) An adjusted diploma.

12 ~~[(4) A certificate of attendance.]~~

13 (x) ~~[(For each school in the district and the district as a whole,~~
14 ~~including, without limitation, each charter school sponsored by the~~
15 ~~district, the number and percentage of pupils who failed to pass the~~
16 ~~high school proficiency examination.~~

17 ~~—(y)]~~ The number of habitual truants who are reported to a school
18 police officer or law enforcement agency pursuant to paragraph (a)
19 of subsection 2 of NRS 392.144 and the number of habitual truants
20 who are referred to an advisory board to review school attendance
21 pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each
22 school in the district and for the district as a whole.

23 ~~[(z)]~~ (y) The amount and sources of money received for the
24 training and professional development of teachers and other
25 educational personnel for each school in the district and for the
26 district as a whole, including, without limitation, each charter school
27 sponsored by the district.

28 ~~[(aa)]~~ (z) Whether the school district has made adequate yearly
29 progress. If the school district has been designated as demonstrating
30 need for improvement pursuant to NRS 385.377, the report must
31 include a statement indicating the number of consecutive years the
32 school district has carried that designation.

33 ~~[(bb)]~~ (aa) Information on whether each public school in the
34 district, including, without limitation, each charter school sponsored
35 by the district, has made adequate yearly progress, including,
36 without limitation:

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

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

44 ~~[(ee)]~~ (bb) Information on the paraprofessionals employed by
45 each public school in the district, including, without limitation, each



1 charter school sponsored by the district. The information must
2 include:

3 (1) The number of paraprofessionals employed at the school;
4 and

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

11 ~~{(dd)}~~ *(cc)* For each high school in the district, including,
12 without limitation, each charter school sponsored by the district that
13 operates as a high school, information that provides a comparison of
14 the rate of graduation of pupils enrolled in the high school with the
15 rate of graduation of pupils throughout the district and throughout
16 this State. The information required by this paragraph must be
17 provided in consultation with the Department to ensure the accuracy
18 of the comparison.

19 ~~{(ee)}~~ *(dd)* An identification of the appropriations made by the
20 Legislature that are available to the school district or the schools
21 within the district and programs approved by the Legislature to
22 improve the academic achievement of pupils.

23 ~~{(ff)}~~ *(ee)* For each school in the district and the district as a
24 whole, including, without limitation, each charter school sponsored
25 by the district, information on pupils enrolled in career and technical
26 education, including, without limitation:

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

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

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

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

36 (5) The number and percentage of pupils who completed a
37 program of career and technical education and who received a
38 standard high school diploma ~~{}~~ *or* an adjusted diploma ; ~~{or a~~
39 ~~certificate of attendance;}~~ and

40 (6) The number and percentage of pupils who completed a
41 program of career and technical education and who did not receive a
42 high school diploma because the pupils failed to ~~{pass the high~~
43 ~~school proficiency examination.~~

44 ~~—(gg)}~~ *satisfy the criteria prescribed by the State Board*
45 *pursuant to NRS 389.805.*



1 (ff) The number of incidents resulting in suspension or
2 expulsion for bullying, cyber-bullying, harassment or intimidation,
3 for each school in the district and the district as a whole, including,
4 without limitation, each charter school sponsored by the district.

5 ~~[(hh)]~~ (gg) Such other information as is directed by the
6 Superintendent of Public Instruction.

7 3. The State Public Charter School Authority and each college
8 or university within the Nevada System of Higher Education that
9 sponsors a charter school shall, on or before September 30 of each
10 year, prepare an annual report of accountability of the charter
11 schools sponsored by the State Public Charter School Authority or
12 institution, as applicable, concerning the accountability information
13 prescribed by the Department pursuant to this section. The
14 Department, in consultation with the State Public Charter School
15 Authority and each college or university within the Nevada System
16 of Higher Education that sponsors a charter school, shall prescribe
17 by regulation the information that must be prepared by the State
18 Public Charter School Authority and institution, as applicable,
19 which must include, without limitation, the information contained in
20 paragraphs (a) to ~~[(hh)]~~ (gg), inclusive, of subsection 2, as
21 applicable to charter schools. The Department shall provide for
22 public dissemination of the annual report of accountability prepared
23 pursuant to this section in the manner set forth in 20 U.S.C. §
24 6311(h)(2)(E) by posting a copy of the report on the Internet website
25 maintained by the Department.

26 4. The records of attendance maintained by a school for
27 purposes of paragraph (k) of subsection 2 or maintained by a charter
28 school for purposes of the reporting required pursuant to subsection
29 3 must include the number of teachers who are in attendance at
30 school and the number of teachers who are absent from school. A
31 teacher shall be deemed in attendance if the teacher is excused from
32 being present in the classroom by the school in which the teacher is
33 employed for one of the following reasons:

34 (a) Acquisition of knowledge or skills relating to the
35 professional development of the teacher; or

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

38 5. The annual report of accountability prepared pursuant to
39 subsection 2 or 3, as applicable, must:

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

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

45 6. The Superintendent of Public Instruction shall:



1 (a) Prescribe forms for the reports required pursuant to
2 subsections 2 and 3 and provide the forms to the respective school
3 districts, the State Public Charter School Authority and each college
4 or university within the Nevada System of Higher Education that
5 sponsors a charter school.

6 (b) Provide statistical information and technical assistance to the
7 school districts, the State Public Charter School Authority and each
8 college or university within the Nevada System of Higher Education
9 that sponsors a charter school to ensure that the reports provide
10 comparable information with respect to each school in each district,
11 each charter school and among the districts and charter schools
12 throughout this State.

13 (c) Consult with a representative of the:

- 14 (1) Nevada State Education Association;
- 15 (2) Nevada Association of School Boards;
- 16 (3) Nevada Association of School Administrators;
- 17 (4) Nevada Parent Teacher Association;
- 18 (5) Budget Division of the Department of Administration;
- 19 (6) Legislative Counsel Bureau; and
- 20 (7) Charter School Association of Nevada,

21 ➔ concerning the program and consider any advice or
22 recommendations submitted by the representatives with respect to
23 the program.

24 7. The Superintendent of Public Instruction may consult with
25 representatives of parent groups other than the Nevada Parent
26 Teacher Association concerning the program and consider any
27 advice or recommendations submitted by the representatives with
28 respect to the program.

29 8. On or before September 30 of each year:

30 (a) The board of trustees of each school district shall submit to
31 each advisory board to review school attendance created in the
32 county pursuant to NRS 392.126 the information required in
33 paragraph (i) of subsection 2.

34 (b) The State Public Charter School Authority and each college
35 or university within the Nevada System of Higher Education that
36 sponsors a charter school shall submit to each advisory board to
37 review school attendance created in a county pursuant to NRS
38 392.126 the information regarding the records of the attendance and
39 truancy of pupils enrolled in the charter school located in that
40 county, if any, in accordance with the regulations prescribed by the
41 Department pursuant to subsection 3.

42 9. On or before September 30 of each year:

43 (a) The board of trustees of each school district, the State Public
44 Charter School Authority and each college or university within the
45 Nevada System of Higher Education that sponsors a charter school



1 shall provide written notice that the report required pursuant to
2 subsection 2 or 3, as applicable, is available on the Internet website
3 maintained by the school district, State Public Charter School
4 Authority or institution, if any, or otherwise provide written notice
5 of the availability of the report. The written notice must be provided
6 to the:

- 7 (1) Governor;
- 8 (2) State Board;
- 9 (3) Department;
- 10 (4) Committee; and
- 11 (5) Bureau.

12 (b) The board of trustees of each school district, the State Public
13 Charter School Authority and each college or university within the
14 Nevada System of Higher Education that sponsors a charter school
15 shall provide for public dissemination of the annual report of
16 accountability prepared pursuant to subsection 2 or 3, as applicable,
17 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a
18 copy of the report on the Internet website maintained by the school
19 district, the State Public Charter School Authority or the institution,
20 if any. If a school district does not maintain a website, the district
21 shall otherwise provide for public dissemination of the annual report
22 by providing a copy of the report to the schools in the school
23 district, including, without limitation, each charter school sponsored
24 by the district, the residents of the district, and the parents and
25 guardians of pupils enrolled in schools in the district, including,
26 without limitation, each charter school sponsored by the district. If
27 the State Public Charter School Authority or the institution does not
28 maintain a website, the State Public Charter School Authority or the
29 institution, as applicable, shall otherwise provide for public
30 dissemination of the annual report by providing a copy of the report
31 to each charter school it sponsors and the parents and guardians of
32 pupils enrolled in each charter school it sponsors.

33 10. Upon the request of the Governor, an entity described in
34 paragraph (a) of subsection 9 or a member of the general public, the
35 board of trustees of a school district, the State Public Charter School
36 Authority or a college or university within the Nevada System of
37 Higher Education that sponsors a charter school, as applicable, shall
38 provide a portion or portions of the report required pursuant to
39 subsection 2 or 3, as applicable.

40 11. As used in this section:

41 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.

42 (b) "Cyber-bullying" has the meaning ascribed to it in
43 NRS 388.123.

44 (c) "Harassment" has the meaning ascribed to it in
45 NRS 388.125.



1 (d) "Highly qualified" has the meaning ascribed to it in 20
2 U.S.C. § 7801(23).

3 (e) "Intimidation" has the meaning ascribed to it in
4 NRS 388.129.

5 (f) "Paraprofessional" has the meaning ascribed to it in
6 NRS 391.008.

7 **Sec. 5.** NRS 385.357 is hereby amended to read as follows:

8 385.357 1. Except as otherwise provided in NRS 385.37603
9 and 385.37607, the principal of each school, including, without
10 limitation, each charter school, shall, in consultation with the
11 employees of the school, prepare a plan to improve the achievement
12 of the pupils enrolled in the school.

13 2. The plan developed pursuant to subsection 1 must include:

14 (a) A review and analysis of the data pertaining to the school
15 upon which the report required pursuant to subsection 2 or 3 of NRS
16 385.347, as applicable, is based and a review and analysis of any
17 data that is more recent than the data upon which the report is based.

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

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

23 (d) Policies and practices concerning the core academic subjects
24 which have the greatest likelihood of ensuring that each group of
25 pupils identified in paragraph (b) of subsection 1 of NRS 385.361
26 who are enrolled in the school will make adequate yearly progress
27 and meet the minimum level of proficiency prescribed by the State
28 Board.

29 (e) Annual measurable objectives, consistent with the annual
30 measurable objectives established by the State Board pursuant to
31 NRS 385.361, for the continuous and substantial progress by each
32 group of pupils identified in paragraph (b) of subsection 1 of that
33 section who are enrolled in the school to ensure that each group will
34 make adequate yearly progress and meet the level of proficiency
35 prescribed by the State Board.

36 (f) Strategies and practices which:

37 (1) Are consistent with the policy adopted pursuant to NRS
38 392.457 by the board of trustees of the school district in which the
39 school is located, to promote effective involvement by parents and
40 families of pupils enrolled in the school in the education of their
41 children; and

42 (2) Are designed to improve and promote effective
43 involvement and engagement by parents and families of pupils
44 enrolled in the school which are consistent with the policies and



1 recommendations of the Office of Parental Involvement and Family
2 Engagement made pursuant to NRS 385.635.

3 (g) As appropriate, programs of remedial education or tutoring
4 to be offered before and after school, during the summer, or between
5 sessions if the school operates on a year-round calendar for pupils
6 enrolled in the school who need additional instructional time to pass
7 or to reach a level considered proficient.

8 (h) Strategies to improve the academic achievement of pupils
9 enrolled in the school, including, without limitation, strategies to:

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

12 (I) The curriculum appropriate to improve achievement;

13 (II) The manner by which the instruction will improve the
14 achievement and proficiency of pupils on the examinations
15 administered pursuant to NRS ~~389.015 and~~ 389.550 ~~;~~ and
16 **389.805**; and

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

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

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

25 (4) Manage effectively the discipline of pupils; and

26 (5) Enhance the professional development offered for the
27 teachers and administrators employed at the school to include
28 the activities set forth in 20 U.S.C. § 7801(34) and to address the
29 specific needs of pupils enrolled in the school, as deemed
30 appropriate by the principal.

31 (i) An identification, by category, of the employees of the school
32 who are responsible for ensuring that the plan is carried out
33 effectively.

34 (j) In consultation with the school district or governing body, as
35 applicable, an identification, by category, of the employees of the
36 school district or governing body, if any, who are responsible for
37 ensuring that the plan is carried out effectively or for overseeing and
38 monitoring whether the plan is carried out effectively.

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

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



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

6 (n) The resources available to the school to carry out the plan. If
7 this State has a financial analysis program that is designed to track
8 educational expenditures and revenues to individual schools, each
9 school shall use that statewide program in complying with this
10 paragraph. If a statewide program is not available, each school shall
11 use the financial analysis program used by the school district in
12 which the school is located in complying with this paragraph.

13 (o) A summary of the effectiveness of appropriations made by
14 the Legislature that are available to the school to improve the
15 academic achievement of pupils and programs approved by the
16 Legislature to improve the academic achievement of pupils.

17 (p) A budget of the overall cost for carrying out the plan.

18 3. In addition to the requirements of subsection 2, if a school
19 has been designated as demonstrating need for improvement
20 pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. §
21 6316(b)(3) and the regulations adopted pursuant thereto.

22 4. Except as otherwise provided in subsection 5, the principal
23 of each school shall, in consultation with the employees of the
24 school:

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

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

30 5. If a school has been designated as demonstrating need for
31 improvement pursuant to NRS 385.3623 and a support team has
32 been established for the school, the support team shall review the
33 plan and make revisions to the most recent plan for improvement of
34 the school pursuant to NRS 385.36127. If the school is a Title I
35 school that has been designated as demonstrating need for
36 improvement, the support team established for the school shall, in
37 making revisions to the plan, work in consultation with parents and
38 guardians of pupils enrolled in the school and, to the extent deemed
39 appropriate by the entity responsible for creating the support team,
40 outside experts.

41 6. On or before December 15 of each year, the principal of
42 each school or the support team established for the school, as
43 applicable, shall submit the plan or the revised plan, as applicable,
44 to:



1 (a) If the school is a public school of the school district, the
2 superintendent of schools of the school district.

3 (b) If the school is a charter school, the governing body of the
4 charter school.

5 7. If a Title I school is designated as demonstrating need for
6 improvement pursuant to NRS 385.3623, the superintendent of
7 schools of the school district or the governing body, as applicable,
8 shall carry out a process for peer review of the plan or the revised
9 plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E)
10 and the regulations adopted pursuant thereto. Not later than 45 days
11 after receipt of the plan, the superintendent of schools of the school
12 district or the governing body, as applicable, shall approve the plan
13 or the revised plan, as applicable, if it meets the requirements of 20
14 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto
15 and the requirements of this section. The superintendent of schools
16 of the school district or the governing body, as applicable, may
17 condition approval of the plan or the revised plan, as applicable, in
18 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
19 regulations adopted pursuant thereto. The State Board shall
20 prescribe the requirements for the process of peer review, including,
21 without limitation, the qualifications of persons who may serve as
22 peer reviewers.

23 8. If a school is designated as demonstrating exemplary
24 achievement, high achievement or adequate achievement, or if a
25 school that is not a Title I school is designated as demonstrating
26 need for improvement, not later than 45 days after receipt of the
27 plan or the revised plan, as applicable, the superintendent of schools
28 of the school district or the governing body, as applicable, shall
29 approve the plan or the revised plan if it meets the requirements of
30 this section.

