

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 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; making an appropriation; 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 3 \*

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 pass at least  
31 four end-of-course examinations. **Section 33** also requires the State Board to adopt  
32 the courses of study in which pupils must pass such examinations, which must  
33 include, without limitation, the subject areas for which the State Board has adopted  
34 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.

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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 and the college and career readiness*  
8 *assessment administered pursuant to section 19 of this act,*  
9 reported for each school district, including, without limitation, each  
10 charter school in the district, and for this State as a whole.
- 11     (b) Except as otherwise provided in subsection 2, pupil  
12 achievement, reported separately by gender and reported separately  
13 for the following groups of pupils:
- 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;
- 19         (4) Pupils who are limited English proficient; and
- 20         (5) Pupils who are migratory children, as defined by the State  
21 Board.
- 22     (c) A comparison of the achievement of pupils in each group  
23 identified in paragraph (b) of subsection 1 of NRS 385.361 with the  
24 annual measurable objectives of the State Board.
- 25     (d) The percentage of all pupils who were not tested, reported  
26 for each school district, including, without limitation, each charter  
27 school in the district, and for this State as a whole.
- 28     (e) Except as otherwise provided in subsection 2, the percentage  
29 of pupils who were not tested, reported separately by gender and  
30 reported separately for the groups identified in paragraph (b).
- 31     (f) The most recent 3-year trend in the achievement of pupils in  
32 each subject area tested and each grade level tested pursuant to NRS  
33 ~~389.015 and~~ 389.550 ~~§~~ *and 389.805 and section 19 of this act,*  
34 reported for each school district, including, without limitation, each  
35 charter school in the district, and for this State as a whole, which  
36 may include information regarding the trend in the achievement of  
37 pupils for more than 3 years, if such information is available.
- 38     (g) Information on whether each school district has made  
39 adequate yearly progress, including, without limitation, the name of  
40 each school district, if any, designated as demonstrating need for  
41 improvement pursuant to NRS 385.377 and the number of



1 consecutive years that the school district has carried that  
2 designation.

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

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

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

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

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

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

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

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

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

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

43 (III) Persons classified by the board of trustees of a school  
44 district as professional-technical employees, including, without



1 limitation, technical employees and employees on the professional-  
2 technical pay scale.

3 (3) "Teacher" means a person licensed pursuant to chapter  
4 391 of NRS who is classified by the board of trustees of a school  
5 district:

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

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

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

18 (1) The percentage of teachers who are:

19 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

35 (4) For each middle school, junior high school and high  
36 school:

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

43 (II) The number of persons employed as substitute  
44 teachers for less than 20 consecutive days, designated as short-term  
45 substitute teachers, including the total number of days short-term



1 substitute teachers were employed at each school, identified by  
2 grade level and subject area; and

3 (5) For each elementary school:

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

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

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

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

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

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

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

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



- 1 (3) Withdraw from school to attend another school.
- 2 (q) The attendance of teachers who provide instruction, reported  
3 for each school district, including, without limitation, each charter  
4 school in the district, and for this State as a whole.
- 5 (r) Incidents involving weapons or violence, reported for each  
6 school district, including, without limitation, each charter school in  
7 the district, and for this State as a whole.
- 8 (s) Incidents involving the use or possession of alcoholic  
9 beverages or controlled substances, reported for each school district,  
10 including, without limitation, each charter school in the district, and  
11 for this State as a whole.
- 12 (t) The suspension and expulsion of pupils required or  
13 authorized pursuant to NRS 392.466 and 392.467, reported for each  
14 school district, including, without limitation, each charter school in  
15 the district, and for this State as a whole.
- 16 (u) The number of pupils who are deemed habitual disciplinary  
17 problems pursuant to NRS 392.4655, reported for each school  
18 district, including, without limitation, each charter school in the  
19 district, and for this State as a whole.
- 20 (v) The number of pupils in each grade who are retained in the  
21 same grade pursuant to NRS 392.033 or 392.125, reported for each  
22 school district, including, without limitation, each charter school in  
23 the district, and for this State as a whole.
- 24 (w) The transiency rate of pupils, reported for each school  
25 district, including, without limitation, each charter school in the  
26 district, and for this State as a whole. For the purposes of this  
27 paragraph, a pupil is not a transient if the pupil is transferred to a  
28 different school within the school district as a result of a change in  
29 the zone of attendance by the board of trustees of the school district  
30 pursuant to NRS 388.040.
- 31 (x) Each source of funding for this State to be used for the  
32 system of public education.
- 33 (y) A compilation of the programs of remedial study purchased  
34 in whole or in part with money received from this State that are used  
35 in each school district, including, without limitation, each charter  
36 school in the district. The compilation must include:
- 37 (1) The amount and sources of money received for programs  
38 of remedial study.
- 39 (2) An identification of each program of remedial study,  
40 listed by subject area.
- 41 (z) The percentage of pupils who graduated from a high school  
42 or charter school in the immediately preceding year and enrolled in  
43 remedial courses in reading, writing or mathematics at a university,  
44 state college or community college within the Nevada System of  
45 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 the college and career readiness assessment*  
36 *administered pursuant to section 19 of this act;* and

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

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

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

45 (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 the**  
10 ***college and career readiness assessment administered pursuant to***  
11 ***section 19 of this act and*** shall compare the results of those  
12 examinations for the current school year with those of previous  
13 school years. The report must include, for each school in the district,  
14 including, without limitation, each charter school sponsored by the  
15 district, and each grade in which the examinations ***and assessments***  
16 were administered:

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

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

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

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

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

29 (III) Pupils with disabilities;

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

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

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

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

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

41 (7) The most recent 3-year trend in pupil achievement in  
42 each subject area tested and each grade level tested pursuant to NRS  
43 ~~389.015 and~~ 389.550 ~~;~~ ***and 389.805 and section 19 of this act,***  
44 which may include information regarding the trend in the



1 achievement of pupils for more than 3 years, if such information is  
2 available.

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

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

16 (10) Information on whether each school in the district,  
17 including, without limitation, each charter school sponsored by the  
18 district, has made progress based upon the model adopted by the  
19 Department pursuant to NRS 385.3595.

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

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

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

44 (1) "Administrator" means a person who spends at least 50  
45 percent of his or her work year supervising other staff or licensed



1 personnel, or both, and who is not classified by the board of trustees  
2 of the school district as a professional-technical employee.

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

5 (I) School counselors, school nurses and other employees  
6 who spend at least 50 percent of their work year providing  
7 emotional support, noninstructional guidance or medical support to  
8 pupils;

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

11 (III) Persons classified by the board of trustees of the  
12 school district as professional-technical employees, including,  
13 without limitation, technical employees and employees on the  
14 professional-technical pay scale.

15 (3) "Teacher" means a person licensed pursuant to chapter  
16 391 of NRS who is classified by the board of trustees of the school  
17 district:

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

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

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

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

40 (1) The percentage of teachers who are:

41 (I) Providing instruction pursuant to NRS 391.125;

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



1 (III) Otherwise providing instruction without an  
2 endorsement for the subject area in which the teachers are  
3 employed;

4 (2) 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;

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

13 (4) For each middle school, junior high school and high  
14 school:

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

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

26 (5) For each elementary school:

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

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

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

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



\* A B 2 8 8 R 3 \*

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

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

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

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

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

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

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

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

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

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

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

38 (1) Communication with the parents of pupils enrolled in the  
39 district;

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



1 (3) The involvement of parents and the engagement of  
2 families of pupils enrolled in the district in the education of their  
3 children.

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

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

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

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

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

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

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

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

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

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

40 (u) For each high school in the district, including, without  
41 limitation, each charter school sponsored by the district, the  
42 percentage of pupils who graduated from that high school or charter  
43 school in the immediately preceding year and enrolled in remedial  
44 courses in reading, writing or mathematics at a university, state



1 college or community college within the Nevada System of Higher  
2 Education.

3 (v) The technological facilities and equipment available at each  
4 school, including, without limitation, each charter school sponsored  
5 by the district, and the district's plan to incorporate educational  
6 technology at each school.

7 (w) For each school in the district and the district as a whole,  
8 including, without limitation, each charter school sponsored by the  
9 district, the 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 (x) ~~[(For each school in the district and the district as a whole,~~  
18 ~~including, without limitation, each charter school sponsored by the~~  
19 ~~district, the number and percentage of pupils who failed to pass the~~  
20 ~~high school proficiency examination.~~

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

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

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

37 ~~[(bb)]~~ (aa) Information on whether each public school in the  
38 district, including, without limitation, each charter school sponsored  
39 by the district, has made adequate yearly progress, including,  
40 without limitation:

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

44 (2) The name of each school, if any, in the district that has  
45 been designated as needing improvement pursuant to NRS 385.3623



1 and the number of consecutive years that the school has carried that  
2 designation.

3 ~~[(ee)]~~ **(bb)** Information on the paraprofessionals employed by  
4 each public school in the district, including, without limitation, each  
5 charter school sponsored by the district. The information must  
6 include:

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

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

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

23 ~~[(ee)]~~ **(dd)** An identification of the appropriations made by the  
24 Legislature that are available to the school district or the schools  
25 within the district and programs approved by the Legislature to  
26 improve the academic achievement of pupils.

27 ~~[(ff)]~~ **(ee)** For each school in the district and the district as a  
28 whole, including, without limitation, each charter school sponsored  
29 by the district, information on pupils enrolled in career and technical  
30 education, including, without limitation:

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

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

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

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

40 (5) The number and percentage of pupils who completed a  
41 program of career and technical education and who received a  
42 standard high school diploma ~~[(j)]~~ **or** an adjusted diploma ; ~~[(or a certificate of attendance)]~~ and

43 ~~[(or a certificate of attendance)]~~ and  
44 (6) The number and percentage of pupils who completed a  
45 program of career and technical education and who did not receive a





1 high school diploma because the pupils failed to ~~pass the high~~  
2 ~~school proficiency examination.~~  
3 ~~(gg)~~ *satisfy the criteria prescribed by the State Board*  
4 *pursuant to NRS 389.805.*

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

9 ~~(hh)~~ (gg) Such other information as is directed by the  
10 Superintendent of Public Instruction.

11 3. The State Public Charter School Authority and each college  
12 or university within the Nevada System of Higher Education that  
13 sponsors a charter school shall, on or before September 30 of each  
14 year, prepare an annual report of accountability of the charter  
15 schools sponsored by the State Public Charter School Authority or  
16 institution, as applicable, concerning the accountability information  
17 prescribed by the Department pursuant to this section. The  
18 Department, in consultation with the State Public Charter School  
19 Authority and each college or university within the Nevada System  
20 of Higher Education that sponsors a charter school, shall prescribe  
21 by regulation the information that must be prepared by the State  
22 Public Charter School Authority and institution, as applicable,  
23 which must include, without limitation, the information contained in  
24 paragraphs (a) to ~~(hh)~~ (gg), inclusive, of subsection 2, as  
25 applicable to charter schools. The Department shall provide for  
26 public dissemination of the annual report of accountability prepared  
27 pursuant to this section in the manner set forth in 20 U.S.C. §  
28 6311(h)(2)(E) by posting a copy of the report on the Internet website  
29 maintained by the Department.

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

38 (a) Acquisition of knowledge or skills relating to the  
39 professional development of the teacher; or

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

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

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



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

4 6. The Superintendent of Public Instruction shall:

5 (a) Prescribe forms for the reports required pursuant to  
6 subsections 2 and 3 and provide the forms to the respective school  
7 districts, 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.

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

17 (c) Consult with a representative of the:

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

25 ↪ concerning the program and consider any advice or  
26 recommendations submitted by the representatives with respect to  
27 the program.

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

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

34 (a) The board of trustees of each school district shall submit to  
35 each advisory board to review school attendance created in the  
36 county pursuant to NRS 392.126 the information required in  
37 paragraph (i) of subsection 2.

38 (b) The State Public Charter School Authority and each college  
39 or university within the Nevada System of Higher Education that  
40 sponsors a charter school shall submit to each advisory board to  
41 review school attendance created in a county pursuant to NRS  
42 392.126 the information regarding the records of the attendance and  
43 truancy of pupils enrolled in the charter school located in that  
44 county, if any, in accordance with the regulations prescribed by the  
45 Department pursuant to subsection 3.



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

2 (a) The board of trustees of each school district, the State Public  
3 Charter School Authority and each college or university within the  
4 Nevada System of Higher Education that sponsors a charter school  
5 shall provide written notice that the report required pursuant to  
6 subsection 2 or 3, as applicable, is available on the Internet website  
7 maintained by the school district, State Public Charter School  
8 Authority or institution, if any, or otherwise provide written notice  
9 of the availability of the report. The written notice must be provided  
10 to the:

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

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

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

44 11. As used in this section:

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



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

3 (c) "Harassment" has the meaning ascribed to it in  
4 NRS 388.125.

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

7 (e) "Intimidation" has the meaning ascribed to it in  
8 NRS 388.129.

9 (f) "Paraprofessional" has the meaning ascribed to it in  
10 NRS 391.008.

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

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

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

18 (a) A review and analysis of the data pertaining to the school  
19 upon which the report required pursuant to subsection 2 or 3 of NRS  
20 385.347, as applicable, is based and a review and analysis of any  
21 data that is more recent than the data upon which the report is based.

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

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

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

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

40 (f) Strategies and practices which:

41 (1) Are consistent with the policy adopted pursuant to NRS  
42 392.457 by the board of trustees of the school district in which the  
43 school is located, to promote effective involvement by parents and  
44 families of pupils enrolled in the school in the education of their  
45 children; and



1 (2) Are designed to improve and promote effective  
2 involvement and engagement by parents and families of pupils  
3 enrolled in the school which are consistent with the policies and  
4 recommendations of the Office of Parental Involvement and Family  
5 Engagement made pursuant to NRS 385.635.

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

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

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

15 (I) The curriculum appropriate to improve achievement;

16 (II) The manner by which the instruction will improve the  
17 achievement and proficiency of pupils on the examinations  
18 administered pursuant to NRS ~~389.015~~ and 389.550 ~~;~~ *and*  
19 *389.805 and the college and career readiness assessment*  
20 *administered pursuant to section 19 of this act;* and

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

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

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

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

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

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

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

43 (k) In consultation with the Department, an identification, by  
44 category, of the employees of the Department, if any, who are



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1 responsible for overseeing and monitoring whether the plan is  
2 carried out effectively.

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

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

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

18 (o) A summary of the effectiveness of appropriations made by  
19 the Legislature that are available to the school to improve the  
20 academic achievement of pupils and programs approved by the  
21 Legislature to improve the academic achievement of pupils.

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

23 3. In addition to the requirements of subsection 2, if a school  
24 has been designated as demonstrating need for improvement  
25 pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. §  
26 6316(b)(3) and the regulations adopted pursuant thereto.

27 4. Except as otherwise provided in subsection 5, the principal  
28 of each school shall, in consultation with the employees of the  
29 school:

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

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

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



1 6. On or before December 15 of each year, the principal of  
2 each school or the support team established for the school, as  
3 applicable, shall submit the plan or the revised plan, as applicable,  
4 to:

5 (a) If the school is a public school of the school district, the  
6 superintendent of schools of the school district.

7 (b) If the school is a charter school, the governing body of the  
8 charter school.

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

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

35 9. On or before January 31 of each year, the principal of each  
36 school or the support team established for the school, as applicable,  
37 shall submit the final plan or the final revised plan, as applicable, to  
38 the:

- 39 (a) Superintendent of Public Instruction;  
40 (b) Governor;  
41 (c) State Board;  
42 (d) Department;  
43 (e) Committee;  
44 (f) Bureau; and



1 (g) Board of trustees of the school district in which the school is  
2 located or, if the school is a charter school, the sponsor of the  
3 charter school and the governing body of the charter school.

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

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

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

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

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

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

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

21 (3) Pupils with disabilities; and

22 (4) Pupils who are limited English proficient;

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

27 (d) Include annual measurable objectives established pursuant to  
28 20 U.S.C. § 6311(b)(2)(G) and the regulations adopted pursuant  
29 thereto;

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

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

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

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





1 sanctions be more strict than the restructuring that applies to Title I  
2 schools.

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

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

8 (a) A program of distance education pursuant to NRS 388.820 to  
9 388.874, inclusive;

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

12 (c) A program of education that:

13 (1) Primarily serves pupils with disabilities; or

14 (2) Is operated within a:

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

17 (II) Juvenile forestry camp;

18 (III) Child welfare agency; or

19 (IV) Correctional institution,

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

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

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

28 (b) The results of pupils enrolled in a program of distance  
29 education, an alternative program or a program of education  
30 described in subsection 1 on the examinations administered pursuant  
31 to NRS ~~389.015 and~~ 389.550 *and, if applicable for the grade*  
32 *levels of the pupils enrolled, the examinations administered*  
33 *pursuant to NRS 389.805 and the college and career readiness*  
34 *assessment administered pursuant to section 19 of this act* will be  
35 reported.

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

37 385.36129 1. In addition to the duties prescribed in NRS  
38 385.36127, a support team established for a school shall prepare an  
39 annual written report that includes:

40 (a) Information concerning the most recent plan to improve the  
41 achievement of the school's pupils, the turnaround plan for the  
42 school or the plan for restructuring the school, whichever is  
43 applicable for the school, including, without limitation, an  
44 evaluation of:

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



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- 1 (2) Whether the school has achieved the goals and objectives  
2 set forth in the plan;
- 3 (b) The written revisions to the plan to improve the achievement  
4 of the school's pupils or written recommendations for revisions to  
5 the turnaround plan for the school or the plan for restructuring the  
6 school, whichever is applicable for the school, submitted by the  
7 support team pursuant to NRS 385.36127;
- 8 (c) A summary of each program for remediation, if any,  
9 purchased for the school with money that is available from the  
10 Federal Government, this state and the school district in which the  
11 school is located, including, without limitation:
- 12 (1) The name of the program;
- 13 (2) The date on which the program was purchased and the  
14 date on which the program was carried out by the school;
- 15 (3) The percentage of personnel at the school who were  
16 trained regarding the use of the program;
- 17 (4) The satisfaction of the personnel at the school with the  
18 program; and
- 19 (5) An evaluation of whether the program has improved the  
20 academic achievement of the pupils enrolled in the school who  
21 participated in the program;
- 22 (d) An analysis of the problems and factors at the school which  
23 contributed to the designation of the school as demonstrating need  
24 for improvement, including, without limitation, issues relating to:
- 25 (1) The financial resources of the school;
- 26 (2) The administrative and educational personnel of the  
27 school;
- 28 (3) The curriculum of the school;
- 29 (4) The facilities available at the school, including the  
30 availability and accessibility of educational technology; and
- 31 (5) Any other factors that the support team believes  
32 contributed to the designation of the school as demonstrating need  
33 for improvement; and
- 34 (e) Other information concerning the school, including, without  
35 limitation:
- 36 (1) The results of the pupils who are enrolled in the school  
37 on the examinations that are administered pursuant to NRS 389.550  
38 ~~for the high school proficiency examination, as applicable;~~ and, if  
39 *applicable for the grade levels of the school, the end-of-course*  
40 *examinations administered pursuant to NRS 389.805;*
- 41 (2) Records of the attendance and truancy of pupils who are  
42 enrolled in the school;
- 43 (3) The transiency rate of pupils who are enrolled in the  
44 school;



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

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

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

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

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

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

23 (a) Principal of the school;

24 (b) Board of trustees of the school district in which the school is  
25 located;

26 (c) Superintendent of schools of the school district in which the  
27 school is located;

28 (d) Department; and

29 (e) Bureau.

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

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

35 (a) Principal of the charter school;

36 (b) Sponsor of the charter school;

37 (c) Governing body of the charter school;

38 (d) Department; and

39 (e) Bureau.

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

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

44 385.3613 1. Except as otherwise provided in subsection 2, on  
45 or before July 31 of each year, the Department shall determine



1 whether each public school is making adequate yearly progress, as  
2 defined by the State Board pursuant to NRS 385.361.

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

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

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

25 (b) To the State Public Charter School Authority the  
26 determination made for each charter school that is sponsored by the  
27 State Public Charter School Authority.

28 (c) The determination made for the charter school to the  
29 institution that sponsors the charter school if a charter school is  
30 sponsored by a college or university within the Nevada System of  
31 Higher Education.

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

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



1 (a) The number of pupils enrolled in the school who took the  
2 examinations administered pursuant to NRS 389.550 or the ~~high~~  
3 ~~school proficiency examination,~~ *examinations administered*  
4 *pursuant to NRS 389.805*, as applicable, is less than 95 percent of  
5 all pupils enrolled in the school who were required to take the  
6 examinations; or

7 (b) Except as otherwise provided in subsection 6, for each group  
8 of pupils identified in paragraph (b) of subsection 1 of NRS  
9 385.361, the number of pupils in the group enrolled in the school  
10 who took the examinations administered pursuant to NRS 389.550  
11 or the ~~high school proficiency examination,~~ *examinations*  
12 *administered pursuant to NRS 389.805*, as applicable, is less than  
13 95 percent of all pupils in that group enrolled in the school who  
14 were required to take the examinations.

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

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

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

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

26 7. If an irregularity in testing administration or an irregularity  
27 in testing security occurs at a school and the irregularity invalidates  
28 the test scores of pupils, those test scores must be included in the  
29 scores of pupils reported for the school, the attendance of those  
30 pupils must be counted towards the total number of pupils who took  
31 the examinations and the pupils must be included in the total  
32 number of pupils who were required to take the examinations.

33 8. As used in this section:

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

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

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

39 385.3762 1. On or before August 15 of each year, the  
40 Department shall determine whether each school district is making  
41 adequate yearly progress, as defined by the State Board pursuant to  
42 NRS 385.361. The pupils who are enrolled in a charter school, if  
43 any, located within a school district must not be included in the  
44 determination made for that school district. The determination made  
45 for each school district must be based only upon the information and



1 data for those pupils who were enrolled in the school district for a  
2 full academic year, regardless of whether those pupils attended more  
3 than one school within the school district for that academic year.

4 2. Except as otherwise provided in this subsection, the  
5 Department shall determine that a school district has failed to make  
6 adequate yearly progress if any group of pupils identified in  
7 paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in  
8 the school district does not satisfy the annual measurable objectives  
9 established by the State Board pursuant to that section. To comply  
10 with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant  
11 thereto, the State Board shall prescribe by regulation the conditions  
12 under which a school district shall be deemed to have made  
13 adequate yearly progress even though a group of pupils identified in  
14 paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in  
15 the school district did not satisfy the annual measurable objectives  
16 of the State Board.

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

20 (a) The number of pupils enrolled in the school district who took  
21 the examinations administered pursuant to NRS 389.550 or the  
22 ~~high school proficiency examination.~~ *examinations administered*  
23 *pursuant to NRS 389.805*, as applicable, is less than 95 percent of  
24 all pupils enrolled in the school district who were required to take  
25 the examinations; or

26 (b) Except as otherwise provided in subsection 4, for each group  
27 of pupils identified in paragraph (b) of subsection 1 of NRS  
28 385.361, the number of pupils enrolled in the school district who  
29 took the examinations administered pursuant to NRS 389.550 or the  
30 ~~high school proficiency examination.~~ *examinations administered*  
31 *pursuant to NRS 389.805*, as applicable, is less than 95 percent of  
32 all pupils in the group who were required to take the examinations.

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

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

39 (b) The pupils in such a group must be included in the overall  
40 count of pupils enrolled in the school district who took the  
41 examinations.

42 ➤ The State Board shall prescribe the mechanism for determining  
43 the minimum number of pupils that must be in a group for that  
44 group to yield statistically reliable information.



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

2     385.389 1. The Department shall adopt programs of remedial  
3 study for each subject tested on the examinations administered  
4 pursuant to NRS ~~389.015 and~~ 389.550 ~~+~~ *and 389.805*, including,  
5 without limitation, programs that are designed for pupils who are  
6 limited English proficient. The programs adopted for pupils who are  
7 limited English proficient must be designed to:

8     (a) Improve the academic achievement of those pupils; or

9     (b) Assist those pupils with attaining proficiency in the English  
10 language.