31 9. On or before January 31 of each year, the principal of each
32 school or the support team established for the school, as applicable,
33 shall submit the final plan or the final revised plan, as applicable, to
34 the:

35 (a) Superintendent of Public Instruction;

36 (b) Governor;

37 (c) State Board;

38 (d) Department;

39 (e) Committee;

40 (f) Bureau; and

41 (g) Board of trustees of the school district in which the school is
42 located or, if the school is a charter school, the sponsor of the
43 charter school and the governing body of the charter school.



1 10. A plan for the improvement of a school must be carried out
2 expeditiously, but not later than February 15 after approval of the
3 plan pursuant to subsection 7 or 8, as applicable.

4 **Sec. 6.** NRS 385.361 is hereby amended to read as follows:

5 385.361 1. The State Board shall define the measurement for
6 determining whether each public school, each school district and
7 this State are making adequate yearly progress. The definition of
8 adequate yearly progress must:

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

11 (b) Be designed to ensure that all pupils will meet or exceed the
12 minimum level of proficiency set by the State Board, including,
13 without limitation:

14 (1) Pupils who are economically disadvantaged, as defined
15 by the State Board;

16 (2) Pupils from major racial and ethnic groups, as defined by
17 the State Board;

18 (3) Pupils with disabilities; and

19 (4) Pupils who are limited English proficient;

20 (c) Be based primarily upon the measurement of progress of
21 pupils on the examinations administered pursuant to NRS 389.550
22 or the ~~high school proficiency examination,~~ *examinations*
23 *administered pursuant to NRS 389.805*, as applicable;

24 (d) Include annual measurable objectives established pursuant to
25 20 U.S.C. § 6311(b)(2)(G) and the regulations adopted pursuant
26 thereto;

27 (e) For high schools, include the rate of graduation; and

28 (f) For elementary schools, junior high schools and middle
29 schools, include the rate of attendance.

30 2. The examination in science must not be included in the
31 definition of adequate yearly progress.

32 3. The State Board shall prescribe, by regulation, the
33 differentiated corrective actions, the consequences or the sanctions,
34 or any combination thereof, based upon the identified needs of a
35 public school, including, without limitation, the educational needs of
36 English language learners, pupils with disabilities or other groups of
37 pupils identified in paragraph (b) of subsection 1, that apply to the
38 public school that has been designated as demonstrating need for
39 improvement for 4 consecutive years or more, including, without
40 limitation, the establishment of a support team for a school if
41 deemed necessary by the Department in accordance with the
42 regulations of the State Board. In no event may the consequences or
43 sanctions be more strict than the restructuring that applies to Title I
44 schools.



1 **Sec. 7.** NRS 385.3612 is hereby amended to read as follows:

2 385.3612 1. The State Board shall adopt regulations that
3 prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the
4 regulations adopted pursuant thereto, the manner in which pupils
5 enrolled in:

6 (a) A program of distance education pursuant to NRS 388.820 to
7 388.874, inclusive;

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

10 (c) A program of education that:

11 (1) Primarily serves pupils with disabilities; or

12 (2) Is operated within a:

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

15 (II) Juvenile forestry camp;

16 (III) Child welfare agency; or

17 (IV) Correctional institution,

18 ↪ will be included within the statewide system of accountability set
19 forth in NRS 385.3455 to 385.391, inclusive.

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

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

26 (b) The results of pupils enrolled in a program of distance
27 education, an alternative program or a program of education
28 described in subsection 1 on the examinations administered pursuant
29 to NRS ~~389.015 and~~ 389.550 *and 389.805* will be reported.

30 **Sec. 8.** NRS 385.36129 is hereby amended to read as follows:

31 385.36129 1. In addition to the duties prescribed in NRS
32 385.36127, a support team established for a school shall prepare an
33 annual written report that includes:

34 (a) Information concerning the most recent plan to improve the
35 achievement of the school's pupils, the turnaround plan for the
36 school or the plan for restructuring the school, whichever is
37 applicable for the school, including, without limitation, an
38 evaluation of:

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

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

42 (b) The written revisions to the plan to improve the achievement
43 of the school's pupils or written recommendations for revisions to
44 the turnaround plan for the school or the plan for restructuring the



1 school, whichever is applicable for the school, submitted by the
2 support team pursuant to NRS 385.36127;

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

- 7 (1) The name of the program;
8 (2) The date on which the program was purchased and the
9 date on which the program was carried out by the school;
10 (3) The percentage of personnel at the school who were
11 trained regarding the use of the program;
12 (4) The satisfaction of the personnel at the school with the
13 program; and
14 (5) An evaluation of whether the program has improved the
15 academic achievement of the pupils enrolled in the school who
16 participated in the program;

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

- 20 (1) The financial resources of the school;
21 (2) The administrative and educational personnel of the
22 school;
23 (3) The curriculum of the school;
24 (4) The facilities available at the school, including the
25 availability and accessibility of educational technology; and
26 (5) Any other factors that the support team believes
27 contributed to the designation of the school as demonstrating need
28 for improvement; and

29 (e) Other information concerning the school, including, without
30 limitation:

31 (1) The results of the pupils who are enrolled in the school
32 on the examinations that are administered pursuant to NRS 389.550
33 ~~for the high school proficiency examination, as applicable;~~ and, if
34 *applicable for the grade levels of the school, the end-of-course*
35 *examinations administered pursuant to NRS 389.805;*

36 (2) Records of the attendance and truancy of pupils who are
37 enrolled in the school;

38 (3) The transiency rate of pupils who are enrolled in the
39 school;

40 (4) A description of the number of years that each teacher
41 has provided instruction at the school and the rate of turnover of
42 teachers and other educational personnel employed at the school;

43 (5) A description of the participation of parents and legal
44 guardians in the educational process and other activities relating to
45 the school;



1 (6) A description of each source of money for the
2 remediation of pupils who are enrolled in the school;

3 (7) Except as otherwise provided in subparagraph (8), a
4 description of the disciplinary problems of the pupils who are
5 enrolled in the school, including, without limitation, the information
6 contained in paragraphs (m) to (p), inclusive, of subsection 2 of
7 NRS 385.347; and

8 (8) For a charter school, a description of the disciplinary
9 problems of the pupils enrolled in the charter school as reported in
10 the annual report of accountability prepared by the State Public
11 Charter School Authority or the college or university within the
12 Nevada System of Higher Education that sponsors the charter
13 school, as applicable, pursuant to subsection 3 of NRS 385.347.

14 2. On or before December 15, the support team of a school
15 other than a charter school shall submit a copy of the final written
16 report to the:

17 (a) Principal of the school;

18 (b) Board of trustees of the school district in which the school is
19 located;

20 (c) Superintendent of schools of the school district in which the
21 school is located;

22 (d) Department; and

23 (e) Bureau.

24 ➔ The support team shall make the written report available, upon
25 request, to each parent or legal guardian of a pupil who is enrolled
26 in the school.

27 3. On or before December 15, the support team for a charter
28 school shall submit a copy of the final written report to the:

29 (a) Principal of the charter school;

30 (b) Sponsor of the charter school;

31 (c) Governing body of the charter school;

32 (d) Department; and

33 (e) Bureau.

34 ➔ The support team shall make the written report available, upon
35 request, to each parent or legal guardian of a pupil who is enrolled
36 in the charter school.

37 **Sec. 9.** NRS 385.3613 is hereby amended to read as follows:

38 385.3613 1. Except as otherwise provided in subsection 2, on
39 or before July 31 of each year, the Department shall determine
40 whether each public school is making adequate yearly progress, as
41 defined by the State Board pursuant to NRS 385.361.

42 2. On or before July 31 of each year, the Department shall
43 determine whether each public school that operates on a schedule
44 other than a traditional 9-month schedule is making adequate yearly
45 progress, as defined by the State Board pursuant to NRS 385.361.



1 3. The determination pursuant to subsection 1 or 2, as
2 applicable, for a public school, including, without limitation, a
3 charter school sponsored by the board of trustees of the school
4 district, must be made in consultation with the board of trustees of
5 the school district in which the public school is located. If a charter
6 school is sponsored by the State Public Charter School Authority or
7 by a college or university within the Nevada System of Higher
8 Education, the Department shall make a determination for the
9 charter school in consultation with the State Public Charter School
10 Authority or the institution within the Nevada System of Higher
11 Education that sponsors the charter school, as applicable. The
12 determination made for each school must be based only upon the
13 information and data for those pupils who are enrolled in the school
14 for a full academic year. On or before July 31 of each year, the
15 Department shall transmit:

16 (a) Except as otherwise provided in paragraph (b) or (c), the
17 determination made for each public school to the board of trustees
18 of the school district in which the public school is located.

19 (b) To the State Public Charter School Authority the
20 determination made for each charter school that is sponsored by the
21 State Public Charter School Authority.

22 (c) The determination made for the charter school to the
23 institution that sponsors the charter school if a charter school is
24 sponsored by a college or university within the Nevada System of
25 Higher Education.

26 4. Except as otherwise provided in this subsection, the
27 Department shall determine that a public school has failed to make
28 adequate yearly progress if any group identified in paragraph (b) of
29 subsection 1 of NRS 385.361 does not satisfy the annual measurable
30 objectives established by the State Board pursuant to that section.
31 To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations
32 adopted pursuant thereto, the State Board shall prescribe by
33 regulation the conditions under which a school shall be deemed to
34 have made adequate yearly progress even though a group identified
35 in paragraph (b) of subsection 1 of NRS 385.361 did not satisfy the
36 annual measurable objectives of the State Board.

37 5. In addition to the provisions of subsection 4, the Department
38 shall determine that a public school has failed to make adequate
39 yearly progress if:

40 (a) The number of pupils enrolled in the school who took the
41 examinations administered pursuant to NRS 389.550 or the ~~high~~
42 ~~school—proficiency—examination,] examinations administered~~
43 *pursuant to NRS 389.805*, as applicable, is less than 95 percent of
44 all pupils enrolled in the school who were required to take the
45 examinations; or



1 (b) Except as otherwise provided in subsection 6, for each group
2 of pupils identified in paragraph (b) of subsection 1 of NRS
3 385.361, the number of pupils in the group enrolled in the school
4 who took the examinations administered pursuant to NRS 389.550
5 or the ~~high school proficiency examination,~~ *examinations*
6 *administered pursuant to NRS 389.805*, as applicable, is less than
7 95 percent of all pupils in that group enrolled in the school who
8 were required to take the examinations.

9 6. If the number of pupils in a particular group who are
10 enrolled in a public school is insufficient to yield statistically
11 reliable information:

12 (a) The Department shall not determine that the school has
13 failed to make adequate yearly progress pursuant to paragraph (b) of
14 subsection 5 based solely upon that particular group.

15 (b) The pupils in such a group must be included in the overall
16 count of pupils enrolled in the school who took the examinations.

17 ➤ The State Board shall prescribe the mechanism for determining
18 the number of pupils that must be in a group for that group to yield
19 statistically reliable information.

20 7. If an irregularity in testing administration or an irregularity
21 in testing security occurs at a school and the irregularity invalidates
22 the test scores of pupils, those test scores must be included in the
23 scores of pupils reported for the school, the attendance of those
24 pupils must be counted towards the total number of pupils who took
25 the examinations and the pupils must be included in the total
26 number of pupils who were required to take the examinations.

27 8. As used in this section:

28 (a) "Irregularity in testing administration" has the meaning
29 ascribed to it in NRS 389.604.

30 (b) "Irregularity in testing security" has the meaning ascribed to
31 it in NRS 389.608.

32 **Sec. 10.** NRS 385.3762 is hereby amended to read as follows:

33 385.3762 1. On or before August 15 of each year, the
34 Department shall determine whether each school district is making
35 adequate yearly progress, as defined by the State Board pursuant to
36 NRS 385.361. The pupils who are enrolled in a charter school, if
37 any, located within a school district must not be included in the
38 determination made for that school district. The determination made
39 for each school district must be based only upon the information and
40 data for those pupils who were enrolled in the school district for a
41 full academic year, regardless of whether those pupils attended more
42 than one school within the school district for that academic year.

43 2. Except as otherwise provided in this subsection, the
44 Department shall determine that a school district has failed to make
45 adequate yearly progress if any group of pupils identified in



1 paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in
2 the school district does not satisfy the annual measurable objectives
3 established by the State Board pursuant to that section. To comply
4 with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant
5 thereto, the State Board shall prescribe by regulation the conditions
6 under which a school district shall be deemed to have made
7 adequate yearly progress even though a group of pupils identified in
8 paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in
9 the school district did not satisfy the annual measurable objectives
10 of the State Board.

11 3. In addition to the provisions of subsection 2, the Department
12 shall determine that a school district has failed to make adequate
13 yearly progress if:

14 (a) The number of pupils enrolled in the school district who took
15 the examinations administered pursuant to NRS 389.550 or the
16 ~~high school proficiency examination,~~ *examinations administered*
17 *pursuant to NRS 389.805*, as applicable, is less than 95 percent of
18 all pupils enrolled in the school district who were required to take
19 the examinations; or

20 (b) Except as otherwise provided in subsection 4, for each group
21 of pupils identified in paragraph (b) of subsection 1 of NRS
22 385.361, the number of pupils enrolled in the school district who
23 took the examinations administered pursuant to NRS 389.550 or the
24 ~~high school proficiency examination,~~ *examinations administered*
25 *pursuant to NRS 389.805*, as applicable, is less than 95 percent of
26 all pupils in the group who were required to take the examinations.

27 4. If the number of pupils in a particular group who are
28 enrolled in a school district is insufficient to yield statistically
29 reliable information:

30 (a) The Department shall not determine that the school district
31 has failed to make adequate yearly progress pursuant to paragraph
32 (b) of subsection 3 based solely upon that particular group.

33 (b) The pupils in such a group must be included in the overall
34 count of pupils enrolled in the school district who took the
35 examinations.

36 ➔ The State Board shall prescribe the mechanism for determining
37 the minimum number of pupils that must be in a group for that
38 group to yield statistically reliable information.

39 **Sec. 11.** NRS 385.389 is hereby amended to read as follows:

40 385.389 1. The Department shall adopt programs of remedial
41 study for each subject tested on the examinations administered
42 pursuant to NRS ~~389.015 and~~ 389.550 ~~+~~ *and 389.805*, including,
43 without limitation, programs that are designed for pupils who are
44 limited English proficient. The programs adopted for pupils who are
45 limited English proficient must be designed to:



- 1 (a) Improve the academic achievement of those pupils; or
- 2 (b) Assist those pupils with attaining proficiency in the English
- 3 language.

4 ➔ In adopting these programs of remedial study, the Department
5 shall consider the recommendations submitted by the Committee
6 pursuant to NRS 218E.615 and programs of remedial study that
7 have proven to be successful in improving the academic
8 achievement of pupils.

9 2. If a school fails to make adequate yearly progress based
10 upon the results of the examinations administered pursuant to NRS
11 ~~{389.015 or}~~ 389.550 ~~{}~~ *or 389.805*, the school shall adopt a
12 program of remedial study that has been adopted by the Department
13 pursuant to subsection 1 or a program, practice or strategy
14 recommended by the Commission on Educational Excellence
15 pursuant to NRS 385.3785, or any combination thereof, as
16 applicable.

17 3. A school district that includes a school described in
18 subsection 2 shall ensure that each of the pupils enrolled in the
19 school who failed to demonstrate at least adequate achievement on
20 the examinations administered pursuant to NRS ~~{389.015 or}~~
21 389.550 ~~{}~~ *or 389.805*, as applicable, completes remedial study that
22 is determined to be appropriate for the pupil.