11     ➤ In adopting these programs of remedial study, the Department  
12 shall consider the recommendations submitted by the Committee  
13 pursuant to NRS 218E.615 and programs of remedial study that  
14 have proven to be successful in improving the academic  
15 achievement of pupils.

16     2. If a school fails to make adequate yearly progress based  
17 upon the results of the examinations administered pursuant to NRS  
18 ~~389.015 or~~ 389.550 ~~+~~ *or 389.805*, the school shall adopt a  
19 program of remedial study that has been adopted by the Department  
20 pursuant to subsection 1 or a program, practice or strategy  
21 recommended by the Commission on Educational Excellence  
22 pursuant to NRS 385.3785, or any combination thereof, as  
23 applicable.

24     3. A school district that includes a school described in  
25 subsection 2 shall ensure that each of the pupils enrolled in the  
26 school who failed to demonstrate at least adequate achievement on  
27 the examinations administered pursuant to NRS ~~389.015 or~~  
28 389.550 ~~+~~ *or 389.805*, as applicable, completes remedial study that  
29 is determined to be appropriate for the pupil.

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

31     385.3891 1. The Department shall establish a monitoring  
32 system for the statewide system of accountability. The monitoring  
33 system must identify significant levels of achievement of pupils on  
34 the examinations that are administered pursuant to NRS 389.550  
35 and ~~the high school proficiency examination that is administered~~  
36 ~~pursuant to NRS 389.015.~~ *389.805 and the college and career*  
37 *readiness assessment administered pursuant to section 19 of this*  
38 *act*, identified by school and by school district.

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

42     (a) The Committee; and

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



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

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

4 385.448 1. *The State Board shall select an assessment*  
5 *which enables a person who satisfies the requirements of*  
6 *subsection 2 or 3, as applicable, to demonstrate that he or she has*  
7 *achieved an educational level which is an acceptable substitute for*  
8 *completing a high school education.*

9 2. A person who:

10 (a) Is 17 years of age or older;

11 (b) If he or she is at least 17 years of age but less than 18 years  
12 of age, submits to the State Board written permission signed by his  
13 or her parent or legal guardian;

14 (c) Has not graduated from a high school;

15 (d) Is not currently enrolled in a high school; and

16 (e) Satisfies any other requirements prescribed by the State  
17 Board,

18 may take the ~~tests of general educational development~~  
19 ~~prescribed~~ *high school equivalency assessment selected* by the  
20 State Board.

21 ~~2.~~ 3. The board of trustees of a school district may, upon  
22 request and for good cause shown, grant permission to take the  
23 ~~tests of general educational development prescribed~~ *high school*  
24 *equivalency assessment selected* by the State Board to a person  
25 who:

26 (a) Resides in the school district;

27 (b) Is at least 16 years of age but less than 17 years of age;

28 (c) Submits to the board of trustees written permission signed by  
29 his or her parent or legal guardian;

30 (d) Has not graduated from a high school;

31 (e) Is not currently enrolled in a high school; and

32 (f) Satisfies any other requirements prescribed by the board of  
33 trustees.

34 ~~3.~~ 4. The State Board may adopt regulations to carry out the  
35 provisions of ~~subsection 1.~~

36 ~~4. As used in this section, "tests of general educational~~  
37 ~~development" means examinations which enable persons who have~~  
38 ~~not graduated from high school to demonstrate that they have~~  
39 ~~achieved an educational level which is an acceptable substitute for~~  
40 ~~completing a high school education.~~ *this section.*

41 **Sec. 12.5.** NRS 385.451 is hereby amended to read as follows:

42 385.451 It is unlawful to disclose the questions contained in

43 ~~tests of general educational development~~ *the high school*  
44 *equivalency assessment selected by the State Board pursuant to*





1 *NRS 385.448* and the approved answers used for grading the ~~{tests}~~  
2 *assessment* except:

3 1. To the extent that disclosure is required in the Department's  
4 administration of the ~~{tests}~~ *assessment*.

5 2. That a disclosure may be made to a state officer who is a  
6 member of the Executive or Legislative branch to the extent that it is  
7 related to the performance of that officer's duties.

8 **Sec. 13.** NRS 386.550 is hereby amended to read as follows:

9 386.550 1. A charter school shall:

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

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

15 (c) Refrain from charging tuition or fees, levying taxes or  
16 issuing bonds.

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

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

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

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

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

34 (g) Cooperate with the board of trustees of the school district in  
35 the administration of the ~~{achievement—and—proficiency}~~  
36 examinations administered pursuant to ~~{NRS 389.015 and the}~~  
37 ~~examinations required pursuant to}~~ *NRS 389.550 and, if the charter*  
38 *school enrolls pupils at a high school grade level, the end-of-*  
39 *course examinations administered pursuant to NRS 389.805 and*  
40 *the college and career readiness assessment administered*  
41 *pursuant to section 19 of this act* to the pupils who are enrolled in  
42 the charter school.

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



1 (i) Provide instruction in the core academic subjects set forth in  
2 subsection 1 of NRS 389.018, as applicable for the grade levels of  
3 pupils who are enrolled in the charter school, and provide at least  
4 the courses of study that are required of pupils by statute or  
5 regulation for promotion to the next grade or graduation from a  
6 public high school and require the pupils who are enrolled in the  
7 charter school to take those courses of study. This paragraph does  
8 not preclude a charter school from offering, or requiring the pupils  
9 who are enrolled in the charter school to take, other courses of study  
10 that are required by statute or regulation.

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

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

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

24 (m) Provide written notice to the parents or legal guardians of  
25 pupils in grades 9 to 12, inclusive, who are enrolled in the charter  
26 school of whether the charter school is accredited by the  
27 Commission on Schools of the Northwest Association of Schools  
28 and of Colleges and Universities.

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

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

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

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

43 386.5515 1. To the extent money is available from legislative  
44 appropriation or otherwise, a charter school may apply to the  
45 Department for money for facilities if:



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

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

7 (c) The charter school has met or exceeded adequate yearly  
8 progress as determined pursuant to NRS 385.3613 or has  
9 demonstrated improvement in the achievement of pupils enrolled in  
10 the charter school, as indicated by annual measurable objectives  
11 determined by the State Board, for the majority of the years of its  
12 operation; and

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

19 2. A charter school that satisfies the requirements of subsection  
20 1 shall submit to a performance audit as required by the Department  
21 one time every 3 years. The sponsor of the charter school and the  
22 Department shall not request a performance audit of the charter  
23 school more frequently than every 3 years without reasonable  
24 evidence of noncompliance in achieving the educational goals and  
25 objectives of the charter school based upon the annual report  
26 submitted to the Department pursuant to NRS 386.610. If the charter  
27 school no longer satisfies the requirements of subsection 1 or if  
28 reasonable evidence of noncompliance in achieving the educational  
29 goals and objectives of the charter school exists based upon the  
30 annual report, the charter school shall, upon written notice from the  
31 sponsor, submit to an annual performance audit. Notwithstanding  
32 the provisions of paragraph (b) of subsection 1, such a charter  
33 school:

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

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

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

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

44 386.740 1. Each empowerment plan for a school must:

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



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

5 (c) If a school support team has been established for the school  
6 in accordance with the regulations of the State Board adopted  
7 pursuant to NRS 385.361, require the principal and the  
8 empowerment team for the school to work in consultation with the  
9 school support team;

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

14 (e) Prescribe the manner by which the achievement of pupils  
15 will be measured and reported for the school, including, without  
16 limitation, the results of the pupils on the examinations administered  
17 pursuant to NRS ~~389.015 and~~ 389.550 ~~+~~ *and, if applicable for*  
18 *the grade levels of the empowerment school, the end-of-course*  
19 *examinations administered pursuant to NRS 389.805 and the*  
20 *college and career readiness assessment administered pursuant to*  
21 *section 19 of this act;*

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

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

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

32 (i) Indicate the intended ratio of pupils to teachers at the school,  
33 designated by grade level, which must comply with NRS 388.700 or  
34 388.720, as applicable;

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

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

41 (l) Comply with the plan to improve the achievement of the  
42 pupils enrolled in the school prepared pursuant to NRS 385.357, the  
43 turnaround plan for the school implemented pursuant to NRS  
44 385.37603 or the plan for restructuring the school implemented  
45 pursuant to NRS 385.37607, whichever is applicable for the school;



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

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

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

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

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

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

13 3. An empowerment plan may:

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

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

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

25 (a) Charter school, the amount of the budget is the amount equal  
26 to the apportionments and allowances from the State Distributive  
27 School Account pursuant to NRS 387.121 to 387.126, inclusive, and  
28 its proportionate share of any other money available from federal,  
29 state or local sources that the school or the pupils enrolled in the  
30 school are eligible to receive.

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

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

39 386.765 1. Except as otherwise provided pursuant to a waiver  
40 granted in accordance with NRS 386.745 or 386.750, each  
41 empowerment school, each person employed by an empowerment  
42 school and each pupil enrolled in an empowerment school shall  
43 comply with the applicable requirements of state law, including,  
44 without limitation, the standards of content and performance  
45 prescribed pursuant to NRS 389.520 and the examinations that are



\* A B 2 8 8 R 3 \*

1 administered pursuant to NRS ~~{389.015 and}~~ 389.550 ~~{}~~ and  
2 *389.805 and the college and career readiness assessment*  
3 *administered pursuant to section 19 of this act.*

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

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

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

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

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

28 ~~(b) {The courses of study which the Department recommends~~  
29 ~~that pupils take to prepare the pupils to successfully meet the~~  
30 ~~academic challenges of the high school proficiency examination and~~  
31 ~~pass that examination;~~

32 ~~—(e)}~~ The requirements for graduation from high school with a  
33 diploma and the types of diplomas available;

34 ~~{(d)}~~ (c) The requirements for admission to the Nevada System  
35 of Higher Education and the eligibility requirements for a Governor  
36 Guinn Millennium Scholarship; and

37 ~~{(e)}~~ (d) The charter schools within the school district.

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

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

43 (b) Sign the academic plan; and



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

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

7 ~~5. If the administration of the high school proficiency~~  
8 ~~examination in the subject area of mathematics or science, or both,~~  
9 ~~is postponed for a pupil pursuant to NRS 389.016, the pupil's~~  
10 ~~academic plan must be revised in consultation with the pupil's~~  
11 ~~teacher who provides instruction in the applicable subject area and~~  
12 ~~the pupil's parent or legal guardian as set forth in NRS 389.016.~~

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

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

22 388.575 1. The Department of Education, after consulting  
23 with the Department of Corrections, shall:

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

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

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

29 (a) A high school diploma;

30 (b) Basic literacy;

31 (c) English as a second language;

32 (d) General educational development;

33 (e) Life skills;

34 (f) Career and technical education; and

35 (g) Postsecondary education.

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

39 4. The statewide program must establish:

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

41 (1) Curriculum;

42 (2) Qualifications for entry; and

43 (3) Evaluation of incarcerated persons for placement; and

44 (b) Procedures to ensure that an incarcerated person who earns  
45 credits in a program of education for incarcerated persons operated



1 by a school district at a facility or institution shall, if transferred to a  
2 different facility or institution, transfer those credits to the program  
3 operated by a school district at that facility or institution.

4 5. As used in this section, “general educational development”  
5 means preparation for and administration of the standardized  
6 examinations *or other high school equivalency assessments* that  
7 enable persons who have not graduated from high school to  
8 demonstrate that they have achieved an educational level which  
9 denotes competency in core curriculum. The term includes programs  
10 for obtaining a general educational development certificate ~~†~~ *or an*  
11 *equivalent document*.