23 **Sec. 12.** NRS 385.3891 is hereby amended to read as follows:

24 385.3891 1. The Department shall establish a monitoring
25 system for the statewide system of accountability. The monitoring
26 system must identify significant levels of achievement of pupils on
27 the examinations that are administered pursuant to NRS 389.550
28 and the ~~{high school proficiency examination that is}~~ *examinations*
29 administered pursuant to NRS ~~{389.015,}~~ *389.805*, identified by
30 school and by school district.

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

- 34 (a) The Committee; and
- 35 (b) If the findings show inconsistencies applicable to a particular
36 school district or school within a school district, the board of
37 trustees of that school district.

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

40 **Sec. 12.3.** NRS 385.448 is hereby amended to read as follows:

41 385.448 1. *The State Board shall select an assessment*
42 *which enables a person who satisfies the requirements of*
43 *subsection 2 or 3, as applicable, to demonstrate that he or she has*
44 *achieved an educational level which is an acceptable substitute for*
45 *completing a high school education.*



- 1 2. A person who:
2 (a) Is 17 years of age or older;
3 (b) If he or she is at least 17 years of age but less than 18 years
4 of age, submits to the State Board written permission signed by his
5 or her parent or legal guardian;
6 (c) Has not graduated from a high school;
7 (d) Is not currently enrolled in a high school; and
8 (e) Satisfies any other requirements prescribed by the State
9 Board,

10 ↪ may take the ~~tests of general educational development~~
11 ~~prescribed~~ *high school equivalency assessment selected* by the
12 State Board.

13 ~~2-~~ 3. The board of trustees of a school district may, upon
14 request and for good cause shown, grant permission to take the
15 ~~tests of general educational development prescribed~~ *high school*
16 *equivalency assessment selected* by the State Board to a person
17 who:

- 18 (a) Resides in the school district;
19 (b) Is at least 16 years of age but less than 17 years of age;
20 (c) Submits to the board of trustees written permission signed by
21 his or her parent or legal guardian;
22 (d) Has not graduated from a high school;
23 (e) Is not currently enrolled in a high school; and
24 (f) Satisfies any other requirements prescribed by the board of
25 trustees.

26 ~~3-~~ 4. The State Board may adopt regulations to carry out the
27 provisions of ~~subsection 1-~~

28 ~~4. As used in this section, "tests of general educational~~
29 ~~development" means examinations which enable persons who have~~
30 ~~not graduated from high school to demonstrate that they have~~
31 ~~achieved an educational level which is an acceptable substitute for~~
32 ~~completing a high school education.] this section.~~

33 **Sec. 12.5.** NRS 385.451 is hereby amended to read as follows:
34 385.451 It is unlawful to disclose the questions contained in
35 ~~tests of general educational development~~ *the high school*
36 *equivalency assessment selected by the State Board pursuant to*
37 *NRS 385.448* and the approved answers used for grading the ~~tests~~
38 *assessment* except:

- 39 1. To the extent that disclosure is required in the Department's
40 administration of the ~~tests~~ *assessment*.
41 2. That a disclosure may be made to a state officer who is a
42 member of the Executive or Legislative branch to the extent that it is
43 related to the performance of that officer's duties.

44 **Sec. 13.** NRS 386.550 is hereby amended to read as follows:
45 386.550 1. A charter school shall:



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

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

6 (c) Refrain from charging tuition or fees, levying taxes or
7 issuing bonds.

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

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

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

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

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

25 (g) Cooperate with the board of trustees of the school district in
26 the administration of the ~~achievement and proficiency~~
27 examinations administered pursuant to ~~NRS 389.015 and the~~
28 ~~examinations required pursuant to~~ NRS 389.550 *and, if the charter*
29 *school enrolls pupils at a high school grade level, the end-of-*
30 *course examinations administered pursuant to NRS 389.805 and*
31 *the college and career readiness assessment administered*
32 *pursuant to section 19 of this act* to the pupils who are enrolled in
33 the charter school.

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

36 (i) Provide instruction in the core academic subjects set forth in
37 subsection 1 of NRS 389.018, as applicable for the grade levels of
38 pupils who are enrolled in the charter school, and provide at least
39 the courses of study that are required of pupils by statute or
40 regulation for promotion to the next grade or graduation from a
41 public high school and require the pupils who are enrolled in the
42 charter school to take those courses of study. This paragraph does
43 not preclude a charter school from offering, or requiring the pupils
44 who are enrolled in the charter school to take, other courses of study
45 that are required by statute or regulation.



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

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

7 (l) Hold harmless, indemnify and defend the sponsor of the
8 charter school against any claim or liability arising from an act or
9 omission by the governing body of the charter school or an
10 employee or officer of the charter school. An action at law may not
11 be maintained against the sponsor of a charter school for any cause
12 of action for which the charter school has obtained liability
13 insurance.

14 (m) Provide written notice to the parents or legal guardians of
15 pupils in grades 9 to 12, inclusive, who are enrolled in the charter
16 school of whether the charter school is accredited by the
17 Commission on Schools of the Northwest Association of Schools
18 and of Colleges and Universities.

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

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

27 2. A charter school shall not provide instruction through a
28 program of distance education to children who are exempt from
29 compulsory attendance authorized by the State Board pursuant to
30 subsection 1 of NRS 392.070. As used in this subsection, "distance
31 education" has the meaning ascribed to it in NRS 388.826.

32 **Sec. 14.** NRS 386.5515 is hereby amended to read as follows:

33 386.5515 1. To the extent money is available from legislative
34 appropriation or otherwise, a charter school may apply to the
35 Department for money for facilities if:

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

38 (b) Each financial audit and each performance audit of the
39 charter school required by the Department pursuant to NRS 386.540
40 contains no major notations, corrections or errors concerning the
41 charter school for at least 5 consecutive years;

42 (c) The charter school has met or exceeded adequate yearly
43 progress as determined pursuant to NRS 385.3613 or has
44 demonstrated improvement in the achievement of pupils enrolled in
45 the charter school, as indicated by annual measurable objectives



1 determined by the State Board, for the majority of the years of its
2 operation; and

3 (d) At least 75 percent of the pupils enrolled in grade 12 in the
4 charter school in the immediately preceding school year ~~who~~ have
5 ~~completed the required course work for graduation have passed the~~
6 ~~high school proficiency examination,~~ *satisfied the criteria*
7 *prescribed by the State Board pursuant to NRS 389.805,* if the
8 charter school enrolls pupils at a high school grade level.

9 2. A charter school that satisfies the requirements of subsection
10 1 shall submit to a performance audit as required by the Department
11 one time every 3 years. The sponsor of the charter school and the
12 Department shall not request a performance audit of the charter
13 school more frequently than every 3 years without reasonable
14 evidence of noncompliance in achieving the educational goals and
15 objectives of the charter school based upon the annual report
16 submitted to the Department pursuant to NRS 386.610. If the charter
17 school no longer satisfies the requirements of subsection 1 or if
18 reasonable evidence of noncompliance in achieving the educational
19 goals and objectives of the charter school exists based upon the
20 annual report, the charter school shall, upon written notice from the
21 sponsor, submit to an annual performance audit. Notwithstanding
22 the provisions of paragraph (b) of subsection 1, such a charter
23 school:

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

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

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

33 **Sec. 15.** NRS 386.740 is hereby amended to read as follows:

34 386.740 1. Each empowerment plan for a school must:

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

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

40 (c) If a school support team has been established for the school
41 in accordance with the regulations of the State Board adopted
42 pursuant to NRS 385.361, require the principal and the
43 empowerment team for the school to work in consultation with the
44 school support team;



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

5 (e) Prescribe the manner by which the achievement of pupils
6 will be measured and reported for the school, including, without
7 limitation, the results of the pupils on the examinations administered
8 pursuant to NRS ~~389.015 and~~ 389.550 ~~+~~ *and, if applicable for*
9 *the grade levels of the empowerment school, the end-of-course*
10 *examinations administered pursuant to NRS 389.805;*

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

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

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

21 (i) Indicate the intended ratio of pupils to teachers at the school,
22 designated by grade level, which must comply with NRS 388.700 or
23 388.720, as applicable;

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

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

30 (l) Comply with the plan to improve the achievement of the
31 pupils enrolled in the school prepared pursuant to NRS 385.357, the
32 turnaround plan for the school implemented pursuant to NRS
33 385.37603 or the plan for restructuring the school implemented
34 pursuant to NRS 385.37607, whichever is applicable for the school;

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

37 (n) Set forth the calendar and schedule for the school.

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

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

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



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

4 3. An empowerment plan may:

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

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

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

16 (a) Charter school, the amount of the budget is the amount equal
17 to the apportionments and allowances from the State Distributive
18 School Account pursuant to NRS 387.121 to 387.126, inclusive, and
19 its proportionate share of any other money available from federal,
20 state or local sources that the school or the pupils enrolled in the
21 school are eligible to receive.

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

29 **Sec. 16.** NRS 386.765 is hereby amended to read as follows:

30 386.765 1. Except as otherwise provided pursuant to a waiver
31 granted in accordance with NRS 386.745 or 386.750, each
32 empowerment school, each person employed by an empowerment
33 school and each pupil enrolled in an empowerment school shall
34 comply with the applicable requirements of state law, including,
35 without limitation, the standards of content and performance
36 prescribed pursuant to NRS 389.520 and the examinations that are
37 administered pursuant to NRS ~~389.015 and~~ 389.550 ~~+~~ *and*
38 *389.805 and the college and career readiness assessment*
39 *administered pursuant to section 19 of this act.*

40 2. Each empowerment school may accept gifts, grants and
41 donations from any source for the support of its empowerment plan.
42 A person who gives a gift, grant or donation may designate all or
43 part of the gift, grant or donation specifically to carry out the
44 incentive pay structure of the school, if applicable.



1 **Sec. 17.** NRS 388.205 is hereby amended to read as follows:

2 388.205 1. The board of trustees of each school district shall
3 adopt a policy for each public school in the school district in which
4 ninth grade pupils are enrolled to develop a 4-year academic plan
5 for each of those pupils. The academic plan must set forth the
6 specific educational goals that the pupil intends to achieve before
7 graduation from high school. The plan may include, without
8 limitation, the designation of a career pathway and enrollment in
9 dual credit courses, career and technical education courses,
10 advanced placement courses and honors courses.

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

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

20 (b) ~~The courses of study which the Department recommends~~
21 ~~that pupils take to prepare the pupils to successfully meet the~~
22 ~~academic challenges of the high school proficiency examination and~~
23 ~~pass that examination;~~

24 ~~(e)~~ The requirements for graduation from high school with a
25 diploma and the types of diplomas available;

26 ~~(d)~~ (c) The requirements for admission to the Nevada System
27 of Higher Education and the eligibility requirements for a Governor
28 Guinn Millennium Scholarship; and

29 ~~(e)~~ (d) The charter schools within the school district.

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

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

35 (b) Sign the academic plan; and

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

39 4. If a pupil enrolls in a high school after ninth grade, an
40 academic plan must be developed for that pupil with appropriate
41 modifications for the grade level of the pupil.

42 5. ~~If the administration of the high school proficiency~~
43 ~~examination in the subject area of mathematics or science, or both,~~
44 ~~is postponed for a pupil pursuant to NRS 389.016, the pupil's~~
45 ~~academic plan must be revised in consultation with the pupil's~~



~~teacher who provides instruction in the applicable subject area and the pupil's parent or legal guardian as set forth in NRS 389.016.~~

~~6.1~~ 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.

Sec. 17.5. NRS 388.575 is hereby amended to read as follows:

388.575 1. The Department of Education, after consulting with the Department of Corrections, shall:

(a) Adopt regulations that establish a statewide program of education for incarcerated persons; and

(b) Coordinate with and assist school districts in operating programs of education for incarcerated persons.

2. The statewide program may include courses of study for:

(a) A high school diploma;

(b) Basic literacy;

(c) English as a second language;

(d) General educational development;

(e) Life skills;

(f) Career and technical education; and

(g) Postsecondary education.

3. The statewide program does not include the programs of general education, vocational education and training established by the Board of State Prison Commissioners pursuant to NRS 209.389.

4. The statewide program must establish:

(a) Standards for each course of study that set forth the:

(1) Curriculum;

(2) Qualifications for entry; and

(3) Evaluation of incarcerated persons for placement; and

(b) Procedures to ensure that an incarcerated person who earns credits in a program of education for incarcerated persons operated by a school district at a facility or institution shall, if transferred to a different facility or institution, transfer those credits to the program operated by a school district at that facility or institution.

5. As used in this section, "general educational development" means preparation for and administration of the standardized examinations *or other high school equivalency assessments* that enable persons who have not graduated from high school to demonstrate that they have achieved an educational level which denotes competency in core curriculum. The term includes programs



1 for obtaining a general educational development certificate ~~†~~ *or an*
2 *equivalent document.*

3 **Sec. 18.** NRS 388.874 is hereby amended to read as follows:

4 388.874 1. The State Board shall adopt regulations that
5 prescribe:

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

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

14 (c) The qualifications and conditions for enrollment that a pupil
15 must satisfy to enroll in a program of distance education, consistent
16 with NRS 388.850;

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

20 (e) The requirements for assessing the achievement of pupils
21 who are enrolled in a program of distance education, which must
22 include, without limitation, the administration of the ~~†~~ *achievement*
23 *and proficiency†* examinations required pursuant to NRS ~~†~~ *389.015*
24 *and†* 389.550 ~~†~~ *and 389.805; and*

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

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

31 **Sec. 19.** Chapter 389 of NRS is hereby amended by adding
32 thereto a new section to read as follows:

33 *1. The State Board shall select a college and career readiness*
34 *assessment for administration, commencing with the 2014-2015*
35 *school year and each school year thereafter, to pupils who are*
36 *enrolled in grade 11 in public high schools.*

37 *2. Except as otherwise provided in this subsection, a pupil*
38 *must take the college and career readiness assessment to receive a*
39 *standard high school diploma. The results of a pupil on the*
40 *assessment must not be used in the determination of whether the*
41 *pupil satisfies the requirements for receipt of a standard high*
42 *school diploma. A pupil with a disability may, in accordance with*
43 *his or her individualized education program, be exempt from the*
44 *requirement to take the college and career readiness assessment.*

45 *3. The assessment selected pursuant to subsection 1 must be:*



1 (a) Administered at the same time during the school year by
2 the board of trustees of each school district to pupils enrolled in
3 grade 11 in all public high schools of the school district and by the
4 governing body of each charter school that enrolls pupils in grade
5 11, as prescribed by the State Board, and in accordance with
6 uniform procedures adopted by the State Board. The Department
7 shall monitor the compliance of the school districts and individual
8 schools with the uniform procedures and report to the State Board
9 any instance of noncompliance.

10 (b) Administered in accordance with the plan adopted by the
11 Department pursuant to NRS 389.616 and with the plan adopted
12 by the board of trustees of the school district in which the
13 assessment is administered pursuant to NRS 389.620. The
14 Department shall monitor the compliance of the school districts
15 and individual schools with:

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

17 (2) The plan adopted by the board of trustees of the
18 applicable school district, to the extent that the plan adopted by the
19 board of trustees of the school district is consistent with the plan
20 adopted by the Department,

21 and shall report to the State Board any instance of
22 noncompliance.

23 4. The assessment selected pursuant to subsection 1 must:

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

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

34 5. The State Board may work in consultation with the boards
35 of trustees of school districts and, if a charter school enrolls pupils
36 at a high school grade level, the governing body of the charter
37 school to develop and implement appropriate plans of remediation
38 for pupils based upon the results of the pupils on the assessment.

39 **Sec. 20.** NRS 389.004 is hereby amended to read as follows:

40 389.004 The board of trustees of each school district shall
41 maintain on its Internet website, and shall post in a timely manner,
42 all pertinent information concerning the examinations *and*
43 *assessments* available to children who reside in the school district,
44 including, without limitation, the dates and times of, and contact
45 information concerning, such examinations **H** *and assessments.*



1 The examinations *and assessments* posted must include, without
2 limitation:

3 1. The ~~high school proficiency~~ college ~~examination~~ and
4 *career readiness assessment* administered pursuant to ~~NRS~~
5 ~~389.015; and~~ *section 19 of this act.*

6 2. *The examinations required pursuant to NRS 389.805.*

7 3. All *other* college entrance examinations offered in this State,
8 including, without limitation, the Scholastic Aptitude Test, the
9 American College Test, the Preliminary Scholastic Aptitude Test
10 and the National Merit Scholarship Qualifying Test.

11 **Sec. 21.** NRS 389.006 is hereby amended to read as follows:

12 389.006 1. In addition to any other test, examination or
13 assessment required by state or federal law, the board of trustees of
14 each school district may require the administration of district-wide
15 tests, examinations and assessments ~~[, including, without limitation,~~
16 ~~the practice test of the high school proficiency examination to pupils~~
17 ~~enrolled in high school,]~~ that the board of trustees determines are
18 vital to measure the achievement and progress of pupils. In making
19 this determination, the board of trustees shall consider any
20 applicable findings and recommendations of the Legislative
21 Committee on Education.

22 2. The tests, examinations and assessments required pursuant
23 to subsection 1 must be limited to those which can be demonstrated
24 to provide a direct benefit to pupils or which are used by teachers to
25 improve instruction and the achievement of pupils.

26 3. The board of trustees of each school district and the State
27 Board shall periodically review the tests, examinations and
28 assessments administered to pupils to ensure that the time taken
29 from instruction to conduct a test, examination or assessment is
30 warranted because it is still accomplishing its original purpose.

31 **Sec. 22.** NRS 389.0115 is hereby amended to read as follows:

32 389.0115 1. If a pupil with a disability is unable to take an
33 examination administered pursuant to NRS ~~389.015 or~~ 389.550 *or*
34 *389.805* under regular testing conditions, the pupil may take the
35 examination with modifications and accommodations that the
36 pupil's individualized education program team determines, in
37 consultation with the Department and in accordance with the
38 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
39 seq., and the No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
40 et seq., are necessary to measure the progress of the pupil. If
41 modifications or accommodations are made in the administration of
42 an examination for a pupil with a disability, the modifications or
43 accommodations must be set forth in the pupil's individualized
44 education program. The results of each pupil with a disability who
45 takes an examination with modifications or accommodations must



1 be reported and must be included in the determination of whether
2 the school and the school district have made adequate yearly
3 progress.

4 2. The State Board shall prescribe an alternate examination for
5 administration to a pupil with a disability if the pupil's
6 individualized education program team determines, in consultation
7 with the Department, that the pupil cannot participate in all or a
8 portion of an examination administered pursuant to NRS ~~389.015~~
9 ~~or~~ 389.550 *or* 389.805 even with modifications and
10 accommodations.

11 3. The State Board shall prescribe, in accordance with the
12 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
13 seq., and the No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
14 et seq., the modifications and accommodations that must be used in
15 the administration of an examination to a pupil with a disability who
16 is unable to take the examination under regular testing conditions.

17 4. As used in this section:

18 (a) "Individualized education program" has the meaning
19 ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

20 (b) "Individualized education program team" has the meaning
21 ascribed to it in 20 U.S.C. § 1414(d)(1)(B).

22 **Sec. 23.** NRS 389.012 is hereby amended to read as follows:
23 389.012 1. The State Board shall:

24 (a) In accordance with guidelines established by the National
25 Assessment Governing Board and National Center for Education
26 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
27 regulations adopted pursuant thereto, adopt regulations requiring the
28 schools of this State that are selected by the National Assessment
29 Governing Board or the National Center for Education Statistics to
30 participate in the examinations of the National Assessment of
31 Educational Progress.

32 (b) Report the results of those examinations to the:

33 (1) Governor;

34 (2) Board of trustees of each school district of this State;

35 (3) Legislative Committee on Education created pursuant to
36 NRS 218E.605; and

37 (4) Legislative Bureau of Educational Accountability and
38 Program Evaluation created pursuant to NRS 218E.625.

39 (c) Include in the report required pursuant to paragraph (b) an
40 analysis and comparison of the results of pupils in this State on the
41 examinations required by this section with:

42 (1) The results of pupils throughout this country who
43 participated in the examinations of the National Assessment of
44 Educational Progress; and



1 (2) The results of pupils on the achievement and proficiency
2 examinations administered pursuant to this chapter.

3 2. If the report required by subsection 1 indicates that the
4 percentage of pupils enrolled in the public schools in this State who
5 are proficient on the National Assessment of Educational Progress
6 differs by more than 10 percent of the pupils who are proficient on
7 the examinations administered pursuant to NRS 389.550 and the
8 ~~high school proficiency examination~~ *examinations* administered
9 pursuant to NRS ~~389.015,~~ *389.805*, the Department shall prepare a
10 written report describing the discrepancy. The report must include,
11 without limitation, a comparison and evaluation of:

12 (a) The standards of content and performance for English and
13 mathematics established pursuant to NRS 389.520 with the
14 standards for English and mathematics that are tested on the
15 National Assessment.

16 (b) The standards for proficiency established for the National
17 Assessment with the standards for proficiency established for the
18 examinations that are administered pursuant to NRS 389.550 and
19 the ~~high school proficiency examination~~ *examinations*
20 administered pursuant to NRS ~~389.015,~~ *389.805*.

21 3. The report prepared by the Department pursuant to
22 subsection 2 must be submitted to the:

23 (a) Governor;

24 (b) Legislative Committee on Education;

25 (c) Legislative Bureau of Educational Accountability and
26 Program Evaluation; and

27 (d) Council to Establish Academic Standards for Public Schools.

28 4. The Council to Establish Academic Standards for Public
29 Schools shall review and evaluate the report provided to the Council
30 pursuant to subsection 3 to identify any discrepancies in the
31 standards of content and performance established by the Council
32 that require revision and a timeline for carrying out the revision, if
33 necessary. The Council shall submit a written report of its review
34 and evaluation to the Legislative Committee on Education and
35 Legislative Bureau of Educational Accountability and Program
36 Evaluation.

37 **Sec. 24.** NRS 389.0173 is hereby amended to read as follows:

38 389.0173 1. The Department shall develop an informational
39 pamphlet concerning the ~~high school proficiency examination~~ *end-*
40 *of-course examinations required pursuant to NRS 389.805* for
41 pupils who are enrolled in ~~junior high, middle school and high~~
42 *school,* *grades 9 and 10* and their parents and legal guardians. The
43 pamphlet must include a written explanation of the:

44 (a) Importance of passing the ~~examination, including, without~~
45 *limitation, an explanation that if the pupil fails the examination, or*



1 ~~does not satisfy the requirements of paragraph (b) of subsection 1 of~~
2 ~~NRS 389.805, the pupil is not eligible to receive a standard high~~
3 ~~school diploma;~~

4 ~~—(b) Subject areas tested on the examination;~~

5 ~~—(c) Format for the examination, including, without limitation,~~
6 ~~the range of items that are contained on the examination;~~

7 ~~—(d) Manner by which the scaled score, as reported to pupils and~~
8 ~~their parents or legal guardians, is derived from the raw score;~~

9 ~~—(e) Timeline by which the results of the examination must be~~
10 ~~reported to pupils and their parents or legal guardians;~~

11 ~~—(f) Maximum number of times that a pupil is allowed to take the~~
12 ~~examination if the pupil fails to pass the examination after the first~~
13 ~~administration;~~

14 ~~—(g) Courses of study that the Department recommends that~~
15 ~~pupils take to prepare the pupils to successfully meet the academic~~
16 ~~challenges of the examination and pass the examination; and~~

17 ~~—(h) Courses of study which the Department recommends that~~
18 ~~pupils take in high school to successfully prepare for the college~~
19 ~~entrance examinations.} *end-of-course examinations;*~~

20 *(b) Courses of study for which the end-of-course examinations*
21 *are administered;*

22 *(c) Format for the end-of-course examinations, including,*
23 *without limitation, the range of items that are contained on the*
24 *examinations; and*

25 *(d) Maximum number of times, if any, that a pupil is allowed*
26 *to take the end-of-course examinations if the pupil fails to pass the*
27 *examinations after the first administration.*

28 2. The Department shall review the pamphlet on an annual
29 basis and make such revisions to the pamphlet as it considers
30 necessary to ensure that pupils and their parents or legal guardians
31 fully understand the ~~examination.~~ *end-of-course examinations.*

32 3. On or before September 1, the Department shall provide a
33 copy of the pamphlet or revised pamphlet to the board of trustees of
34 each school district and the governing body of each charter school
35 that includes pupils enrolled in a junior high, middle school or high
36 school grade level.

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

45 5. On or before ~~January 15.~~ *October 1,* the:



1 (a) Board of trustees of each school district shall provide a copy
2 of the pamphlet to each pupil who is enrolled in ~~fa junior high,~~
3 ~~middle school or high school~~ **grade 9 or 10** of the school district
4 and to the parents or legal guardians of such a pupil.

5 (b) Governing body of each charter school shall provide a copy
6 of the pamphlet to each pupil who is enrolled **in grade 9 or 10** in the
7 charter school ~~fat a junior high, middle school or high school grade~~
8 ~~level~~ and to the parents or legal guardians of such a pupil.

9 **Sec. 25.** NRS 389.550 is hereby amended to read as follows:

10 389.550 1. The State Board shall, in consultation with the
11 Council, prescribe examinations that comply with 20 U.S.C. §
12 6311(b)(3) and that measure the achievement and proficiency of
13 pupils:

14 (a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content
15 established by the Council for the subjects of English and
16 mathematics.

17 (b) For grades 5 and 8, in the standards of content established by
18 the Council for the subject of science.

19 ➤ The examinations prescribed pursuant to this subsection must be
20 written, developed, printed and scored by a nationally recognized
21 testing company.

22 2. In addition to the examinations prescribed pursuant to
23 subsection 1, the State Board shall, in consultation with the Council,
24 prescribe a writing examination for grades 5 and 8 . ~~and for the~~
25 ~~high school proficiency examination.~~

26 3. The board of trustees of each school district and the
27 governing body of each charter school shall administer the
28 examinations prescribed by the State Board. The examinations must
29 be:

30 (a) Administered to pupils in each school district and each
31 charter school at the same time during the spring semester, as
32 prescribed by the State Board.

33 (b) Administered in each school in accordance with uniform
34 procedures adopted by the State Board. The Department shall
35 monitor the school districts and individual schools to ensure
36 compliance with the uniform procedures.

37 (c) Administered in each school in accordance with the plan
38 adopted pursuant to NRS 389.616 by the Department and with the
39 plan adopted pursuant to NRS 389.620 by the board of trustees of
40 the school district in which the examinations are administered. The
41 Department shall monitor the compliance of school districts and
42 individual schools with:

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

44 (2) The plan adopted by the board of trustees of the
45 applicable school district, to the extent that the plan adopted by the



1 board of trustees of the school district is consistent with the plan
2 adopted by the Department.

3 **Sec. 26.** NRS 389.604 is hereby amended to read as follows:

4 389.604 “Irregularity in testing administration” means the
5 failure to administer an examination to pupils pursuant to NRS
6 ~~389.015 or~~ 389.550 *or 389.805 or the college and career*
7 *readiness assessment pursuant to section 19 of this act* in the
8 manner intended by the person or entity that created the examination
9 ~~+~~ *or assessment.*

10 **Sec. 27.** NRS 389.608 is hereby amended to read as follows:

11 389.608 “Irregularity in testing security” means an act or
12 omission that tends to corrupt or impair the security of an
13 examination administered to pupils pursuant to NRS ~~389.015 or~~
14 389.550 ~~+~~ *or 389.805 or the college and career readiness*
15 *assessment administered pursuant to section 19 of this act,*
16 including, without limitation:

17 1. The failure to comply with security procedures adopted
18 pursuant to NRS 389.616 or 389.620;

19 2. The disclosure of questions or answers to questions on an
20 examination *or assessment* in a manner not otherwise approved by
21 law; and

22 3. Other breaches in the security or confidentiality of the
23 questions or answers to questions on an examination ~~+~~ *or*
24 *assessment.*

25 **Sec. 28.** NRS 389.616 is hereby amended to read as follows:

26 389.616 1. The Department shall, by regulation or otherwise,
27 adopt and enforce a plan setting forth procedures to ensure the
28 security of examinations that are administered to pupils pursuant to
29 NRS ~~389.015 and~~ 389.550 ~~+~~ *and 389.805 and the college and*
30 *career readiness assessment administered pursuant to section 19*
31 *of this act.*

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

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

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

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



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

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

7 (d) Objective criteria that set forth the conditions under which a
8 school, including, without limitation, a charter school or a school
9 district, or both, is required to file a plan for corrective action in
10 response to an irregularity in testing administration or testing
11 security for the purposes of NRS 389.636.

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

15 (a) The State Board; and

16 (b) The Legislative Committee on Education, created pursuant
17 to NRS 218E.605.

18 **Sec. 29.** NRS 389.620 is hereby amended to read as follows:

19 389.620 1. The board of trustees of each school district shall,
20 for each public school in the district, including, without limitation,
21 charter schools, adopt and enforce a plan setting forth procedures to
22 ensure the security of examinations **H and assessments.**

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

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

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

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

33 (d) Procedures that specifically set forth the action that must be
34 taken in response to a report of an irregularity in testing
35 administration or testing security and the action that must be taken
36 during an investigation of such an irregularity. For each action that
37 is required, the procedures must identify, by category, the
38 employees of the school district or charter school who are
39 responsible for taking the action and for ensuring that the action is
40 carried out successfully.

41 ➔ The procedures adopted pursuant to this subsection must be
42 consistent, to the extent applicable, with the procedures adopted by
43 the Department pursuant to NRS 389.616.



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

4 (a) The State Board; and

5 (b) The Legislative Committee on Education, created pursuant
6 to NRS 218E.605.