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

13 388.874 1. The State Board shall adopt regulations that  
14 prescribe:

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

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

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

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

29 (e) The requirements for assessing the achievement of pupils  
30 who are enrolled in a program of distance education, which must  
31 include, without limitation, the administration of the ~~†achievement~~  
32 ~~and proficiency†~~ examinations required pursuant to NRS ~~{389.015~~  
33 ~~and†~~ 389.550 ~~†~~ *and, if applicable for the grade levels of the pupils*  
34 *enrolled, the administration of the examinations pursuant to NRS*  
35 *389.805 and the college and career readiness assessment pursuant*  
36 *to section 19 of this act;* and

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

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





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

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

7       2. *Except as otherwise provided in this subsection, a pupil*  
8 *must take the college and career readiness assessment to receive a*  
9 *standard high school diploma. The results of a pupil on the*  
10 *assessment must not be used in the determination of whether the*  
11 *pupil satisfies the requirements for receipt of a standard high*  
12 *school diploma. A pupil with a disability may, in accordance with*  
13 *his or her individualized education program, be exempt from the*  
14 *requirement to take the college and career readiness assessment.*

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

16       (a) *Administered at the same time during the school year by*  
17 *the board of trustees of each school district to pupils enrolled in*  
18 *grade 11 in all public high schools of the school district and by the*  
19 *governing body of each charter school that enrolls pupils in grade*  
20 *11, as prescribed by the State Board, and in accordance with*  
21 *uniform procedures adopted by the State Board. The Department*  
22 *shall monitor the compliance of the school districts and individual*  
23 *schools with the uniform procedures and report to the State Board*  
24 *any instance of noncompliance.*

25       (b) *Administered in accordance with the plan adopted by the*  
26 *Department pursuant to NRS 389.616 and with the plan adopted*  
27 *by the board of trustees of the school district in which the*  
28 *assessment is administered pursuant to NRS 389.620. The*  
29 *Department shall monitor the compliance of the school districts*  
30 *and individual schools with:*

31       (1) *The plan adopted by the Department; and*

32       (2) *The plan adopted by the board of trustees of the*  
33 *applicable school district, to the extent that the plan adopted by the*  
34 *board of trustees of the school district is consistent with the plan*  
35 *adopted by the Department,*

36       ↪ *and shall report to the State Board any instance of*  
37 *noncompliance.*

38       4. *The assessment selected pursuant to subsection 1 must:*

39       (a) *Be used to provide data and information to each pupil who*  
40 *takes the assessment in a manner that allows the pupil to review*  
41 *the areas of his or her academic strengths and weaknesses,*  
42 *including, without limitation, areas where additional work in the*  
43 *subject areas tested on the assessment is necessary to prepare for*  
44 *college and career success without the need for remediation; and*



1       ***(b) Allow teachers and other educational personnel to use the***  
2 ***results of a pupil on the assessment to provide appropriate***  
3 ***interventions for the pupil to prepare for college and career***  
4 ***success.***

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

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

11       389.004 The board of trustees of each school district shall  
12 maintain on its Internet website, and shall post in a timely manner,  
13 all pertinent information concerning the examinations ***and***  
14 ***assessments*** available to children who reside in the school district,  
15 including, without limitation, the dates and times of, and contact  
16 information concerning, such examinations ~~+~~ ***and assessments.***  
17 The examinations ***and assessments*** posted must include, without  
18 limitation:

19       1. The ~~{high school proficiency}~~ ***college {examination} and***  
20 ***career readiness assessment*** administered pursuant to ~~{NRS~~  
21 ~~389.015; and}~~ ***section 19 of this act.***

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

23       3. All ***other*** college entrance examinations offered in this State,  
24 including, without limitation, the Scholastic Aptitude Test, the  
25 American College Test, the Preliminary Scholastic Aptitude Test  
26 and the National Merit Scholarship Qualifying Test.

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

28       389.006 1. In addition to any other test, examination or  
29 assessment required by state or federal law, the board of trustees of  
30 each school district may require the administration of district-wide  
31 tests, examinations and assessments ~~+, including, without limitation,~~  
32 ~~the practice test of the high school proficiency examination to pupils~~  
33 ~~enrolled in high school,}~~ that the board of trustees determines are  
34 vital to measure the achievement and progress of pupils. In making  
35 this determination, the board of trustees shall consider any  
36 applicable findings and recommendations of the Legislative  
37 Committee on Education.

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

42       3. The board of trustees of each school district and the State  
43 Board shall periodically review the tests, examinations and  
44 assessments administered to pupils to ensure that the time taken



1 from instruction to conduct a test, examination or assessment is  
2 warranted because it is still accomplishing its original purpose.

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

4 389.0115 1. If a pupil with a disability is unable to take an  
5 examination administered pursuant to NRS ~~389.015 or~~ 389.550 *or*  
6 *389.805* under regular testing conditions, the pupil may take the  
7 examination with modifications and accommodations that the  
8 pupil's individualized education program team determines, in  
9 consultation with the Department and in accordance with the  
10 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et  
11 seq., and the No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301  
12 et seq., are necessary to measure the progress of the pupil. If  
13 modifications or accommodations are made in the administration of  
14 an examination for a pupil with a disability, the modifications or  
15 accommodations must be set forth in the pupil's individualized  
16 education program. The results of each pupil with a disability who  
17 takes an examination with modifications or accommodations must  
18 be reported and must be included in the determination of whether  
19 the school and the school district have made adequate yearly  
20 progress.

21 2. The State Board shall prescribe an alternate examination for  
22 administration to a pupil with a disability if the pupil's  
23 individualized education program team determines, in consultation  
24 with the Department, that the pupil cannot participate in all or a  
25 portion of an examination administered pursuant to NRS ~~389.015~~  
26 ~~or~~ 389.550 *or 389.805* even with modifications and  
27 accommodations.

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

34 4. As used in this section:

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

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

39 **Sec. 23.** NRS 389.012 is hereby amended to read as follows:

40 389.012 1. The State Board shall:

41 (a) In accordance with guidelines established by the National  
42 Assessment Governing Board and National Center for Education  
43 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the  
44 regulations adopted pursuant thereto, adopt regulations requiring the  
45 schools of this State that are selected by the National Assessment



1 Governing Board or the National Center for Education Statistics to  
2 participate in the examinations of the National Assessment of  
3 Educational Progress.

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

5 (1) Governor;

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

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

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

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

14 (1) The results of pupils throughout this country who  
15 participated in the examinations of the National Assessment of  
16 Educational Progress; and

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

19 2. If the report required by subsection 1 indicates that the  
20 percentage of pupils enrolled in the public schools in this State who  
21 are proficient on the National Assessment of Educational Progress  
22 differs by more than 10 percent of the pupils who are proficient on  
23 the examinations administered pursuant to NRS 389.550 and the  
24 ~~high school proficiency examination~~ *examinations* administered  
25 pursuant to NRS ~~389.015~~ *389.805*, the Department shall prepare a  
26 written report describing the discrepancy. The report must include,  
27 without limitation, a comparison and evaluation of:

28 (a) The standards of content and performance for English and  
29 mathematics established pursuant to NRS 389.520 with the  
30 standards for English and mathematics that are tested on the  
31 National Assessment.

32 (b) The standards for proficiency established for the National  
33 Assessment with the standards for proficiency established for the  
34 examinations that are administered pursuant to NRS 389.550 and  
35 the ~~high school proficiency examination~~ *examinations*  
36 administered pursuant to NRS ~~389.015~~ *389.805*.

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

39 (a) Governor;

40 (b) Legislative Committee on Education;

41 (c) Legislative Bureau of Educational Accountability and  
42 Program Evaluation; and

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

44 4. The Council to Establish Academic Standards for Public  
45 Schools shall review and evaluate the report provided to the Council



1 pursuant to subsection 3 to identify any discrepancies in the  
2 standards of content and performance established by the Council  
3 that require revision and a timeline for carrying out the revision, if  
4 necessary. The Council shall submit a written report of its review  
5 and evaluation to the Legislative Committee on Education and  
6 Legislative Bureau of Educational Accountability and Program  
7 Evaluation.

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

9 389.0173 1. The Department shall develop an informational  
10 pamphlet concerning the ~~high school proficiency examination~~ *end-*  
11 *of-course examinations required pursuant to NRS 389.805 and the*  
12 *college and career readiness assessment administered pursuant to*  
13 *section 19 of this act* for pupils who are enrolled in junior high,  
14 middle school and high school, and their parents and legal  
15 guardians. The pamphlet must include a written explanation of the:

16 (a) Importance of passing the ~~examination, including, without~~  
17 ~~limitation, an explanation that if the pupil fails the examination, or~~  
18 ~~does not satisfy the requirements of paragraph (b) of subsection 1 of~~  
19 ~~NRS 389.805, the pupil is not eligible to receive a standard high~~  
20 ~~school diploma;~~

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

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

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

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

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

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

34 ~~—(h) Courses of study which the Department recommends that~~  
35 ~~pupils take in high school to successfully prepare for the college~~  
36 ~~entrance examinations.] *end-of-course examinations and the*~~  
37 *importance of taking the college and career readiness assessment;*

38 (b) *Courses of study for which the end-of-course examinations*  
39 *are administered and the subject areas tested on the college and*  
40 *career readiness assessment;*

41 (c) *Format for the end-of-course examinations and the college*  
42 *and career readiness assessment, including, without limitation, the*  
43 *range of items that are contained on the examinations and the*  
44 *assessment; and*



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

4        2. The Department shall review the pamphlet on an annual  
5 basis and make such revisions to the pamphlet as it considers  
6 necessary to ensure that pupils and their parents or legal guardians  
7 fully understand the ~~examination~~ *end-of-course examinations*  
8 *and the college and career readiness assessment.*

9        3. On or before September 1, the Department shall provide a  
10 copy of the pamphlet or revised pamphlet to the board of trustees of  
11 each school district and the governing body of each charter school  
12 that includes pupils enrolled in a junior high, middle school or high  
13 school grade level.

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

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

23        (a) Board of trustees of each school district shall provide a copy  
24 of the pamphlet to each pupil who is enrolled in a junior high,  
25 middle school or high school of the school district and to the parents  
26 or legal guardians of such a pupil.

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

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

32        389.550 1. The State Board shall, in consultation with the  
33 Council, prescribe examinations that comply with 20 U.S.C. §  
34 6311(b)(3) and that measure the achievement and proficiency of  
35 pupils:

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

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

41        ➤ The examinations prescribed pursuant to this subsection must be  
42 written, developed, printed and scored by a nationally recognized  
43 testing company.

44        2. In addition to the examinations prescribed pursuant to  
45 subsection 1, the State Board shall, in consultation with the Council,



1 prescribe a writing examination for grades 5 and 8 . ~~and for the~~  
2 ~~high school proficiency examination.~~

3 3. The board of trustees of each school district and the  
4 governing body of each charter school shall administer the  
5 examinations prescribed by the State Board. The examinations must  
6 be:

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

10 (b) Administered in each school in accordance with uniform  
11 procedures adopted by the State Board. The Department shall  
12 monitor the school districts and individual schools to ensure  
13 compliance with the uniform procedures.

14 (c) Administered in each school in accordance with the plan  
15 adopted pursuant to NRS 389.616 by the Department and with the  
16 plan adopted pursuant to NRS 389.620 by the board of trustees of  
17 the school district in which the examinations are administered. The  
18 Department shall monitor the compliance of school districts and  
19 individual schools with:

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

21 (2) The plan adopted by the board of trustees of the  
22 applicable school district, to the extent that the plan adopted by the  
23 board of trustees of the school district is consistent with the plan  
24 adopted by the Department.

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

26 389.604 “Irregularity in testing administration” means the  
27 failure to administer an examination to pupils pursuant to NRS  
28 ~~389.015 or~~ 389.550 *or 389.805 or the college and career*  
29 *readiness assessment pursuant to section 19 of this act* in the  
30 manner intended by the person or entity that created the examination  
31 ~~+~~ *or assessment.*

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

33 389.608 “Irregularity in testing security” means an act or  
34 omission that tends to corrupt or impair the security of an  
35 examination administered to pupils pursuant to NRS ~~389.015 or~~  
36 389.550 ~~+~~ *or 389.805 or the college and career readiness*  
37 *assessment administered pursuant to section 19 of this act,*  
38 including, without limitation:

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

41 2. The disclosure of questions or answers to questions on an  
42 examination *or assessment* in a manner not otherwise approved by  
43 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. 28.** NRS 389.616 is hereby amended to read as follows:

5 389.616 1. The Department shall, by regulation or otherwise,  
6 adopt and enforce a plan setting forth procedures to ensure the  
7 security of examinations that are administered to pupils pursuant to  
8 NRS ~~389.015 and~~ 389.550 ~~+~~ *and 389.805 and the college and*  
9 *career readiness assessment administered pursuant to section 19*  
10 *of this act.*

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

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

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

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

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

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

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

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

37 (a) The State Board; and

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

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

41 389.620 1. The board of trustees of each school district shall,  
42 for each public school in the district, including, without limitation,  
43 charter schools, adopt and enforce a plan setting forth procedures to  
44 ensure the security of examinations ~~+~~ *and assessments.*





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

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

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

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

11 (d) Procedures that specifically set forth the action that must be  
12 taken in response to a report of an irregularity in testing  
13 administration or testing security and the action that must be taken  
14 during an investigation of such an irregularity. For each action that  
15 is required, the procedures must identify, by category, the  
16 employees of the school district or charter school who are  
17 responsible for taking the action and for ensuring that the action is  
18 carried out successfully.

19 ➤ The procedures adopted pursuant to this subsection must be  
20 consistent, to the extent applicable, with the procedures adopted by  
21 the Department pursuant to NRS 389.616.

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

25 (a) The State Board; and

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

28 4. On or before September 30 of each school year, the board of  
29 trustees of each school district and the governing body of each  
30 charter school shall provide a written notice regarding the  
31 examinations **and assessments** to all teachers and educational  
32 personnel employed by the school district or governing body, all  
33 personnel employed by the school district or governing body who  
34 are involved in the administration of the examinations **H and**  
35 **assessments**, all pupils who are required to take the examinations **or**  
36 **assessments** and all parents and legal guardians of such pupils. The  
37 written notice must be prepared in a format that is easily understood  
38 and must include, without limitation, a description of the:

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

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

43 5. As used in this section:



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

4 (b) “Examination” means:

5 (1)  ~~Achievement and proficiency~~ *The* examinations that are  
6 administered to pupils pursuant to NRS ~~389.015 or~~ 389.550  ~~or~~  
7 *389.805*; and

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

11 ~~(b)~~ (c) “Irregularity in testing administration” means the  
12 failure to administer an examination *or assessment* in the manner  
13 intended by the person or entity that created the examination  ~~or~~  
14 ~~(e)~~ *or assessment.*

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

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

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

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

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

27 389.624 1. If the Department:

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

30 (b) Has reason to believe that a violation of the plan adopted  
31 pursuant to NRS 389.620 may have occurred with respect to an  
32 examination that is administered pursuant to NRS ~~389.015 or~~  
33 389.550  ~~or~~ *389.805 or the college and career readiness*  
34 *assessment administered pursuant to section 19 of this act*; or

35 (c) Receives a request pursuant to subparagraph (2) of paragraph  
36 (b) of subsection 1 of NRS 389.628 to investigate a potential  
37 violation of the plan adopted pursuant to NRS 389.620 with respect  
38 to an examination that is administered pursuant to NRS ~~389.015 or~~  
39 389.550  ~~or~~ *389.805 or the college and career readiness*  
40 *assessment administered pursuant to section 19 of this act*,

41  ~~the~~ the Department shall investigate the matter as it deems  
42 appropriate.

43 2. If the Department investigates a matter pursuant to  
44 subsection 1, the Department may issue a subpoena to compel the  
45 attendance or testimony of a witness or the production of any



1 relevant materials, including, without limitation, books, papers,  
2 documents, records, photographs, recordings, reports and tangible  
3 objects.

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

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

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

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

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

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

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

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

31 389.628 1. If a school official has reason to believe that a  
32 violation of the plan adopted pursuant to NRS 389.620 may have  
33 occurred, the school official shall immediately report the incident to  
34 the board of trustees of the school district. If the board of trustees of  
35 a school district has reason to believe that a violation of the plan  
36 adopted pursuant to NRS 389.620 may have occurred, the board of  
37 trustees shall:

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



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

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

7 (2) With respect to an examination that is administered  
8 pursuant to NRS ~~389.015 or~~ 389.550 ~~+~~ *or 389.805 or the college*  
9 *and career readiness assessment administered pursuant to section*  
10 *19 of this act*, requesting that the Department investigate the  
11 incident pursuant to NRS 389.624.

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

17 2. Except as otherwise provided in this subsection, if the board  
18 of trustees of a school district proceeds in accordance with  
19 subparagraph (1) of paragraph (b) of subsection 1, the board of  
20 trustees may issue a subpoena to compel the attendance or testimony  
21 of a witness or the production of any relevant materials, including,  
22 without limitation, books, papers, documents, records, photographs,  
23 recordings, reports and tangible objects. A board of trustees shall  
24 not issue a subpoena to compel the attendance or testimony of a  
25 witness or the production of materials unless the attendance,  
26 testimony or production sought to be compelled is related directly to  
27 a violation or an alleged violation of the plan adopted pursuant to  
28 NRS 389.620.

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

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

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

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

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

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



1 the witness has not attended, testified or produced materials before  
2 the board of trustees. A certified copy of the order must be served  
3 upon the witness.

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

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

11 389.644 1. The Department shall establish a program of  
12 education and training regarding the administration and security of  
13 the examinations administered pursuant to NRS ~~389.015 and~~  
14 389.550 ~~or~~ *or 389.805 and the college and career readiness*  
15 *assessment administered pursuant to section 19 of this act.* Upon  
16 approval of the Department, the board of trustees of a school district  
17 or the governing body of a charter school may establish an expanded  
18 program of education and training that includes additional education  
19 and training if the expanded program complies with the program  
20 established by the Department.

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

23 (a) All the teachers and other educational personnel who provide  
24 instruction to pupils enrolled in a grade level that is required to be  
25 tested pursuant to NRS ~~389.015 or~~ 389.550 ~~or~~ *or 389.805 or*  
26 *section 19 of this act,* and all other personnel who are involved with  
27 the administration of the examinations that are administered  
28 pursuant to NRS ~~389.015 or~~ 389.550 ~~or~~ *or 389.805 or the college*  
29 *and career readiness assessment administered pursuant to section*  
30 *19 of this act,* receive, on an annual basis, the program of education  
31 and training established by the Department or the expanded  
32 program, if applicable; and

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

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

37 389.805 1. ~~Except as otherwise provided in subsection 3, a~~  
38 ~~pupil must receive a standard high school diploma if the pupil:~~

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

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



- ~~1 (1) Passes the subject areas of mathematics and reading on~~
- ~~2 the proficiency examination;~~
- ~~3 (2) Has an overall grade point average of not less than 2.75~~
- ~~4 on a 4.0 grading scale;~~
- ~~5 (3) Satisfies the alternative criteria prescribed by the State~~
- ~~6 Board pursuant to subsection 4; and~~
- ~~7 (4) Otherwise satisfies the requirements for graduation from~~
- ~~8 high school.~~

~~9 2.} A pupil with a disability who does not satisfy the~~  
~~10 requirements for receipt of a standard high school diploma may~~  
~~11 receive a diploma designated as an adjusted diploma if the pupil~~  
~~12 satisfies the requirements set forth in his or her individualized~~  
~~13 education program. As used in this subsection, "individualized~~  
~~14 education program" has the meaning ascribed to it in 20 U.S.C. §~~  
~~15 1414(d)(1)(A).~~

~~16 }3. A pupil who transfers during grade 12 to a school in this~~  
~~17 State from a school outside this State because of the military transfer~~  
~~18 of the parent or legal guardian of the pupil may receive a waiver~~  
~~19 from the requirements of paragraphs (a) and (b) of subsection 1 if, in~~  
~~20 accordance with the provisions of NRS 392C.010, the school district~~  
~~21 in which the pupil is enrolled:~~

~~22 (a) Accepts the results of the exit or end of course examinations~~  
~~23 required for graduation in the local education agency in which the~~  
~~24 pupil was previously enrolled;~~

~~25 (b) Accepts the results of a national norm-referenced~~  
~~26 achievement examination taken by the pupil; or~~

~~27 (c) Establishes an alternative test for the pupil which~~  
~~28 demonstrates proficiency in the subject areas tested on the high~~  
~~29 school proficiency examination, and the pupil successfully passes~~  
~~30 that test.~~

~~31 4.} 2. The State Board shall adopt regulations that prescribe~~  
~~32 the {alternative criteria} :~~

~~33 (a) Criteria for a pupil to receive a standard high school~~  
~~34 diploma {pursuant to paragraph (b) of subsection 1, including,~~  
~~35 without limitation:~~

~~36 (a) An essay;~~

~~37 (b) A senior project; or~~

~~38 (c) A portfolio of work;~~

~~39 } or any combination thereof, that demonstrate proficiency in the~~  
~~40 subject areas on the high school proficiency examination which the~~  
~~41 pupil failed to pass.} , which must include, without limitation, the~~  
~~42 requirement that:~~

~~43 (1) Commencing with the 2014-2015 school year and each~~  
~~44 school year thereafter, a pupil enrolled in grade 11 take the~~



1 *college and career readiness assessment administered pursuant to*  
2 *section 19 of this act;*

3 (2) *Commencing with the 2014-2015 school year and each*  
4 *school year thereafter, a pupil enroll in the courses of study*  
5 *designed to prepare the pupil for graduation from high school and*  
6 *for readiness for college and career; and*

7 (3) *Commencing with the 2014-2015 school year and each*  
8 *school year thereafter, a pupil pass at least four end-of-course*  
9 *examinations prescribed pursuant to paragraph (b).*

10 (b) *Courses of study in which pupils must pass the end-of-*  
11 *course examinations required by subparagraph (3) of paragraph*  
12 *(a), which must include, without limitation, the subject areas for*  
13 *which the State Board has adopted the common core standards*  
14 *and which may include any other courses of study prescribed by*  
15 *the State Board.*

16 (c) *The maximum number of times, if any, that a pupil is*  
17 *allowed to take the end-of-course examinations if the pupil fails to*  
18 *pass the examinations after the first administration.*

19 3. *The criteria prescribed by the State Board pursuant to*  
20 *subsection 2 for a pupil to receive a standard high school diploma*  
21 *must not include the results of the pupil on the college and career*  
22 *readiness assessment administered to the pupil in grade 11*  
23 *pursuant to section 19 of this act.*

24 4. *If a pupil does not satisfy the requirements prescribed by*  
25 *the State Board to receive a standard high school diploma, the*  
26 *pupil must not be issued a certificate of attendance or any other*  
27 *document indicating that the pupil attended high school but did*  
28 *not satisfy the requirements for such a diploma. The provisions of*  
29 *this subsection do not apply to a pupil who receives an adjusted*  
30 *diploma pursuant to subsection 1.*

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

32 389.810 1. Notwithstanding any provision of this title to the  
33 contrary, a person who:

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

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

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

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

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

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



1 ↪ shall be deemed to have earned sufficient credits to receive a  
2 standard high school diploma.

3 2. A school district may, upon request, issue a standard high  
4 school diploma to any person who meets the requirements set forth  
5 in subsection 1. A school district may issue a standard high school  
6 diploma to such a person even if the person:

7 (a) Holds a general educational development credential or ~~fits~~  
8 *an equivalent ~~fit~~ document*; or

9 (b) Is deceased, if the family of the veteran requests the issuance  
10 of the diploma.

11 3. The State Board and the Office of Veterans Services shall  
12 work cooperatively to establish guidelines for identifying and  
13 issuing standard high school diplomas to persons pursuant to this  
14 section.

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

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

19 389.900 If the Department enters into a contract with a person  
20 or entity to score the results of an examination that is administered  
21 to pupils pursuant to NRS ~~389.015 or~~ 389.550 *or 389.805 or the*  
22 *college and career readiness assessment administered pursuant to*  
23 *section 19 of this act*, and the contract sets forth penalties or  
24 sanctions in the event that the person or entity fails to deliver the  
25 scored results to a school district or charter school on a timely basis,  
26 the Department shall ensure that any such penalties or sanctions are  
27 fully enforced.

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

30 *“Assessment” means the college and career readiness*  
31 *assessment administered to pupils in grade 11 pursuant to section*  
32 *19 of this act.*

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

34 391.166 1. There is hereby created the Grant Fund for  
35 Incentives for Licensed Educational Personnel to be administered by  
36 the Department. The Department may accept gifts and grants from  
37 any source for deposit in the Grant Fund.