7 4. On or before September 30 of each school year, the board of
8 trustees of each school district and the governing body of each
9 charter school shall provide a written notice regarding the
10 examinations *and assessments* to all teachers and educational
11 personnel employed by the school district or governing body, all
12 personnel employed by the school district or governing body who
13 are involved in the administration of the examinations ~~†~~ *and*
14 *assessments*, all pupils who are required to take the examinations *or*
15 *assessments* and all parents and legal guardians of such pupils. The
16 written notice must be prepared in a format that is easily understood
17 and must include, without limitation, a description of the:

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

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

22 5. As used in this section:

23 (a) *“Assessment” means the college and career readiness*
24 *assessment administered to pupils enrolled in grade 11 pursuant to*
25 *section 19 of this act.*

26 (b) “Examination” means:

27 (1) ~~†Achievement and proficiency†~~ *The* examinations that are
28 administered to pupils pursuant to NRS ~~†389.015 or†~~ 389.550 ~~†~~ *or*
29 *389.805*; and

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

33 ~~†(b)†~~ (c) “Irregularity in testing administration” means the
34 failure to administer an examination *or assessment* in the manner
35 intended by the person or entity that created the examination ~~†~~
36 ~~—(e) or assessment.~~

37 (d) “Irregularity in testing security” means an act or omission
38 that tends to corrupt or impair the security of an examination ~~†~~ *or*
39 *assessment*, including, without limitation:

40 (1) The failure to comply with security procedures adopted
41 pursuant to this section or NRS 389.616;

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



1 (3) Other breaches in the security or confidentiality of the
2 questions or answers to questions on an examination ~~†~~ *or*
3 *assessment.*

4 **Sec. 30.** NRS 389.624 is hereby amended to read as follows:

5 389.624 1. If the Department:

6 (a) Has reason to believe that a violation of the plan adopted
7 pursuant to NRS 389.616 may have occurred;

8 (b) Has reason to believe that a violation of the plan adopted
9 pursuant to NRS 389.620 may have occurred with respect to an
10 examination that is administered pursuant to NRS ~~389.015 or~~
11 389.550 ~~†~~ *or 389.805 or the college and career readiness*
12 *assessment administered pursuant to section 19 of this act;* or

13 (c) Receives a request pursuant to subparagraph (2) of paragraph
14 (b) of subsection 1 of NRS 389.628 to investigate a potential
15 violation of the plan adopted pursuant to NRS 389.620 with respect
16 to an examination that is administered pursuant to NRS ~~389.015 or~~
17 389.550 ~~†~~ *or 389.805 or the college and career readiness*
18 *assessment administered pursuant to section 19 of this act,*

19 *→* the Department shall investigate the matter as it deems
20 appropriate.

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

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

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

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

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

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

40 4. Upon receipt of such a petition, the court shall enter an order
41 directing the witness to appear before the court at a time and place
42 to be fixed by the court in its order, the time to be not more than 10
43 days after the date of the order, and then and there show cause why
44 the witness has not attended, testified or produced materials before



1 the Department. A certified copy of the order must be served upon
2 the witness.

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

9 **Sec. 31.** NRS 389.628 is hereby amended to read as follows:

10 389.628 1. If a school official has reason to believe that a
11 violation of the plan adopted pursuant to NRS 389.620 may have
12 occurred, the school official shall immediately report the incident to
13 the board of trustees of the school district. If the board of trustees of
14 a school district has reason to believe that a violation of the plan
15 adopted pursuant to NRS 389.620 may have occurred, the board of
16 trustees shall:

17 (a) If the violation is with respect to an examination
18 administered pursuant to NRS ~~389.015 or~~ 389.550 ~~+~~ *or 389.805*
19 *or the college and career readiness assessment administered*
20 *pursuant to section 19 of this act*, immediately report the incident
21 to the Department orally or in writing followed by a comprehensive
22 written report within 14 school days after the incident occurred; and

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

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

29 (2) With respect to an examination that is administered
30 pursuant to NRS ~~389.015 or~~ 389.550 ~~+~~ *or 389.805 or the college*
31 *and career readiness assessment administered pursuant to section*
32 *19 of this act*, requesting that the Department investigate the
33 incident pursuant to NRS 389.624.

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

39 2. Except as otherwise provided in this subsection, if the board
40 of trustees of a school district proceeds in accordance with
41 subparagraph (1) of paragraph (b) of subsection 1, the board of
42 trustees may issue a subpoena to compel the attendance or testimony
43 of a witness or the production of any relevant materials, including,
44 without limitation, books, papers, documents, records, photographs,
45 recordings, reports and tangible objects. A board of trustees shall



1 not issue a subpoena to compel the attendance or testimony of a
2 witness or the production of materials unless the attendance,
3 testimony or production sought to be compelled is related directly to
4 a violation or an alleged violation of the plan adopted pursuant to
5 NRS 389.620.

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

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

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

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

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

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

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

32 **Sec. 32.** NRS 389.644 is hereby amended to read as follows:

33 389.644 1. The Department shall establish a program of
34 education and training regarding the administration and security of
35 the examinations administered pursuant to NRS ~~389.015 and~~
36 389.550 ~~+~~ *or 389.805 and the college and career readiness*
37 *assessment administered pursuant to section 19 of this act.* Upon
38 approval of the Department, the board of trustees of a school district
39 or the governing body of a charter school may establish an expanded
40 program of education and training that includes additional education
41 and training if the expanded program complies with the program
42 established by the Department.

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



1 (a) All the teachers and other educational personnel who provide
2 instruction to pupils enrolled in a grade level that is required to be
3 tested pursuant to NRS ~~389.015 or~~ 389.550 ~~or~~ **389.805 or**
4 **section 19 of this act**, and all other personnel who are involved with
5 the administration of the examinations that are administered
6 pursuant to NRS ~~389.015 or~~ 389.550 ~~or~~ **389.805 or the college**
7 **and career readiness assessment administered pursuant to section**
8 **19 of this act**, receive, on an annual basis, the program of education
9 and training established by the Department or the expanded
10 program, if applicable; and

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

14 **Sec. 33.** NRS 389.805 is hereby amended to read as follows:

15 389.805 1. ~~Except as otherwise provided in subsection 3, a~~
16 ~~pupil must receive a standard high school diploma if the pupil:~~

17 ~~—(a) Passes all subject areas of the high school proficiency~~
18 ~~examination administered pursuant to NRS 389.015 and otherwise~~
19 ~~satisfies the requirements for graduation from high school; or~~

20 ~~—(b) Has failed to pass the high school proficiency examination~~
21 ~~administered pursuant to NRS 389.015 in its entirety not less than~~
22 ~~two times before beginning grade 12 and the pupil:~~

23 ~~—(1) Passes the subject areas of mathematics and reading on~~
24 ~~the proficiency examination;~~

25 ~~—(2) Has an overall grade point average of not less than 2.75~~
26 ~~on a 4.0 grading scale;~~

27 ~~—(3) Satisfies the alternative criteria prescribed by the State~~
28 ~~Board pursuant to subsection 4; and~~

29 ~~—(4) Otherwise satisfies the requirements for graduation from~~
30 ~~high school.~~

31 ~~2.~~ A pupil with a disability who does not satisfy the
32 requirements for receipt of a standard high school diploma may
33 receive a diploma designated as an adjusted diploma if the pupil
34 satisfies the requirements set forth in his or her individualized
35 education program. As used in this subsection, “individualized
36 education program” has the meaning ascribed to it in 20 U.S.C. §
37 1414(d)(1)(A).

38 ~~3.—A pupil who transfers during grade 12 to a school in this~~
39 ~~State from a school outside this State because of the military transfer~~
40 ~~of the parent or legal guardian of the pupil may receive a waiver~~
41 ~~from the requirements of paragraphs (a) and (b) of subsection 1 if, in~~
42 ~~accordance with the provisions of NRS 392C.010, the school district~~
43 ~~in which the pupil is enrolled:~~



1 ~~—(a) Accepts the results of the exit or end-of course examinations~~
2 ~~required for graduation in the local education agency in which the~~
3 ~~pupil was previously enrolled;~~

4 ~~—(b) Accepts the results of a national norm-referenced~~
5 ~~achievement examination taken by the pupil; or~~

6 ~~—(c) Establishes an alternative test for the pupil which~~
7 ~~demonstrates proficiency in the subject areas tested on the high~~
8 ~~school proficiency examination, and the pupil successfully passes~~
9 ~~that test.~~

10 ~~—4.] 2. The State Board shall adopt regulations that prescribe~~
11 ~~the ~~alternative criteria~~ :~~

12 ~~(a) Criteria for a pupil to receive a standard high school~~
13 ~~diploma ~~pursuant to paragraph (b) of subsection 1, including,~~~~
14 ~~without limitation:~~

15 ~~—(a) An essay;~~

16 ~~—(b) A senior project; or~~

17 ~~—(c) A portfolio of work;~~

18 ~~or any combination thereof, that demonstrate proficiency in the~~
19 ~~subject areas on the high school proficiency examination which the~~
20 ~~pupil failed to pass.] , which must include, without limitation, the~~
21 ~~requirement that:~~

22 ~~(1) Commencing with the 2014-2015 school year and each~~
23 ~~school year thereafter, a pupil enrolled in grade 11 take the~~
24 ~~college and career readiness assessment administered pursuant to~~
25 ~~section 19 of this act; and~~

26 ~~(2) Commencing with the 2014-2015 school year and each~~
27 ~~school year thereafter, a pupil enrolled in grade 9 or 10 who~~
28 ~~completes the required instruction in a course of study pass an~~
29 ~~end-of-course examination in that course of study.~~

30 ~~(b) Courses of study in which pupils enrolled in grades 9 and~~
31 ~~10 must pass the end-of-course examinations required by~~
32 ~~subparagraph (2) of paragraph (a), which must include, without~~
33 ~~limitation, the subject areas for which the State Board has adopted~~
34 ~~the common core standards.~~

35 ~~(c) The maximum number of times, if any, that a pupil is~~
36 ~~allowed to take the end-of-course examinations if the pupil fails to~~
37 ~~pass the examinations after the first administration.~~

38 ~~3. The criteria prescribed by the State Board pursuant to~~
39 ~~subsection 2 for a pupil to receive a standard high school diploma~~
40 ~~must not include the results of the pupil on the college and career~~
41 ~~readiness assessment administered to the pupil in grade 11~~
42 ~~pursuant to section 19 of this act.~~

43 ~~4. If a pupil does not satisfy the requirements prescribed by~~
44 ~~the State Board to receive a standard high school diploma, the~~
45 ~~pupil must not be issued a certificate of attendance or any other~~



1 *document indicating that the pupil attended high school but did*
2 *not satisfy the requirements for such a diploma. The provisions of*
3 *this subsection do not apply to a pupil who receives an adjusted*
4 *diploma pursuant to subsection 1.*

5 **Sec. 33.5.** NRS 389.810 is hereby amended to read as follows:

6 389.810 1. Notwithstanding any provision of this title to the
7 contrary, a person who:

8 (a) Left high school before graduating to serve in the Armed
9 Forces of the United States during:

10 (1) World War II and so served at any time between
11 September 16, 1940, and December 31, 1946;

12 (2) The Korean War and so served at any time between
13 June 25, 1950, and January 31, 1955; or

14 (3) The Vietnam Era and so served at any time between
15 January 1, 1961, and May 7, 1975;

16 (b) Was discharged from the Armed Forces of the United States
17 under honorable conditions; and

18 (c) As a result of his or her service in the Armed Forces of the
19 United States, did not receive a high school diploma,

20 ➔ shall be deemed to have earned sufficient credits to receive a
21 standard high school diploma.

22 2. A school district may, upon request, issue a standard high
23 school diploma to any person who meets the requirements set forth
24 in subsection 1. A school district may issue a standard high school
25 diploma to such a person even if the person:

26 (a) Holds a general educational development credential or ~~fits~~
27 *an equivalent ~~H~~ document;* or

28 (b) Is deceased, if the family of the veteran requests the issuance
29 of the diploma.

30 3. The State Board and the Office of Veterans Services shall
31 work cooperatively to establish guidelines for identifying and
32 issuing standard high school diplomas to persons pursuant to this
33 section.

34 4. A person to whom a standard high school diploma is issued
35 pursuant to this section shall not be deemed to be a pupil for the
36 purposes of this title.

37 **Sec. 34.** NRS 389.900 is hereby amended to read as follows:

38 389.900 If the Department enters into a contract with a person
39 or entity to score the results of an examination that is administered
40 to pupils pursuant to NRS ~~389.015 or~~ 389.550 *or, if applicable,*
41 *pursuant to NRS 389.805,* and the contract sets forth penalties or
42 sanctions in the event that the person or entity fails to deliver the
43 scored results to a school district or charter school on a timely basis,
44 the Department shall ensure that any such penalties or sanctions are
45 fully enforced.



1 **Sec. 34.5.** Chapter 391 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *“Assessment” means the college and career readiness*
4 *assessment administered to pupils in grade 11 pursuant to section*
5 *19 of this act.*

6 **Sec. 35.** NRS 391.166 is hereby amended to read as follows:

7 391.166 1. There is hereby created the Grant Fund for
8 Incentives for Licensed Educational Personnel to be administered by
9 the Department. The Department may accept gifts and grants from
10 any source for deposit in the Grant Fund.

11 2. The board of trustees of each school district shall establish a
12 program of incentive pay for licensed teachers, school
13 psychologists, school librarians, school counselors and
14 administrators employed at the school level which must be designed
15 to attract and retain those employees. The program must be
16 negotiated pursuant to chapter 288 of NRS and must include,
17 without limitation, the attraction and retention of:

18 (a) Licensed teachers, school psychologists, school librarians,
19 school counselors and administrators employed at the school level
20 who have been employed in that category of position for at least 5
21 years in this State or another state and who are employed in schools
22 which are at-risk, as determined by the Department pursuant to
23 subsection 8; and

24 (b) Teachers who hold a license or endorsement in the field of
25 mathematics, science, special education, English as a second
26 language or other area of need within the school district, as
27 determined by the Superintendent of Public Instruction.

28 3. A program of incentive pay established by a school district
29 must specify the type of financial incentives offered to the licensed
30 educational personnel. Money available for the program must not be
31 used to negotiate the salaries of individual employees who
32 participate in the program.

33 4. If the board of trustees of a school district wishes to receive
34 a grant of money from the Grant Fund, the board of trustees shall
35 submit to the Department an application on a form prescribed by the
36 Department. The application must include a description of the
37 program of incentive pay established by the school district.

38 5. The Superintendent of Public Instruction shall compile a list
39 of the financial incentives recommended by each school district that
40 submitted an application. On or before December 1 of each year, the
41 Superintendent shall submit the list to the Interim Finance
42 Committee for its approval of the recommended incentives.

43 6. After approval of the list of incentives by the Interim
44 Finance Committee pursuant to subsection 5 and within the limits of
45 money available in the Grant Fund, the Department shall provide



1 grants of money to each school district that submits an application
2 pursuant to subsection 4 based upon the amount of money that is
3 necessary to carry out each program. If an insufficient amount of
4 money is available to pay for each program submitted to the
5 Department, the amount of money available must be distributed pro
6 rata based upon the number of licensed employees who are
7 estimated to be eligible to participate in the program in each school
8 district that submitted an application.

9 7. An individual employee may not receive as a financial
10 incentive pursuant to a program an amount of money that is more
11 than \$3,500 per year.

12 8. The Department shall, in consultation with representatives
13 appointed by the Nevada Association of School Superintendents and
14 the Nevada Association of School Boards, develop a formula for
15 identifying at-risk schools for purposes of this section. The formula
16 must be developed on or before July 1 of each year and include,
17 without limitation, the following factors:

18 (a) The percentage of pupils who are eligible for free or
19 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.;

20 (b) The transiency rate of pupils;

21 (c) The percentage of pupils who are limited English proficient;

22 (d) The percentage of pupils who have individualized education
23 programs; *and*

24 (e) ~~[(The percentage of pupils who score in the bottom two~~
25 ~~quarters on the mathematics portion or the reading portion, or both,~~
26 ~~of the high school proficiency examination; and~~

27 ~~—(f)]~~ The percentage of pupils who drop out of high school before
28 graduation.

29 9. The board of trustees of each school district that receives a
30 grant of money pursuant to this section shall evaluate the
31 effectiveness of the program for which the grant was awarded. The
32 evaluation must include, without limitation, an evaluation of
33 whether the program is effective in recruiting and retaining the
34 personnel as set forth in subsection 2. On or before December 1 of
35 each year, the board of trustees shall submit a report of its
36 evaluation to the:

37 (a) Governor;

38 (b) State Board;

39 (c) Interim Finance Committee;

40 (d) If the report is submitted in an even-numbered year, Director
41 of the Legislative Counsel Bureau for transmittal to the next regular
42 session of the Legislature; and

43 (e) Legislative Committee on Education.