38 2. The board of trustees of each school district shall establish a  
39 program of incentive pay for licensed teachers, school  
40 psychologists, school librarians, school counselors and  
41 administrators employed at the school level which must be designed  
42 to attract and retain those employees. The program must be  
43 negotiated pursuant to chapter 288 of NRS and must include,  
44 without limitation, the attraction and retention of:





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

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

11 3. A program of incentive pay established by a school district  
12 must specify the type of financial incentives offered to the licensed  
13 educational personnel. Money available for the program must not be  
14 used to negotiate the salaries of individual employees who  
15 participate in the program.

16 4. If the board of trustees of a school district wishes to receive  
17 a grant of money from the Grant Fund, the board of trustees shall  
18 submit to the Department an application on a form prescribed by the  
19 Department. The application must include a description of the  
20 program of incentive pay established by the school district.

21 5. The Superintendent of Public Instruction shall compile a list  
22 of the financial incentives recommended by each school district that  
23 submitted an application. On or before December 1 of each year, the  
24 Superintendent shall submit the list to the Interim Finance  
25 Committee for its approval of the recommended incentives.

26 6. After approval of the list of incentives by the Interim  
27 Finance Committee pursuant to subsection 5 and within the limits of  
28 money available in the Grant Fund, the Department shall provide  
29 grants of money to each school district that submits an application  
30 pursuant to subsection 4 based upon the amount of money that is  
31 necessary to carry out each program. If an insufficient amount of  
32 money is available to pay for each program submitted to the  
33 Department, the amount of money available must be distributed pro  
34 rata based upon the number of licensed employees who are  
35 estimated to be eligible to participate in the program in each school  
36 district that submitted an application.

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

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



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

3 (b) The transiency rate of pupils;

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

5 (d) The percentage of pupils who have individualized education  
6 programs; *and*

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

10 ~~—(f)~~ The percentage of pupils who drop out of high school before  
11 graduation.

12 9. The board of trustees of each school district that receives a  
13 grant of money pursuant to this section shall evaluate the  
14 effectiveness of the program for which the grant was awarded. The  
15 evaluation must include, without limitation, an evaluation of  
16 whether the program is effective in recruiting and retaining the  
17 personnel as set forth in subsection 2. On or before December 1 of  
18 each year, the board of trustees shall submit a report of its  
19 evaluation to the:

20 (a) Governor;

21 (b) State Board;

22 (c) Interim Finance Committee;

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

26 (e) Legislative Committee on Education.

27 **Sec. 36.** NRS 391.312 is hereby amended to read as follows:

28 391.312 1. A teacher may be suspended, dismissed or not  
29 reemployed and an administrator may be demoted, suspended,  
30 dismissed or not reemployed for the following reasons:

31 (a) Inefficiency;

32 (b) Immorality;

33 (c) Unprofessional conduct;

34 (d) Insubordination;

35 (e) Neglect of duty;

36 (f) Physical or mental incapacity;

37 (g) A justifiable decrease in the number of positions due to  
38 decreased enrollment or district reorganization;

39 (h) Conviction of a felony or of a crime involving moral  
40 turpitude;

41 (i) Inadequate performance;

42 (j) Evident unfitness for service;

43 (k) Failure to comply with such reasonable requirements as a  
44 board may prescribe;



1 (l) Failure to show normal improvement and evidence of  
2 professional training and growth;

3 (m) Advocating overthrow of the Government of the United  
4 States or of the State of Nevada by force, violence or other unlawful  
5 means, or the advocating or teaching of communism with the intent  
6 to indoctrinate pupils to subscribe to communistic philosophy;

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

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

11 (p) Dishonesty;

12 (q) Breaches in the security or confidentiality of the questions  
13 and answers of the ~~achievement and proficiency~~ examinations that  
14 are administered pursuant to NRS ~~389.015;~~ *389.550 or 389.805*  
15 *and the college and career readiness assessment administered*  
16 *pursuant to section 19 of this act;*

17 (r) Intentional failure to observe and carry out the requirements  
18 of a plan to ensure the security of examinations *and assessments*  
19 adopted pursuant to NRS 389.616 or 389.620;

20 (s) An intentional violation of NRS 388.5265 or 388.527;

21 (t) Gross misconduct; or

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

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

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

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

35 391.330 The State Board may suspend or revoke the license of  
36 any teacher, administrator or other licensed employee, after notice  
37 and an opportunity for hearing have been provided pursuant to NRS  
38 391.322 and 391.323, for:

39 1. Immoral or unprofessional conduct.

40 2. Evident unfitness for service.

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

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



1 5. Conviction of a sex offense under NRS 200.366, 200.368,  
2 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil  
3 enrolled in a school of a county school district was the victim.

4 6. Knowingly advocating the overthrow of the Federal  
5 Government or of the State of Nevada by force, violence or  
6 unlawful means.

7 7. Persistent defiance of or refusal to obey the regulations of  
8 the State Board, the Commission or the Superintendent of Public  
9 Instruction, defining and governing the duties of teachers,  
10 administrators and other licensed employees.

11 8. Breaches in the security or confidentiality of the questions  
12 and answers of the ~~achievement and proficiency~~ examinations that  
13 are administered pursuant to NRS ~~389.015~~ *389.550 or 389.805*  
14 *and the college and career readiness assessment administered*  
15 *pursuant to section 19 of this act.*

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

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

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

21 391.600 As used in NRS 391.600 to 391.648, inclusive, unless  
22 the context otherwise requires, the words and terms defined in NRS  
23 391.604 to 391.620, inclusive, *and section 34.5 of this act* have the  
24 meanings ascribed to them in those sections.

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

26 391.604 “Examination” means:

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

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

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

34 391.608 “Irregularity in testing administration” means the  
35 failure to administer an examination *or assessment* in the manner  
36 intended by the person or entity that created the examination ~~or~~ *or*  
37 *assessment.*

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

39 391.612 “Irregularity in testing security” means an act or  
40 omission that tends to corrupt or impair the security of an  
41 examination ~~or~~ *or assessment*, including, without limitation:

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



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

4 3. Other breaches in the security or confidentiality of the  
5 questions or answers to questions on an examination ~~†~~ *or*  
6 *assessment*.

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

8 392.075 Attendance required by the provisions of NRS  
9 392.040 must be excused if a child has obtained permission to take  
10 the ~~†tests of general educational development†~~ *high school*  
11 *equivalency assessment* pursuant to NRS 385.448.

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

13 392.700 1. If the parent of a child who is subject to  
14 compulsory attendance wishes to homeschool the child, the parent  
15 must file with the superintendent of schools of the school district in  
16 which the child resides a written notice of intent to homeschool the  
17 child. The Department shall develop a standard form for the notice  
18 of intent to homeschool. The form must not require any information  
19 or assurances that are not otherwise required by this section or other  
20 specific statute. The board of trustees of each school district shall, in  
21 a timely manner, make only the form developed by the Department  
22 available to parents who wish to homeschool their child.

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

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

27 (b) Not later than 30 days after establishing residency in this  
28 State.

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

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

37 5. A notice of intent to homeschool must include only the  
38 following:

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

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

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



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

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

5 (f) An optional statement that the parent may sign which  
6 provides:

7  
8 I expressly prohibit the release of any information contained  
9 in this document, including, without limitation, directory  
10 information as defined in 20 U.S.C. § 1232g(a)(5)(A),  
11 without my prior written consent.  
12

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

18 7. The school district shall provide to a parent who files a  
19 notice a written acknowledgment which clearly indicates that the  
20 parent has provided notification required by law and that the child is  
21 being homeschooled. The written acknowledgment shall be deemed  
22 proof of compliance with Nevada's compulsory school attendance  
23 law. The school district shall retain a copy of the written  
24 acknowledgment for not less than 15 years. The written  
25 acknowledgment may be retained in electronic format.

26 8. The superintendent of schools of a school district shall  
27 process a written request for a copy of the records of the school  
28 district, or any information contained therein, relating to a child who  
29 is being or has been homeschooled not later than 5 days after  
30 receiving the request. The superintendent of schools may only  
31 release such records or information:

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

35 (b) If required by specific statute.

36 9. If a child who is or was homeschooled seeks admittance or  
37 entrance to any school in this State, the school may use only  
38 commonly used practices in determining the academic ability,  
39 placement or eligibility of the child. If the child enrolls in a charter  
40 school, the charter school shall, to the extent practicable, notify the  
41 board of trustees of the school district in which the child resides  
42 of the child's enrollment in the charter school. Regardless of  
43 whether the charter school provides such notification to the board of  
44 trustees, the charter school may count the child who is enrolled for  
45 the purposes of the calculation of basic support pursuant to



1 NRS 387.1233. A homeschooled child seeking admittance to public  
2 high school must comply with NRS 392.033.

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

5 11. Each school district shall allow homeschooled children to  
6 participate in ~~the high school proficiency examination administered~~  
7 ~~pursuant to NRS 389.015 and~~ all college entrance examinations  
8 offered in this State, including, without limitation, the SAT, the  
9 ACT, the Preliminary SAT and the National Merit Scholarship  
10 Qualifying Test. Each school district shall ensure that the  
11 homeschooled children who reside in the school district have  
12 adequate notice of the availability of information concerning such  
13 examinations on the Internet website of the school district  
14 maintained pursuant to NRS 389.004.

15 12. The parent of a child who is being homeschooled shall  
16 prepare an educational plan of instruction for the child in the subject  
17 areas of English, including reading, composition and writing,  
18 mathematics, science and social studies, including history,  
19 geography, economics and government, as appropriate for the age  
20 and level of skill of the child as determined by the parent. The  
21 educational plan must be included in the notice of intent to  
22 homeschool filed pursuant to this section. If the educational plan  
23 contains the requirements of this section, the educational plan must  
24 not be used in any manner as a basis for denial of a notice of intent  
25 to homeschool that is otherwise complete. The parent must be  
26 prepared to present the educational plan of instruction and proof of  
27 the identity of the child to a court of law if required by the court.  
28 This subsection does not require a parent to ensure that each subject  
29 area is taught each year that the child is homeschooled.

30 13. No regulation or policy of the State Board, any school  
31 district or any other governmental entity may infringe upon the right  
32 of a parent to educate his or her child based on religious preference  
33 unless it is:

34 (a) Essential to further a compelling governmental interest; and

35 (b) The least restrictive means of furthering that compelling  
36 governmental interest.

37 14. As used in this section, "parent" means the parent,  
38 custodial parent, legal guardian or other person in this State who has  
39 control or charge of a child and the legal right to direct the education  
40 of the child.

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

42 392A.100 1. A university school for profoundly gifted pupils  
43 shall determine the eligibility of a pupil for admission to the school  
44 based upon a comprehensive assessment of the pupil's potential for  
45 academic and intellectual achievement at the school, including,



1 without limitation, intellectual and academic ability, motivation,  
2 emotional maturity and readiness for the environment of an  
3 accelerated educational program. The assessment must be conducted  
4 by a broad-based committee of professionals in the field of  
5 education.

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

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

9 (1) A completed application;

10 (2) Evidence that the applicant possesses advanced  
11 intellectual and academic ability, including, without limitation,  
12 proof that he or she satisfies the requirements of NRS 392A.030;

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

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

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

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

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

25 4. The Superintendent of Public Instruction shall, upon  
26 recommendation of the governing body, issue a high school diploma  
27 to a pupil who is enrolled in a university school for profoundly  
28 gifted pupils if that pupil ~~successfully passes the high school~~  
29 ~~proficiency examination~~ *satisfies the criteria prescribed by the*  
30 *State Board pursuant to NRS 389.805* and the courses in American  
31 government and American history as required by NRS 389.020 and  
32 389.030, and successfully completes any requirements established  
33 by the State Board of Education for graduation from high school.

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





1       **Sec. 41.** NRS 392A.110 is hereby amended to read as follows:  
2       392A.110 1. At least 70 percent of the teachers employed by  
3 a university school for profoundly gifted pupils must be licensed  
4 teachers.

5       2. A university school for profoundly gifted pupils shall  
6 administer to its pupils the achievement and proficiency  
7 examinations required by NRS ~~389.015 and~~ 389.550.

8       **Sec. 41.1.** NRS 209.396 is hereby amended to read as follows:  
9       209.396 1. Except as otherwise provided in this section, an  
10 offender who is illiterate may not be assigned to an industrial or a  
11 vocational program unless:

12       (a) The offender is regularly attending and making satisfactory  
13 progress in a program for general education; or

14       (b) The Director for good cause determines that the limitation on  
15 assignment should be waived under the circumstances with respect  
16 to a particular offender.

17       2. An offender whose:

18       (a) Native language is not English;

19       (b) Ability to read and write in his or her native language is at or  
20 above the level of literacy designated by the Board in its regulations;  
21 and

22       (c) Ability to read and write the English language is below the  
23 level of literacy designated by the Board in its regulations,

24       ➔ may not be assigned to an industrial or a vocational program  
25 unless the offender is regularly attending and making satisfactory  
26 progress in a course which teaches English as a second language or  
27 the Director for good cause determines that the limitation on  
28 assignment should be waived under the circumstances with respect  
29 to a particular offender.

30       3. Upon written documentation that an illiterate offender has a  
31 developmental, learning or other similar disability which affects his  
32 or her ability to learn, the Director may:

33       (a) Adapt or create an educational program or guidelines for  
34 evaluating the educational progress of the offender to meet his or  
35 her particular needs; or

36       (b) Exempt the offender from the required participation in an  
37 educational program prescribed by this section.

38       4. The provisions of this section do not apply to an offender  
39 who presents satisfactory evidence that the offender has a ~~High~~ :

40       (a) *High* school diploma ; or ~~fa-general~~

41       (b) *General* educational development certificate ~~H~~ *or an*  
42 *equivalent document.*


43       5. As used in this section, “illiterate” means having an ability  
44 to read and write that is below the level of literacy designated by the  
45 Board in its regulations.



1     **Sec. 41.2.** NRS 209.433 is hereby amended to read as follows:

2     209.433 1. Every offender who was sentenced to prison on or  
3 before June 30, 1969, who has no serious infraction of the  
4 regulations of the Department, the terms and conditions of his or her  
5 residential confinement, or the laws of the State recorded against the  
6 offender, and who performs in a faithful, orderly and peaceable  
7 manner the duties assigned to the offender, must be allowed for his  
8 or her term a deduction of 2 months in each of the first 2 years, 4  
9 months in each of the next 2 years, and 5 months in each of the  
10 remaining years of the term, and pro rata for any part of a year  
11 where the sentence is for more or less than a year.

12     2. 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 the 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     3. Each offender is entitled to the deductions allowed by this  
23 section if the offender has satisfied the conditions of subsection 1 or  
24 2 as determined by the Director.

25     **Sec. 41.3.** NRS 209.443 is hereby amended to read as follows:

26     209.443 1. Every offender who is sentenced to prison after  
27 June 30, 1969, for a crime committed before July 1, 1985, who has  
28 no serious infraction of the regulations of the Department, the terms  
29 and conditions of his or her residential confinement, or the laws of  
30 the State recorded against the offender, and who performs in a  
31 faithful, orderly and peaceable manner the duties assigned to the  
32 offender, must be allowed:

33     (a) For the period the offender is actually incarcerated under  
34 sentence; and

35     (b) For the period the offender is in residential confinement,  
36  a deduction of 2 months for each of the first 2 years, 4 months for  
37 each of the next 2 years and 5 months for each of the remaining  
38 years of the term, and pro rata for any part of a year where the actual  
39 term served is for more or less than a year. Credit must be recorded  
40 on a monthly basis as earned for actual time served.


41     2. The credits earned by an offender must be deducted from the  
42 maximum term imposed by the sentence and, except as otherwise  
43 provided in subsection 5, must apply to eligibility for parole.

44     3. In addition to the credits for good behavior provided for in  
45 subsection 1, the Board shall adopt regulations allowing credits for



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1 offenders whose diligence in labor or study merits such credits and  
2 for offenders who donate their blood for charitable purposes. The  
3 regulations must provide that an offender is entitled to the following  
4 credits for educational 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 4. Each offender is entitled to the deductions allowed by this  
10 section if the offender has satisfied the conditions of subsection 1 or  
11 3 as determined by the Director.

12 5. Credits earned pursuant to this section do not apply to  
13 eligibility for parole if a statute specifies a minimum sentence which  
14 must be served before a person becomes eligible for parole.

15 **Sec. 41.4.** NRS 209.446 is hereby amended to read as follows:

16 209.446 1. Every offender who is sentenced to prison for a  
17 crime committed on or after July 1, 1985, but before July 17, 1997,  
18 who has no serious infraction of the regulations of the Department,  
19 the terms and conditions of his or her residential confinement or the  
20 laws of the State recorded against the offender, and who performs in  
21 a faithful, orderly and peaceable manner the duties assigned to the  
22 offender, must be allowed:


23 (a) For the period the offender is actually incarcerated under  
24 sentence;

25 (b) For the period the offender is in residential confinement; and

26 (c) For the period the offender is in the custody of the Division  
27 of Parole and Probation of the Department of Public Safety pursuant  
28 to NRS 209.4886 or 209.4888,

29 ➔ a deduction of 10 days from the offender's sentence for each  
30 month the offender serves.

31 2. In addition to the credit provided for in subsection 1, the  
32 Director may allow not more than 10 days of credit each month for  
33 an offender whose diligence in labor and study merits such credits.  
34 In addition to the credits allowed pursuant to this subsection, an  
35 offender is entitled to the following credits for educational  
36 achievement:

37 (a) For earning a general educational development certificate    
38 *or an equivalent document*, 30 days.

39 (b) For earning a high school diploma, 60 days.

40 (c) For earning an associate degree, 90 days.

41 3. The Director may allow not more than 10 days of credit each  
42 month for an offender who participates in a diligent and responsible  
43 manner in a center for the purpose of making restitution, program  
44 for reentry of offenders and parolees into the community,  
45 conservation camp, program of work release or another program



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1 conducted outside of the prison. An offender who earns credit  
2 pursuant to this subsection is entitled to the entire 20 days of credit  
3 each month which is authorized in subsections 1 and 2.

4 4. The Director may allow not more than 90 days of credit each  
5 year for an offender who engages in exceptional meritorious service.

6 5. The Board shall adopt regulations governing the award,  
7 forfeiture and restoration of credits pursuant to this section.

8 6. Credits earned pursuant to this section:

9 (a) Must be deducted from the maximum term imposed by the  
10 sentence; and

11 (b) Apply to eligibility for parole unless the offender was  
12 sentenced pursuant to a statute which specifies a minimum sentence  
13 which must be served before a person becomes eligible for parole.

14 **Sec. 41.5.** NRS 209.4465 is hereby amended to read as  
15 follows:

16 209.4465 1. An offender who is sentenced to prison for a  
17 crime committed on or after July 17, 1997, who has no serious  
18 infraction of the regulations of the Department, the terms and  
19 conditions of his or her residential confinement or the laws of the  
20 State recorded against the offender, and who performs in a faithful,  
21 orderly and peaceable manner the duties assigned to the offender,  
22 must be allowed:

23 (a) For the period the offender is actually incarcerated pursuant  
24 to his or her sentence;

25 (b) For the period the offender is in residential confinement; and

26 (c) For the period the offender is in the custody of the Division  
27 of Parole and Probation of the Department of Public Safety pursuant  
28 to NRS 209.4886 or 209.4888,

29 ➔ a deduction of 20 days from his or her sentence for each month  
30 the offender serves.

31 2. In addition to the credits allowed pursuant to subsection 1,  
32 the Director may allow not more than 10 days of credit each month  
33 for an offender whose diligence in labor and study merits such  
34 credits. In addition to the credits allowed pursuant to this subsection,  
35 an offender is entitled to the following credits for educational  
36 achievement:

37 (a) For earning a general educational development certificate **H**  
38 **or an equivalent document**, 60 days.

39 (b) For earning a high school diploma, 90 days.

40 (c) For earning his or her first associate degree, 120 days.

41 3. The Director may, in his or her discretion, authorize an  
42 offender to receive a maximum of 90 days of credit for each  
43 additional degree of higher education earned by the offender.

44 4. The Director may allow not more than 10 days of credit each  
45 month for an offender who participates in a diligent and responsible



1 manner in a center for the purpose of making restitution, program  
2 for reentry of offenders and parolees into the community,  
3 conservation camp, program of work release or another program  
4 conducted outside of the prison. An offender who earns credit  
5 pursuant to this subsection is eligible to earn the entire 30 days of  
6 credit each month that is allowed pursuant to subsections 1 and 2.

7 5. The Director may allow not more than 90 days of credit each  
8 year for an offender who engages in exceptional meritorious service.

9 6. The Board shall adopt regulations governing the award,  
10 forfeiture and restoration of credits pursuant to this section.

11 7. Except as otherwise provided in subsection 8, credits earned  
12 pursuant to this section:

13 (a) Must be deducted from the maximum term imposed by the  
14 sentence; and

15 (b) Apply to eligibility for parole unless the offender was  
16 sentenced pursuant to a statute which specifies a minimum sentence  
17 that must be served before a person becomes eligible for parole.

18 8. Credits earned pursuant to this section by an offender who  
19 has not been convicted of:

20 (a) Any crime that is punishable as a felony involving the use or  
21 threatened use of force or violence against the victim;

22 (b) A sexual offense that is punishable as a felony;

23 (c) A violation of NRS 484C.110, 484C.120, 484C.130 or  
24 484C.430 that is punishable as a felony; or

25 (d) A category A or B felony,

26 ↪ apply to eligibility for parole and must be deducted from the  
27 minimum term imposed by the sentence until the offender becomes  
28 eligible for parole and must be deducted from the maximum term  
29 imposed by the sentence.

30 **Sec. 41.6.** NRS 211.330 is hereby amended to read as follows:

31 211.330 1. In addition to the credits on a term of  
32 imprisonment provided for in NRS 211.310, 211.320 and 211.340,  
33 the sheriff of the county or the chief of police of the municipality in  
34 which a prisoner is incarcerated shall deduct 5 days from the  
35 prisoner's term of imprisonment for earning a general educational  
36 development certificate ~~;~~ or ~~{the equivalent thereof,}~~ *an equivalent*  
37 *document* by successfully completing an educational program for  
38 adults conducted jointly by the local detention facility in which the  
39 prisoner is incarcerated and the school district in which the facility  
40 is located.

41 2. The provisions of this section apply to any prisoner who is  
42 sentenced on or after October 1, 1991, to a term of imprisonment of  
43 90 days or more.



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1       **Sec. 41.7.** NRS 213.315 is hereby amended to read as follows:  
2       213.315 1. Except as otherwise provided in this section, an  
3 offender who is illiterate is not eligible to participate in a program  
4 unless:

5       (a) The offender is regularly attending and making satisfactory  
6 progress in a program for general education; or

7       (b) The Director, for good cause, determines that the limitation  
8 on eligibility should be waived under the circumstances with respect  
9 to a particular offender.

10      2. An offender whose:

11       (a) Native language is not English;

12       (b) Ability to read and write in his or her native language is at or  
13 above the level of literacy designated by the Board of State Prison  
14 Commissioners in its regulations; and

15       (c) Ability to read and write the English language is below the  
16 level of literacy designated by the Board of State Prison  
17 Commissioners in its regulations,

18      ➔ may not be assigned to an industrial or a vocational program  
19 unless the offender is regularly attending and making satisfactory  
20 progress in a course which teaches English as a second language or  
21 the Director, for good cause, determines that the limitation on  
22 eligibility should be waived under the circumstances with respect to  
23 a particular offender.

24      3. Upon written documentation that an illiterate offender has a  
25 developmental, learning or other similar disability which affects his  
26 or her ability to learn, the Director may:

27       (a) Adapt or create an educational program or guidelines for  
28 evaluating the educational progress of the offender to meet his or  
29 her particular needs; or

30       (b) Exempt the offender from the required participation in an  
31 educational program prescribed by this section.

32      4. The provisions of this section do not apply to an offender  
33 who:

34       (a) Presents satisfactory evidence that the offender has ~~††~~ :

35       (1) A high school diploma ; or ~~††~~

36       (2) A general educational development certificate ~~††~~ or *an*  
37 *equivalent document*; or

38       (b) Is admitted into a program for the purpose of obtaining  
39 additional education in this state.

40      5. As used in this section, “illiterate” means having an ability  
41 to read and write that is below the level of literacy designated by the  
42 Board of State Prison Commissioners in its regulations.