1 **Sec. 36.** NRS 391.312 is hereby amended to read as follows:
2 391.312 1. A teacher may be suspended, dismissed or not
3 reemployed and an administrator may be demoted, suspended,
4 dismissed or not reemployed for the following reasons:

- 5 (a) Inefficiency;
- 6 (b) Immorality;
- 7 (c) Unprofessional conduct;
- 8 (d) Insubordination;
- 9 (e) Neglect of duty;
- 10 (f) Physical or mental incapacity;
- 11 (g) A justifiable decrease in the number of positions due to
12 decreased enrollment or district reorganization;
- 13 (h) Conviction of a felony or of a crime involving moral
14 turpitude;
- 15 (i) Inadequate performance;
- 16 (j) Evident unfitness for service;
- 17 (k) Failure to comply with such reasonable requirements as a
18 board may prescribe;
- 19 (l) Failure to show normal improvement and evidence of
20 professional training and growth;
- 21 (m) Advocating overthrow of the Government of the United
22 States or of the State of Nevada by force, violence or other unlawful
23 means, or the advocating or teaching of communism with the intent
24 to indoctrinate pupils to subscribe to communistic philosophy;
- 25 (n) Any cause which constitutes grounds for the revocation of a
26 teacher's license;
- 27 (o) Willful neglect or failure to observe and carry out the
28 requirements of this title;
- 29 (p) Dishonesty;
- 30 (q) Breaches in the security or confidentiality of the questions
31 and answers of the ~~achievement and proficiency~~ examinations that
32 are administered pursuant to NRS ~~389.015;~~ **389.550 or 389.805**
33 ***and the college and career readiness assessment administered***
34 ***pursuant to section 19 of this act;***
- 35 (r) Intentional failure to observe and carry out the requirements
36 of a plan to ensure the security of examinations ***and assessments***
37 adopted pursuant to NRS 389.616 or 389.620;
- 38 (s) An intentional violation of NRS 388.5265 or 388.527;
- 39 (t) Gross misconduct; or
- 40 (u) An intentional failure to report a violation of NRS 388.135 if
41 the teacher or administrator witnessed the violation.

42 2. In determining whether the professional performance of a
43 licensed employee is inadequate, consideration must be given to the
44 regular and special evaluation reports prepared in accordance with
45 the policy of the employing school district and to any written



1 standards of performance which may have been adopted by the
2 board.

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

7 **Sec. 37.** NRS 391.330 is hereby amended to read as follows:

8 391.330 The State Board may suspend or revoke the license of
9 any teacher, administrator or other licensed employee, after notice
10 and an opportunity for hearing have been provided pursuant to NRS
11 391.322 and 391.323, for:

12 1. Immoral or unprofessional conduct.

13 2. Evident unfitness for service.

14 3. Physical or mental incapacity which renders the teacher,
15 administrator or other licensed employee unfit for service.

16 4. Conviction of a felony or crime involving moral turpitude.

17 5. Conviction of a sex offense under NRS 200.366, 200.368,
18 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil
19 enrolled in a school of a county school district was the victim.

20 6. Knowingly advocating the overthrow of the Federal
21 Government or of the State of Nevada by force, violence or
22 unlawful means.

23 7. Persistent defiance of or refusal to obey the regulations of
24 the State Board, the Commission or the Superintendent of Public
25 Instruction, defining and governing the duties of teachers,
26 administrators and other licensed employees.

27 8. Breaches in the security or confidentiality of the questions
28 and answers of the ~~achievement and proficiency~~ examinations that
29 are administered pursuant to NRS ~~389.015~~ *389.550 or 389.805*
30 *and the college and career readiness assessment administered*
31 *pursuant to section 19 of this act.*

32 9. Intentional failure to observe and carry out the requirements
33 of a plan to ensure the security of examinations *and assessments*
34 adopted pursuant to NRS 389.616 or 389.620.

35 10. An intentional violation of NRS 388.5265 or 388.527.

36 **Sec. 37.5.** NRS 391.600 is hereby amended to read as follows:

37 391.600 As used in NRS 391.600 to 391.648, inclusive, unless
38 the context otherwise requires, the words and terms defined in NRS
39 391.604 to 391.620, inclusive, *and section 34.5 of this act* have the
40 meanings ascribed to them in those sections.

41 **Sec. 38.** NRS 391.604 is hereby amended to read as follows:

42 391.604 “Examination” means:

43 1. ~~Achievement and proficiency~~ *The* examinations that are
44 administered to pupils pursuant to NRS ~~389.015 or~~ 389.550 ~~+~~ *or*
45 *389.805*; and



1 2. Any other examinations which measure the achievement and
2 proficiency of pupils and which are administered to pupils on a
3 district-wide basis.

4 **Sec. 38.3.** NRS 391.608 is hereby amended to read as follows:

5 391.608 “Irregularity in testing administration” means the
6 failure to administer an examination *or assessment* in the manner
7 intended by the person or entity that created the examination ~~H~~ *or*
8 *assessment*.

9 **Sec. 38.7.** NRS 391.612 is hereby amended to read as follows:

10 391.612 “Irregularity in testing security” means an act or
11 omission that tends to corrupt or impair the security of an
12 examination ~~H~~ *or assessment*, including, without limitation:

13 1. The failure to comply with security procedures adopted
14 pursuant to NRS 389.616 or 389.620;

15 2. The disclosure of questions or answers to questions on an
16 examination *or assessment* in a manner not otherwise approved by
17 law; and

18 3. Other breaches in the security or confidentiality of the
19 questions or answers to questions on an examination ~~H~~ *or*
20 *assessment*.

21 **Sec. 38.9.** NRS 392.075 is hereby amended to read as follows:

22 392.075 Attendance required by the provisions of NRS
23 392.040 must be excused if a child has obtained permission to take
24 the ~~{tests of general educational development}~~ *high school*
25 *equivalency assessment* pursuant to NRS 385.448.

26 **Sec. 39.** NRS 392.700 is hereby amended to read as follows:

27 392.700 1. If the parent of a child who is subject to
28 compulsory attendance wishes to homeschool the child, the parent
29 must file with the superintendent of schools of the school district in
30 which the child resides a written notice of intent to homeschool the
31 child. The Department shall develop a standard form for the notice
32 of intent to homeschool. The form must not require any information
33 or assurances that are not otherwise required by this section or other
34 specific statute. The board of trustees of each school district shall, in
35 a timely manner, make only the form developed by the Department
36 available to parents who wish to homeschool their child.

37 2. The notice of intent to homeschool must be filed before
38 beginning to homeschool the child or:

39 (a) Not later than 10 days after the child has been formally
40 withdrawn from enrollment in public school; or

41 (b) Not later than 30 days after establishing residency in this
42 State.

43 3. The purpose of the notice of intent to homeschool is to
44 inform the school district in which the child resides that the child is
45 exempt from the requirement of compulsory attendance.



1 4. If the name or address of the parent or child as indicated on a
2 notice of intent to homeschool changes, the parent must, not later
3 than 30 days after the change, file a new notice of intent to
4 homeschool with the superintendent of schools of the school district
5 in which the child resides.

6 5. A notice of intent to homeschool must include only the
7 following:

8 (a) The full name, age and gender of the child;

9 (b) The name and address of each parent filing the notice of
10 intent to homeschool;

11 (c) A statement signed and dated by each such parent declaring
12 that the parent has control or charge of the child and the legal right
13 to direct the education of the child, and assumes full responsibility
14 for the education of the child while the child is being homeschooled;

15 (d) An educational plan for the child that is prepared pursuant to
16 subsection 12;

17 (e) If applicable, the name of the public school in this State
18 which the child most recently attended; and

19 (f) An optional statement that the parent may sign which
20 provides:

21
22 I expressly prohibit the release of any information contained
23 in this document, including, without limitation, directory
24 information as defined in 20 U.S.C. § 1232g(a)(5)(A),
25 without my prior written consent.
26

27 6. Each superintendent of schools of a school district shall
28 accept notice of intent to homeschool that is filed with the
29 superintendent pursuant to this section and meets the requirements
30 of subsection 5, and shall not require or request any additional
31 information or assurances from the parent who filed the notice.

32 7. The school district shall provide to a parent who files a
33 notice a written acknowledgment which clearly indicates that the
34 parent has provided notification required by law and that the child is
35 being homeschooled. The written acknowledgment shall be deemed
36 proof of compliance with Nevada's compulsory school attendance
37 law. The school district shall retain a copy of the written
38 acknowledgment for not less than 15 years. The written
39 acknowledgment may be retained in electronic format.

40 8. The superintendent of schools of a school district shall
41 process a written request for a copy of the records of the school
42 district, or any information contained therein, relating to a child who
43 is being or has been homeschooled not later than 5 days after
44 receiving the request. The superintendent of schools may only
45 release such records or information:



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1 (a) To a person or entity specified by the parent of the child, or
2 by the child if the child is at least 18 years of age, upon suitable
3 proof of identity of the parent or child; or

4 (b) If required by specific statute.

5 9. If a child who is or was homeschooled seeks admittance or
6 entrance to any school in this State, the school may use only
7 commonly used practices in determining the academic ability,
8 placement or eligibility of the child. If the child enrolls in a charter
9 school, the charter school shall, to the extent practicable, notify the
10 board of trustees of the school district in which the child resides
11 of the child's enrollment in the charter school. Regardless of
12 whether the charter school provides such notification to the board of
13 trustees, the charter school may count the child who is enrolled for
14 the purposes of the calculation of basic support pursuant to NRS
15 387.1233. A homeschooled child seeking admittance to public high
16 school must comply with NRS 392.033.

17 10. A school or organization shall not discriminate in any
18 manner against a child who is or was homeschooled.

19 11. Each school district shall allow homeschooled children to
20 participate in ~~{the high school proficiency examination administered~~
21 ~~pursuant to NRS 389.015 and}~~ all college entrance examinations
22 offered in this State, including, without limitation, the SAT, the
23 ACT, the Preliminary SAT and the National Merit Scholarship
24 Qualifying Test. Each school district shall ensure that the
25 homeschooled children who reside in the school district have
26 adequate notice of the availability of information concerning such
27 examinations on the Internet website of the school district
28 maintained pursuant to NRS 389.004.

29 12. The parent of a child who is being homeschooled shall
30 prepare an educational plan of instruction for the child in the subject
31 areas of English, including reading, composition and writing,
32 mathematics, science and social studies, including history,
33 geography, economics and government, as appropriate for the age
34 and level of skill of the child as determined by the parent. The
35 educational plan must be included in the notice of intent to
36 homeschool filed pursuant to this section. If the educational plan
37 contains the requirements of this section, the educational plan must
38 not be used in any manner as a basis for denial of a notice of intent
39 to homeschool that is otherwise complete. The parent must be
40 prepared to present the educational plan of instruction and proof of
41 the identity of the child to a court of law if required by the court.
42 This subsection does not require a parent to ensure that each subject
43 area is taught each year that the child is homeschooled.

44 13. No regulation or policy of the State Board, any school
45 district or any other governmental entity may infringe upon the right



1 of a parent to educate his or her child based on religious preference
2 unless it is:

- 3 (a) Essential to further a compelling governmental interest; and
- 4 (b) The least restrictive means of furthering that compelling
5 governmental interest.

6 14. As used in this section, "parent" means the parent,
7 custodial parent, legal guardian or other person in this State who has
8 control or charge of a child and the legal right to direct the education
9 of the child.

10 **Sec. 40.** NRS 392A.100 is hereby amended to read as follows:

11 392A.100 1. A university school for profoundly gifted pupils
12 shall determine the eligibility of a pupil for admission to the school
13 based upon a comprehensive assessment of the pupil's potential for
14 academic and intellectual achievement at the school, including,
15 without limitation, intellectual and academic ability, motivation,
16 emotional maturity and readiness for the environment of an
17 accelerated educational program. The assessment must be conducted
18 by a broad-based committee of professionals in the field of
19 education.

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

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

23 (1) A completed application;
24 (2) Evidence that the applicant possesses advanced
25 intellectual and academic ability, including, without limitation,
26 proof that he or she satisfies the requirements of NRS 392A.030;

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

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

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

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

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

39 4. The Superintendent of Public Instruction shall, upon
40 recommendation of the governing body, issue a high school diploma
41 to a pupil who is enrolled in a university school for profoundly
42 gifted pupils if that pupil ~~successfully passes the high school~~
43 ~~proficiency examination~~ *satisfies the criteria prescribed by the*
44 *State Board pursuant to NRS 389.805* and the courses in American
45 government and American history as required by NRS 389.020 and



1 389.030, and successfully completes any requirements established
2 by the State Board of Education for graduation from high school.

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

13 **Sec. 41.** NRS 392A.110 is hereby amended to read as follows:

14 392A.110 1. At least 70 percent of the teachers employed by
15 a university school for profoundly gifted pupils must be licensed
16 teachers.

17 2. A university school for profoundly gifted pupils shall
18 administer to its pupils the achievement and proficiency
19 examinations required by NRS ~~389.015 and~~ 389.550.

20 **Sec. 41.1.** NRS 209.396 is hereby amended to read as follows:

21 209.396 1. Except as otherwise provided in this section, an
22 offender who is illiterate may not be assigned to an industrial or a
23 vocational program unless:

24 (a) The offender is regularly attending and making satisfactory
25 progress in a program for general education; or

26 (b) The Director for good cause determines that the limitation on
27 assignment should be waived under the circumstances with respect
28 to a particular offender.

29 2. An offender whose:

30 (a) Native language is not English;

31 (b) Ability to read and write in his or her native language is at or
32 above the level of literacy designated by the Board in its regulations;
33 and

34 (c) Ability to read and write the English language is below the
35 level of literacy designated by the Board in its regulations,

36 ➤ may not be assigned to an industrial or a vocational program
37 unless the offender is regularly attending and making satisfactory
38 progress in a course which teaches English as a second language or
39 the Director for good cause determines that the limitation on
40 assignment should be waived under the circumstances with respect
41 to a particular offender.

42 3. Upon written documentation that an illiterate offender has a
43 developmental, learning or other similar disability which affects his
44 or her ability to learn, the Director may:



1 (a) Adapt or create an educational program or guidelines for
2 evaluating the educational progress of the offender to meet his or
3 her particular needs; or

4 (b) Exempt the offender from the required participation in an
5 educational program prescribed by this section.

6 4. The provisions of this section do not apply to an offender
7 who presents satisfactory evidence that the offender has a ~~high~~ :

8 (a) *High* school diploma ; or ~~general~~

9 (b) *General* educational development certificate ~~or~~ *or an*
10 *equivalent document.*

11 5. As used in this section, "illiterate" means having an ability
12 to read and write that is below the level of literacy designated by the
13 Board in its regulations.

14 **Sec. 41.2.** NRS 209.433 is hereby amended to read as follows:

15 209.433 1. Every offender who was sentenced to prison on or
16 before June 30, 1969, who has no serious infraction of the
17 regulations of the Department, the terms and conditions of his or her
18 residential confinement, or the laws of the State recorded against the
19 offender, and who performs in a faithful, orderly and peaceable
20 manner the duties assigned to the offender, must be allowed for his
21 or her term a deduction of 2 months in each of the first 2 years, 4
22 months in each of the next 2 years, and 5 months in each of the
23 remaining years of the term, and pro rata for any part of a year
24 where the sentence is for more or less than a year.

25 2. In addition to the credits for good behavior provided for in
26 subsection 1, the Board shall adopt regulations allowing credits for
27 offenders whose diligence in labor or study merits the credits and
28 for offenders who donate their blood for charitable purposes. The
29 regulations must provide that an offender is entitled to the following
30 credits for educational achievement:

31 (a) For earning a general educational development certificate ~~or~~
32 *or an equivalent document*, 30 days.

33 (b) For earning a high school diploma, 60 days.

34 (c) For earning an associate degree, 90 days.

35 3. Each offender is entitled to the deductions allowed by this
36 section if the offender has satisfied the conditions of subsection 1 or
37 2 as determined by the Director.

38 **Sec. 41.3.** NRS 209.443 is hereby amended to read as follows:

39 209.443 1. Every offender who is sentenced to prison after
40 June 30, 1969, for a crime committed before July 1, 1985, who has
41 no serious infraction of the regulations of the Department, the terms
42 and conditions of his or her residential confinement, or the laws of
43 the State recorded against the offender, and who performs in a
44 faithful, orderly and peaceable manner the duties assigned to the
45 offender, must be allowed:




1 (a) For the period the offender is actually incarcerated under
2 sentence; and

3 (b) For the period the offender is in residential confinement,
4 ➔ a deduction of 2 months for each of the first 2 years, 4 months for
5 each of the next 2 years and 5 months for each of the remaining
6 years of the term, and pro rata for any part of a year where the actual
7 term served is for more or less than a year. Credit must be recorded
8 on a monthly basis as earned for actual time served.

9 2. The credits earned by an offender must be deducted from the
10 maximum term imposed by the sentence and, except as otherwise
11 provided in subsection 5, must apply to eligibility for parole.

12 3. In addition to the credits for good behavior provided for in
13 subsection 1, the Board shall adopt regulations allowing credits for
14 offenders whose diligence in labor or study merits such credits and
15 for offenders who donate their blood for charitable purposes. The
16 regulations must provide that an offender is entitled to the following
17 credits for educational achievement:

18 (a) For earning a general educational development certificate 
19 *or an equivalent document*, 30 days.

20 (b) For earning a high school diploma, 60 days.

21 (c) For earning an associate degree, 90 days.

22 4. Each offender is entitled to the deductions allowed by this
23 section if the offender has satisfied the conditions of subsection 1 or
24 3 as determined by the Director.

25 5. Credits earned pursuant to this section do not apply to
26 eligibility for parole if a statute specifies a minimum sentence which
27 must be served before a person becomes eligible for parole.

28 **Sec. 41.4.** NRS 209.446 is hereby amended to read as follows:

29 209.446 1. Every offender who is sentenced to prison for a
30 crime committed on or after July 1, 1985, but before July 17, 1997,
31 who has no serious infraction of the regulations of the Department,
32 the terms and conditions of his or her residential confinement or the
33 laws of the State recorded against the offender, and who performs in
34 a faithful, orderly and peaceable manner the duties assigned to the
35 offender, must be allowed:

36 (a) For the period the offender is actually incarcerated under
37 sentence;

38 (b) For the period the offender is in residential confinement; and

39 (c) For the period the offender is in the custody of the Division
40 of Parole and Probation of the Department of Public Safety pursuant
41 to NRS 209.4886 or 209.4888,


42 ➔ a deduction of 10 days from the offender's sentence for each
43 month the offender serves.

44 2. In addition to the credit provided for in subsection 1, the
45 Director may allow not more than 10 days of credit each month for



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1 an offender whose diligence in labor and study merits such credits.
2 In addition to the credits allowed pursuant to this subsection, an
3 offender is entitled to the following credits for educational
4 achievement:

5 (a) For earning a general educational development certificate 
6 *or an equivalent document*, 30 days.

7 (b) For earning a high school diploma, 60 days.

8 (c) For earning an associate degree, 90 days.

9 3. The Director may allow not more than 10 days of credit each
10 month for an offender who participates in a diligent and responsible
11 manner in a center for the purpose of making restitution, program
12 for reentry of offenders and parolees into the community,
13 conservation camp, program of work release or another program
14 conducted outside of the prison. An offender who earns credit
15 pursuant to this subsection is entitled to the entire 20 days of credit
16 each month which is authorized in subsections 1 and 2.

17 4. The Director may allow not more than 90 days of credit each
18 year for an offender who engages in exceptional meritorious service.

19 5. The Board shall adopt regulations governing the award,
20 forfeiture and restoration of credits pursuant to this section.

21 6. Credits earned pursuant to this section:

22 (a) Must be deducted from the maximum term imposed by the
23 sentence; and

24 (b) Apply to eligibility for parole unless the offender was
25 sentenced pursuant to a statute which specifies a minimum sentence
26 which must be served before a person becomes eligible for parole.

27 **Sec. 41.5.** NRS 209.4465 is hereby amended to read as
28 follows:

29 209.4465 1. An offender who is sentenced to prison for a
30 crime committed on or after July 17, 1997, who has no serious
31 infraction of the regulations of the Department, the terms and
32 conditions of his or her residential confinement or the laws of the
33 State recorded against the offender, and who performs in a faithful,
34 orderly and peaceable manner the duties assigned to the offender,
35 must be allowed:

36 (a) For the period the offender is actually incarcerated pursuant
37 to his or her sentence;

38 (b) For the period the offender is in residential confinement; and


39 (c) For the period the offender is in the custody of the Division
40 of Parole and Probation of the Department of Public Safety pursuant
41 to NRS 209.4886 or 209.4888,

42 ➔ a deduction of 20 days from his or her sentence for each month
43 the offender serves.

44 2. In addition to the credits allowed pursuant to subsection 1,
45 the Director may allow not more than 10 days of credit each month



1 for an offender whose diligence in labor and study merits such
2 credits. In addition to the credits allowed pursuant to this subsection,
3 an offender is entitled to the following credits for educational
4 achievement:

5 (a) For earning a general educational development certificate  **or an equivalent document**, 60 days.

6 (b) For earning a high school diploma, 90 days.

7 (c) For earning his or her first associate degree, 120 days.

8 3. The Director may, in his or her discretion, authorize an
9 offender to receive a maximum of 90 days of credit for each
10 additional degree of higher education earned by the offender.

11 4. The Director may allow not more than 10 days of credit each
12 month for an offender who participates in a diligent and responsible
13 manner in a center for the purpose of making restitution, program
14 for reentry of offenders and parolees into the community,
15 conservation camp, program of work release or another program
16 conducted outside of the prison. An offender who earns credit
17 pursuant to this subsection is eligible to earn the entire 30 days of
18 credit each month that is allowed pursuant to subsections 1 and 2.

19 5. The Director may allow not more than 90 days of credit each
20 year for an offender who engages in exceptional meritorious service.

21 6. The Board shall adopt regulations governing the award,
22 forfeiture and restoration of credits pursuant to this section.

23 7. Except as otherwise provided in subsection 8, credits earned
24 pursuant to this section:

25 (a) Must be deducted from the maximum term imposed by the
26 sentence; and

27 (b) Apply to eligibility for parole unless the offender was
28 sentenced pursuant to a statute which specifies a minimum sentence
29 that must be served before a person becomes eligible for parole.

30 8. Credits earned pursuant to this section by an offender who
31 has not been convicted of:

32 (a) Any crime that is punishable as a felony involving the use or
33 threatened use of force or violence against the victim;

34 (b) A sexual offense that is punishable as a felony;

35 (c) A violation of NRS 484C.110, 484C.120, 484C.130 or
36 484C.430 that is punishable as a felony; or

37 (d) A category A or B felony,

38 ↪ apply to eligibility for parole and must be deducted from the
39 minimum term imposed by the sentence until the offender becomes
40 eligible for parole and must be deducted from the maximum term
41 imposed by the sentence.

42 **Sec. 41.6.** NRS 211.330 is hereby amended to read as follows:

43 211.330 1. In addition to the credits on a term of
44 imprisonment provided for in NRS 211.310, 211.320 and 211.340,
45



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1 the sheriff of the county or the chief of police of the municipality in
2 which a prisoner is incarcerated shall deduct 5 days from the
3 prisoner's term of imprisonment for earning a general educational
4 development certificate ~~{,}~~ or ~~{the equivalent thereof,}~~ *an equivalent*
5 *document* by successfully completing an educational program for
6 adults conducted jointly by the local detention facility in which the
7 prisoner is incarcerated and the school district in which the facility
8 is located.

9 2. The provisions of this section apply to any prisoner who is
10 sentenced on or after October 1, 1991, to a term of imprisonment of
11 90 days or more.

12 **Sec. 41.7.** NRS 213.315 is hereby amended to read as follows:

13 213.315 1. Except as otherwise provided in this section, an
14 offender who is illiterate is not eligible to participate in a program
15 unless:

16 (a) The offender is regularly attending and making satisfactory
17 progress in a program for general education; or

18 (b) The Director, for good cause, determines that the limitation
19 on eligibility should be waived under the circumstances with respect
20 to a particular offender.

21 2. An offender whose:

22 (a) Native language is not English;

23 (b) Ability to read and write in his or her native language is at or
24 above the level of literacy designated by the Board of State Prison
25 Commissioners in its regulations; and

26 (c) Ability to read and write the English language is below the
27 level of literacy designated by the Board of State Prison
28 Commissioners in its regulations,

29 ➔ may not be assigned to an industrial or a vocational program
30 unless the offender is regularly attending and making satisfactory
31 progress in a course which teaches English as a second language or
32 the Director, for good cause, determines that the limitation on
33 eligibility should be waived under the circumstances with respect to
34 a particular offender.

35 3. Upon written documentation that an illiterate offender has a
36 developmental, learning or other similar disability which affects his
37 or her ability to learn, the Director may:

38 (a) Adapt or create an educational program or guidelines for
39 evaluating the educational progress of the offender to meet his or
40 her particular needs; or

41 (b) Exempt the offender from the required participation in an
42 educational program prescribed by this section.

43 4. The provisions of this section do not apply to an offender
44 who:

45 (a) Presents satisfactory evidence that the offender has ~~{,}~~ :



- 1 (1) A high school diploma ; or ~~†~~
2 (2) A general educational development certificate ~~†~~ or *an*
3 *equivalent document; or*

4 (b) Is admitted into a program for the purpose of obtaining
5 additional education in this state.

6 5. As used in this section, “illiterate” means having an ability
7 to read and write that is below the level of literacy designated by the
8 Board of State Prison Commissioners in its regulations.

9 **Sec. 42.** NRS 218E.615 is hereby amended to read as follows:
10 218E.615 1. The Committee may:

11 (a) Evaluate, review and comment upon issues related to
12 education within this State, including, but not limited to:

- 13 (1) Programs to enhance accountability in education;
14 (2) Legislative measures regarding education;
15 (3) The progress made by this State, the school districts and
16 the public schools in this State in satisfying the goals and objectives
17 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
18 et seq., and the annual measurable objectives established by the
19 State Board of Education pursuant to NRS 385.361;

20 (4) Methods of financing public education;
21 (5) The condition of public education in the elementary and
22 secondary schools;

23 (6) The program to reduce the ratio of pupils per class per
24 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

25 (7) The development of any programs to automate the
26 receipt, storage and retrieval of the educational records of pupils;
27 and

28 (8) Any other matters that, in the determination of the
29 Committee, affect the education of pupils within this State.

30 (b) Conduct investigations and hold hearings in connection with
31 its duties pursuant to this section.

32 (c) Request that the Legislative Counsel Bureau assist in the
33 research, investigations, hearings and reviews of the Committee.

34 (d) Make recommendations to the Legislature concerning the
35 manner in which public education may be improved.

36 2. The Committee shall:

37 (a) In addition to any standards prescribed by the Department of
38 Education, prescribe standards for the review and evaluation of the
39 reports of the State Board of Education, State Public Charter School
40 Authority, school districts and public schools pursuant to paragraph
41 (a) of subsection 1 of NRS 385.359.

42 (b) For the purposes set forth in NRS 385.389, recommend to
43 the Department of Education programs of remedial study for each
44 subject tested on the examinations administered pursuant to NRS
45 ~~389.015~~ *389.550 or 389.805*. In recommending these programs of



1 remedial study, the Committee shall consider programs of remedial
2 study that have proven to be successful in improving the academic
3 achievement of pupils.

4 (c) Recommend to the Department of Education providers of
5 supplemental educational services for inclusion on the list of
6 approved providers prepared by the Department pursuant to NRS
7 385.384. In recommending providers, the Committee shall consider
8 providers with a demonstrated record of effectiveness in improving
9 the academic achievement of pupils.

10 (d) For the purposes set forth in NRS 385.3785, recommend to
11 the Commission on Educational Excellence created by NRS
12 385.3784 programs, practices and strategies that have proven
13 effective in improving the academic achievement and proficiency of
14 pupils.

15 **Sec. 42.2.** NRS 432B.595 is hereby amended to read as
16 follows:

17 432B.595 1. If the court retains jurisdiction over a child
18 pursuant to NRS 432B.594, the agency which provides child welfare
19 services shall develop a written plan to assist the child in
20 transitioning to independent living. Such a plan must include,
21 without limitation, the following goals:

22 (a) That the child save enough money to pay for his or her
23 monthly expenses for at least 3 months;

24 (b) If the child has not graduated from high school or obtained a
25 general equivalency diploma ~~H~~ *or an equivalent document*, that the
26 child remain enrolled in high school or a program to obtain a
27 general equivalency diploma *or an equivalent document* until
28 graduation or completion of the program;

29 (c) If the child has graduated from high school or obtained a
30 general equivalency diploma ~~H~~ *or an equivalent document*, that the
31 child:

32 (1) Enroll in a program of postsecondary or vocational
33 education;

34 (2) Enroll or participate in a program or activity designed to
35 promote or remove obstacles to employment; or

36 (3) Obtain or actively seek employment which is at least 80
37 hours per month;

38 (d) That the child secure housing;

39 (e) That the child have adequate income to meet his or her
40 monthly expenses;

41 (f) That the child identify an adult who will be available to
42 provide support to the child;

43 (g) If applicable, that the child have established appropriate
44 supportive services to address any mental health or developmental
45 needs of the child; and



1 (h) If a child is not capable of achieving one or more of the
2 goals set forth in paragraphs (a) to (g), inclusive, that the child have
3 goals which are appropriate for the child based upon the needs of
4 the child.

5 2. During the period in which the court retains jurisdiction over
6 the child, the agency which provides child welfare services shall:

7 (a) Monitor the plan developed pursuant to subsection 1 and
8 adjust the plan as necessary;

9 (b) Contact the child by telephone at least once each month and
10 in person at least quarterly;

11 (c) Ensure that the child meets with a person who will provide
12 guidance to the child and make the child aware of the services
13 which will be available to the child; and

14 (d) Conduct a meeting with the child at least 30 days, but not
15 more than 45 days, before the jurisdiction of the court is terminated
16 to determine whether the child requires any additional guidance.

17 **Sec. 42.4.** NRS 630.277 is hereby amended to read as follows:

18 630.277 1. Every person who wishes to practice respiratory
19 care in this State must:

20 (a) Have ~~††~~:

21 (1) A high school diploma ; or

22 (2) A general equivalency diploma ~~††~~ *or an equivalent*
23 *document;*

24 (b) Complete an educational program for respiratory care which
25 has been approved by the Commission on Accreditation of Allied
26 Health Education Programs or its successor organization or the
27 Committee on Accreditation for Respiratory Care or its successor
28 organization;

29 (c) Pass the examination as an entry-level or advanced
30 practitioner of respiratory care administered by the National Board
31 for Respiratory Care or its successor organization;

32 (d) Be certified by the National Board for Respiratory Care or
33 its successor organization; and

34 (e) Be licensed to practice respiratory care by the Board and
35 have paid the required fee for licensure.

36 2. Except as otherwise provided in subsection 3, a person shall
37 not:

38 (a) Practice respiratory care; or

39 (b) Hold himself or herself out as qualified to practice
40 respiratory care,

41 **↳** in this State without complying with the provisions of
42 subsection 1.

43 3. Any person who has completed the educational requirements
44 set forth in paragraphs (a) and (b) of subsection 1 may practice
45 respiratory care pursuant to a program of practical training as an



1 intern in respiratory care for not more than 12 months after
2 completing those educational requirements.

3 **Sec. 42.5.** NRS 641C.420 is hereby amended to read as
4 follows:

5 641C.420 1. The Board shall issue a certificate as an alcohol
6 and drug abuse counselor intern to a person who:

7 (a) Is not less than 21 years of age;

8 (b) Is a citizen of the United States or is lawfully entitled to
9 remain and work in the United States;

10 (c) Has ~~fat~~:

11 (1) A high school diploma ; or ~~fat~~

12 (2) A general equivalency diploma ~~fat~~ *or an equivalent*
13 *document*;

14 (d) Pays the fees required pursuant to NRS 641C.470;

15 (e) Submits proof to the Board that the person:

16 (1) Is enrolled in a program from which he or she will
17 receive an associate's degree, bachelor's degree, master's degree or
18 doctoral degree in a field of social science approved by the Board;
19 or

20 (2) Has received an associate's degree, bachelor's degree,
21 master's degree or doctoral degree in a field of social science
22 approved by the Board; and

23 (f) Submits all information required to complete an application
24 for a certificate.

25 2. A certificate as an alcohol and drug abuse counselor intern is
26 valid for 1 year and may be renewed. The Board may waive any
27 requirement for the renewal of a certificate upon good cause shown
28 by the holder of the certificate.

29 3. A certified alcohol and drug abuse counselor intern may,
30 under the supervision of a licensed alcohol and drug abuse
31 counselor or licensed clinical alcohol and drug abuse counselor:

32 (a) Engage in the practice of counseling alcohol and drug
33 abusers; and

34 (b) Diagnose or classify a person as an alcoholic or drug abuser.

35 **Sec. 42.6.** NRS 652.127 is hereby amended to read as follows:

36 652.127 To qualify for certification as an assistant in a medical
37 laboratory, a person must be a high school graduate or have a
38 general equivalency diploma *or an equivalent document* and:

39 1. Must complete at least 6 months of training approved by the
40 Board and demonstrate an ability to perform laboratory procedures
41 in the medical laboratory where he or she receives the training; or

42 2. Must:

43 (a) Complete a course of instruction that qualifies him or her to
44 take an examination for certification in phlebotomy that is
45 administered by:



- 1 (1) The American Medical Technologists;
- 2 (2) The American Society of Clinical Pathologists; or
- 3 (3) The National Certification Agency; and

4 (b) Pass an examination specified in paragraph (a).

5 **Sec. 42.7.** NRS 697.173 is hereby amended to read as follows:

6 697.173 1. Except as otherwise provided in subsection 2, a
7 person is entitled to receive, renew or hold a license as a bail
8 enforcement agent if the person:

9 (a) Is a natural person not less than 21 years of age.

10 (b) Is a citizen of the United States or is lawfully entitled to
11 remain and work in the United States.

12 (c) Has ~~fat~~:

13 (1) *A* high school diploma ~~for a~~;

14 (2) *A* general equivalency diploma *or an equivalent*
15 *document*; or ~~has an~~

16 (3) *An* equivalent education as determined by the
17 Commissioner.

18 (d) Has complied with the requirements of subsection 4 of
19 NRS 697.180.

20 (e) Has submitted to the Commissioner the results of an
21 examination conducted by a psychiatrist or psychologist licensed to
22 practice in this state which indicate that the person does not suffer
23 from a psychological condition that would adversely affect the
24 ability of the person to carry out his or her duties as a bail
25 enforcement agent.

26 (f) Has passed any written examination required by this chapter.

27 (g) Submits to the Commissioner the results of a test to detect
28 the presence of a controlled substance in the system of the person
29 that was administered no earlier than 30 days before the date of the
30 application for the license which do not indicate the presence of any
31 controlled substance for which the person does not possess a current
32 and lawful prescription issued in the name of the person.

33 (h) Successfully completes the training required by
34 NRS 697.177.

35 2. A person is not entitled to receive, renew or hold a license of
36 a bail enforcement agent if the person:

37 (a) Has been convicted of a felony in this state or of any offense
38 committed in another state which would be a felony if committed in
39 this state; or

40 (b) Has been convicted of an offense involving moral turpitude
41 or the unlawful use, sale or possession of a controlled substance.

42 **Sec. 43.** NRS 389.015, 389.016, 389.017, 389.0175 and
43 389.045 are hereby repealed.

44 **Sec. 44.** 1. The Legislature hereby recognizes that to receive
45 federal money under the Elementary and Secondary Education Act



1 of 1965, 20 U.S.C. §§ 6301 et seq., pupils enrolled in public high
2 schools in this State must be administered an assessment at least one
3 time while in high school based upon the State's academic and
4 content standards. To continue to receive federal money under the
5 Act, the State Board of Education may, for the purposes set forth in
6 subsection 2, continue to provide for the administration of the high
7 school proficiency examination.

8 2. On or before August 1, 2013, the State Board of Education
9 shall:

10 (a) Prescribe the requirements, in addition to any requirements
11 prescribed by statute, that a pupil enrolled in grade 12 in the 2013-
12 2014 school year, the 2014-2015 school year or the 2015-2016
13 school year must satisfy to receive a standard high school diploma,
14 which may include, without limitation, passage of the high school
15 proficiency examination pursuant to section 44.3 of this act;

16 (b) Provide timely notice to the board of trustees of each school
17 district and the governing body of each charter high school of the
18 requirements prescribed pursuant to paragraph (a); and

19 (c) Post notice of the requirements on the Internet website
20 maintained by the Department of Education.

21 3. On or before September 1, 2013, the board of trustees of
22 each school district and the governing body of each charter school
23 shall:

24 (a) Provide timely notice to each pupil and the parent or legal
25 guardian of each pupil enrolled in grade 10, 11 or 12 in the 2013-
26 2014 school year of the requirements the pupil must satisfy to
27 receive a standard high school diploma.

28 (b) Post notice of the requirements on the Internet website
29 maintained by the board of trustees or the governing body of the
30 charter school, as applicable.

31 4. If a pupil to whom the provisions of this section apply is
32 retained in grade 10, 11 or 12, the requirements for receipt of a
33 standard high school diploma prescribed by the State Board of
34 Education pursuant to subsection 2 continue to apply to that pupil
35 until he or she exits high school.

36 **Sec. 44.3.** If the State Board of Education prescribes passage
37 of the high school proficiency examination pursuant to paragraph (a)
38 of subsection 2 of section 44 of this act as a requirement that a pupil
39 must satisfy to receive a standard high school diploma:

40 1. The board of trustees of each school district shall administer
41 the high school proficiency examination to pupils who have not
42 passed the examination and are required to pass the examination to
43 receive a standard high school diploma. The governing body of a
44 charter school that enrolls pupils at the high school grade levels
45 shall administer the same examination to pupils who have not



1 passed the examination and are required to pass the examination to
2 receive a standard high school diploma. The high school proficiency
3 examination administered by the board of trustees and governing
4 body must determine the achievement and proficiency of those
5 pupils in:

- 6 (a) Reading;
- 7 (b) Mathematics;
- 8 (c) Science; and
- 9 (d) Writing.

10 2. The high school proficiency examination required by
11 subsection 1 must be:

12 (a) Administered in each school district and each charter school
13 that enrolls pupils at the high school grade levels who have not
14 passed the high school proficiency examination and are required to
15 pass the examination to receive a standard high school diploma at
16 the same time, as prescribed by the State Board, and in accordance
17 with uniform procedures adopted by the State Board. The
18 Department of Education shall monitor the compliance of school
19 districts and individual schools with the uniform procedures.

20 (b) Administered in accordance with the plan adopted pursuant
21 to NRS 389.616 by the Department and the plan adopted pursuant to
22 NRS 389.620 by the board of trustees of the school district in which
23 the high school proficiency examination is administered. The
24 Department shall monitor the compliance of school districts and
25 individual schools with:

- 26 (1) The plan adopted by the Department; and
- 27 (2) The plan adopted by the board of trustees of the
28 applicable school district, to the extent that the plan adopted by the
29 board of trustees of the school district is consistent with the plan
30 adopted by the Department.

31 (c) Scored by a single private entity that has contracted with the
32 State Board to score the examinations. The private entity that scores
33 the high school proficiency examination shall report the results of
34 the examinations in the form and by the date required by the
35 Department.

36 3. Not more than 14 working days after the results of the
37 examinations are reported to the Department of Education by a
38 private entity that scored the examinations, the Superintendent of
39 Public Instruction shall certify that the results of the examinations
40 have been transmitted to each school district and each applicable
41 charter school. Not more than 10 working days after a school district
42 receives the results of the examinations, the superintendent of
43 schools of each school district shall certify that the results of the
44 examinations have been transmitted to each school within the school
45 district at which the high school proficiency examination was



1 administered pursuant to this section. Except as otherwise provided
2 in this subsection, not more than 15 working days after each such
3 school receives the results of the examinations, the principal of each
4 such school and the governing body of each such charter school
5 shall certify that the results for each pupil that took the examination
6 have been provided to the parent or legal guardian of the pupil:

7 (a) During a conference between the teacher of the pupil or the
8 administrator of the school and the parent or legal guardian of the
9 pupil; or

10 (b) By mailing the results of the high school proficiency
11 examination to the last known address of the parent or legal
12 guardian of the pupil.

13 ➤ If a pupil fails the high school proficiency examination, the
14 school shall notify the pupil and the parents or legal guardian of the
15 pupil of each subject area that the pupil failed as soon as practicable
16 but not later than 15 working days after the school receives the
17 results of the examination.

18 4. A pupil who transfers during grade 12 to a school in this
19 State from a school outside of this State because of the military
20 transfer of the parent or legal guardian of the pupil may receive a
21 waiver from the requirements of subsection 4 if, in accordance with
22 the provisions of NRS 392C.010, the school district in which the
23 pupil is enrolled:

24 (a) Accepts the results of the exit or end-of-course examinations
25 required for graduation in the local education agency in which the
26 pupil was previously enrolled;

27 (b) Accepts the results of a national norm-referenced
28 achievement examination taken by the pupil; or

29 (c) Establishes an alternative test for the pupil which
30 demonstrates proficiency in the subject areas tested on the high
31 school proficiency examination, and the pupil successfully passes
32 that test.

33 5. For the purposes of this section, the State Board shall
34 prescribe the high school proficiency examination, which must
35 include the subjects of reading, mathematics and science and, except
36 for the writing portion, must be developed, printed and scored by a
37 nationally recognized testing company in accordance with the
38 process established by the testing company. The State Board, in
39 consultation with the Council to Establish Academic Standards for
40 Public Schools created by NRS 389.510, shall prescribe the writing
41 portion of the high school proficiency examination. The questions
42 contained in the high school proficiency examination and the
43 approved answers used for grading them are confidential, and
44 disclosure is unlawful except:



1 (a) To the extent necessary for administering and evaluating the
2 high school proficiency examination.

3 (b) That a disclosure may be made to a:

4 (1) State officer who is a member of the Executive or
5 Legislative Branch of State Government, to the extent that it is
6 necessary for the performance of his or her duties;

7 (2) Superintendent of schools of a school district, to the
8 extent that it is necessary for the performance of his or her duties;

9 (3) Director of curriculum of a school district, to the extent
10 that it is necessary for the performance of his or her duties; and

11 (4) Director of testing of a school district, to the extent that it
12 is necessary for the performance of his or her duties.

13 (c) That specific questions and answers may be disclosed if the
14 Superintendent of Public Instruction determines that the content of
15 the questions and answers is not being used in a current examination
16 and making the content available to the public poses no threat to the
17 security of the current examination process.

18 (d) As required pursuant to NRS 239.0115.

19 6. The administrative regulations adopted by the State Board of
20 Education for purposes of carrying out NRS 389.015 as of June 30,
21 2013, continue in effect if the high school proficiency examination
22 is administered pursuant to this section.

23 **Sec. 44.7.** If the State Board of Education prescribes passage
24 of the high school proficiency examination pursuant to paragraph (a)
25 of subsection 2 of section 44 of this act as a requirement that a pupil
26 must satisfy to receive a standard high school diploma:

27 1. The results of the high school proficiency examination
28 administered pursuant to section 44.3 of this act must be reported
29 for the applicable school year for each school, including, without
30 limitation, each charter school that enrolls pupils at the high school
31 grade levels who have not passed the high school proficiency
32 examination and are required to pass the examination to receive a
33 standard high school diploma, each school district and this State, as
34 follows:

35 (a) The average score, as defined by the Department, of such
36 pupils who took the high school proficiency examination under
37 regular testing conditions; and

38 (b) The average score, as defined by the Department of
39 Education, of such pupils who took the high school proficiency
40 examination with modifications or accommodations, if such
41 reporting does not violate the confidentiality of the test scores of any
42 individual pupil.

43 2. The superintendent of schools of each school district and the
44 governing body of each charter school that enrolls pupils at the high
45 school grade levels who have not passed the high school proficiency



1 examination and are required to pass the examination to receive a
2 standard high school diploma, through the sponsor of the charter
3 school, shall certify that the number of pupils who have not passed
4 the high school proficiency examination and are required to pass the
5 examination to receive a standard high school diploma and who
6 took the high school proficiency examination in the applicable
7 school year is equal to the number of such pupils in each school in
8 the school district or in the charter school who are required to take
9 the high school proficiency examination in that school year.

10 3. In addition to the information required by subsection 2, the
11 Superintendent of Public Instruction shall, for each applicable
12 school year:

13 (a) Report the number of pupils who have not passed the high
14 school proficiency examination and are required to pass the
15 examination to receive a standard high school diploma and who
16 were absent from school on the day that the high school proficiency
17 examination was administered; and

18 (b) Reconcile the number of pupils who have not passed the
19 high school proficiency examination and are required to pass
20 the examination to receive a standard high school diploma with the
21 number of such pupils who were absent from school on the day that
22 the examination was administered.

23 **Sec. 45.** 1. This section and sections 44, 44.3, and 44.7 of
24 this act become effective upon passage and approval.

25 2. Sections 1 to 43, inclusive, of this act become effective on
26 July 1, 2013.

LEADLINES OF REPEALED SECTIONS

389.015 Administration and scoring; transmission of results; effect of failure to pass; certain exceptions for child transferred due to military transfer of parent; confidentiality of examinations.

389.016 Postponement of administration of examination in mathematics and science for pupil enrolled in grade 10; revision of pupil's academic plan; annual report by school district.

389.017 Reporting of results of examinations; reconciliation of number of pupils taking examinations.

389.0175 Establishment of statewide program for preparation of pupils to take examination; compliance with program required of school districts and certain schools; use of additional materials and information.



389.045 Course of study designed to assist pupils with passing high school proficiency examination; board of trustees authorized to offer course as elective.

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