43       **Sec. 42.** NRS 218E.615 is hereby amended to read as follows:

44       218E.615 1. The Committee may:



1 (a) Evaluate, review and comment upon issues related to  
2 education within this State, including, but not limited to:

3 (1) Programs to enhance accountability in education;

4 (2) Legislative measures regarding education;

5 (3) The progress made by this State, the school districts and  
6 the public schools in this State in satisfying the goals and objectives  
7 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301  
8 et seq., and the annual measurable objectives established by the  
9 State Board of Education pursuant to NRS 385.361;

10 (4) Methods of financing public education;

11 (5) The condition of public education in the elementary and  
12 secondary schools;

13 (6) The program to reduce the ratio of pupils per class per  
14 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

15 (7) The development of any programs to automate the  
16 receipt, storage and retrieval of the educational records of pupils;  
17 and

18 (8) Any other matters that, in the determination of the  
19 Committee, affect the education of pupils within this State.

20 (b) Conduct investigations and hold hearings in connection with  
21 its duties pursuant to this section.

22 (c) Request that the Legislative Counsel Bureau assist in the  
23 research, investigations, hearings and reviews of the Committee.

24 (d) Make recommendations to the Legislature concerning the  
25 manner in which public education may be improved.

26 2. The Committee shall:

27 (a) In addition to any standards prescribed by the Department of  
28 Education, prescribe standards for the review and evaluation of the  
29 reports of the State Board of Education, State Public Charter School  
30 Authority, school districts and public schools pursuant to paragraph  
31 (a) of subsection 1 of NRS 385.359.

32 (b) For the purposes set forth in NRS 385.389, recommend to  
33 the Department of Education programs of remedial study for each  
34 subject tested on the examinations administered pursuant to NRS  
35 ~~389.015~~ **389.550 or 389.805**. In recommending these programs of  
36 remedial study, the Committee shall consider programs of remedial  
37 study that have proven to be successful in improving the academic  
38 achievement of pupils.

39 (c) Recommend to the Department of Education providers of  
40 supplemental educational services for inclusion on the list of  
41 approved providers prepared by the Department pursuant to NRS  
42 385.384. In recommending providers, the Committee shall consider  
43 providers with a demonstrated record of effectiveness in improving  
44 the academic achievement of pupils.



1 (d) For the purposes set forth in NRS 385.3785, recommend to  
2 the Commission on Educational Excellence created by NRS  
3 385.3784 programs, practices and strategies that have proven  
4 effective in improving the academic achievement and proficiency of  
5 pupils.

6 **Sec. 42.2.** NRS 432B.595 is hereby amended to read as  
7 follows:

8 432B.595 1. If the court retains jurisdiction over a child  
9 pursuant to NRS 432B.594, the agency which provides child welfare  
10 services shall develop a written plan to assist the child in  
11 transitioning to independent living. Such a plan must include,  
12 without limitation, the following goals:

13 (a) That the child save enough money to pay for his or her  
14 monthly expenses for at least 3 months;

15 (b) If the child has not graduated from high school or obtained a  
16 general equivalency diploma ~~H~~ *or an equivalent document*, that the  
17 child remain enrolled in high school or a program to obtain a  
18 general equivalency diploma *or an equivalent document* until  
19 graduation or completion of the program;

20 (c) If the child has graduated from high school or obtained a  
21 general equivalency diploma ~~H~~ *or an equivalent document*, that the  
22 child:

23 (1) Enroll in a program of postsecondary or vocational  
24 education;

25 (2) Enroll or participate in a program or activity designed to  
26 promote or remove obstacles to employment; or

27 (3) Obtain or actively seek employment which is at least 80  
28 hours per month;

29 (d) That the child secure housing;

30 (e) That the child have adequate income to meet his or her  
31 monthly expenses;

32 (f) That the child identify an adult who will be available to  
33 provide support to the child;

34 (g) If applicable, that the child have established appropriate  
35 supportive services to address any mental health or developmental  
36 needs of the child; and

37 (h) If a child is not capable of achieving one or more of the  
38 goals set forth in paragraphs (a) to (g), inclusive, that the child have  
39 goals which are appropriate for the child based upon the needs of  
40 the child.

41 2. During the period in which the court retains jurisdiction over  
42 the child, the agency which provides child welfare services shall:

43 (a) Monitor the plan developed pursuant to subsection 1 and  
44 adjust the plan as necessary;





1 (b) Contact the child by telephone at least once each month and  
2 in person at least quarterly;

3 (c) Ensure that the child meets with a person who will provide  
4 guidance to the child and make the child aware of the services  
5 which will be available to the child; and

6 (d) Conduct a meeting with the child at least 30 days, but not  
7 more than 45 days, before the jurisdiction of the court is terminated  
8 to determine whether the child requires any additional guidance.

9 **Sec. 42.4.** NRS 630.277 is hereby amended to read as follows:  
10 630.277 1. Every person who wishes to practice respiratory  
11 care in this State must:

12 (a) Have ~~††~~ :

13 (1) *A* high school diploma ; or

14 (2) *A* general equivalency diploma ~~††~~ *or an equivalent*  
15 *document;*

16 (b) Complete an educational program for respiratory care which  
17 has been approved by the Commission on Accreditation of Allied  
18 Health Education Programs or its successor organization or the  
19 Committee on Accreditation for Respiratory Care or its successor  
20 organization;

21 (c) Pass the examination as an entry-level or advanced  
22 practitioner of respiratory care administered by the National Board  
23 for Respiratory Care or its successor organization;

24 (d) Be certified by the National Board for Respiratory Care or  
25 its successor organization; and

26 (e) Be licensed to practice respiratory care by the Board and  
27 have paid the required fee for licensure.

28 2. Except as otherwise provided in subsection 3, a person shall  
29 not:

30 (a) Practice respiratory care; or

31 (b) Hold himself or herself out as qualified to practice  
32 respiratory care,

33 ~~↪~~ in this State without complying with the provisions of  
34 subsection 1.

35 3. Any person who has completed the educational requirements  
36 set forth in paragraphs (a) and (b) of subsection 1 may practice  
37 respiratory care pursuant to a program of practical training as an  
38 intern in respiratory care for not more than 12 months after  
39 completing those educational requirements.

40 **Sec. 42.5.** NRS 641C.420 is hereby amended to read as  
41 follows:

42 641C.420 1. The Board shall issue a certificate as an alcohol  
43 and drug abuse counselor intern to a person who:

44 (a) Is not less than 21 years of age;



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1 (b) Is a citizen of the United States or is lawfully entitled to  
2 remain and work in the United States;

3 (c) Has ~~††~~:

4 (1) A high school diploma ; or ~~††~~

5 (2) A general equivalency diploma ~~††~~ *or an equivalent*  
6 *document;*

7 (d) Pays the fees required pursuant to NRS 641C.470;

8 (e) Submits proof to the Board that the person:

9 (1) Is enrolled in a program from which he or she will  
10 receive an associate's degree, bachelor's degree, master's degree or  
11 doctoral degree in a field of social science approved by the Board;  
12 or

13 (2) Has received an associate's degree, bachelor's degree,  
14 master's degree or doctoral degree in a field of social science  
15 approved by the Board; and

16 (f) Submits all information required to complete an application  
17 for a certificate.

18 2. A certificate as an alcohol and drug abuse counselor intern is  
19 valid for 1 year and may be renewed. The Board may waive any  
20 requirement for the renewal of a certificate upon good cause shown  
21 by the holder of the certificate.

22 3. A certified alcohol and drug abuse counselor intern may,  
23 under the supervision of a licensed alcohol and drug abuse  
24 counselor or licensed clinical alcohol and drug abuse counselor:

25 (a) Engage in the practice of counseling alcohol and drug  
26 abusers; and

27 (b) Diagnose or classify a person as an alcoholic or drug abuser.

28 **Sec. 42.6.** NRS 652.127 is hereby amended to read as follows:

29 652.127 To qualify for certification as an assistant in a medical  
30 laboratory, a person must be a high school graduate or have a  
31 general equivalency diploma *or an equivalent document* and:

32 1. Must complete at least 6 months of training approved by the  
33 Board and demonstrate an ability to perform laboratory procedures  
34 in the medical laboratory where he or she receives the training; or

35 2. Must:

36 (a) Complete a course of instruction that qualifies him or her to  
37 take an examination for certification in phlebotomy that is  
38 administered by:

39 (1) The American Medical Technologists;

40 (2) The American Society of Clinical Pathologists; or

41 (3) The National Certification Agency; and

42 (b) Pass an examination specified in paragraph (a).



1       **Sec. 42.7.** NRS 697.173 is hereby amended to read as follows:  
2       697.173 1. Except as otherwise provided in subsection 2, a  
3 person is entitled to receive, renew or hold a license as a bail  
4 enforcement agent if the person:

5       (a) Is a natural person not less than 21 years of age.  
6       (b) Is a citizen of the United States or is lawfully entitled to  
7 remain and work in the United States.

8       (c) Has ~~fat~~ :  
9       (1) A high school diploma ~~for a~~ ;  
10       (2) A general equivalency diploma *or an equivalent*  
11 *document*; or ~~has an~~

12       (3) *An* equivalent education as determined by the  
13 Commissioner.

14       (d) Has complied with the requirements of subsection 4 of  
15 NRS 697.180.

16       (e) Has submitted to the Commissioner the results of an  
17 examination conducted by a psychiatrist or psychologist licensed to  
18 practice in this state which indicate that the person does not suffer  
19 from a psychological condition that would adversely affect the  
20 ability of the person to carry out his or her duties as a bail  
21 enforcement agent.

22       (f) Has passed any written examination required by this chapter.

23       (g) Submits to the Commissioner the results of a test to detect  
24 the presence of a controlled substance in the system of the person  
25 that was administered no earlier than 30 days before the date of the  
26 application for the license which do not indicate the presence of any  
27 controlled substance for which the person does not possess a current  
28 and lawful prescription issued in the name of the person.

29       (h) Successfully completes the training required by  
30 NRS 697.177.

31       2. A person is not entitled to receive, renew or hold a license of  
32 a bail enforcement agent if the person:

33       (a) Has been convicted of a felony in this state or of any offense  
34 committed in another state which would be a felony if committed in  
35 this state; or

36       (b) Has been convicted of an offense involving moral turpitude  
37 or the unlawful use, sale or possession of a controlled substance.

38       **Sec. 43.** NRS 389.015, 389.016, 389.017, 389.0175 and  
39 389.045 are hereby repealed.

40       **Sec. 43.5.** 1. There is hereby appropriated from the State  
41 General Fund to the Department of Education the sum of  
42 \$1,500,000 for the costs associated with implementing the end-of-  
43 course examinations required by NRS 389.805, as amended by  
44 section 33 of this act.



1 2. Any remaining balance of the appropriation made by  
2 subsection 1 must not be committed for expenditure after June 30,  
3 2015, by the entity to which the appropriation is made or any entity  
4 to which money from the appropriation is granted or otherwise  
5 transferred in any manner, and any portion of the appropriated  
6 money remaining must not be spent for any purpose after  
7 September 18, 2015, by either the entity to which the money was  
8 appropriated or the entity to which the money was subsequently  
9 granted or transferred, and must be reverted to the State General  
10 Fund on or before September 18, 2015.

11 **Sec. 44.** 1. The Legislature hereby recognizes that to receive  
12 federal money under the Elementary and Secondary Education Act  
13 of 1965, 20 U.S.C. §§ 6301 et seq., pupils enrolled in public high  
14 schools in this State must be administered an assessment at least one  
15 time while in high school based upon the State's academic and  
16 content standards. To continue to receive federal money under the  
17 Act, the State Board of Education may, for the purposes set forth in  
18 subsection 2, continue to provide for the administration of the high  
19 school proficiency examination.

20 2. On or before August 1, 2013, the State Board of Education  
21 shall:

22 (a) Prescribe the requirements, in addition to any requirements  
23 prescribed by statute, that a pupil enrolled in grade 12 in the 2013-  
24 2014 school year, the 2014-2015 school year or the 2015-2016  
25 school year must satisfy to receive a standard high school diploma,  
26 which may include, without limitation, passage of the high school  
27 proficiency examination pursuant to section 44.3 of this act;

28 (b) Provide timely notice to the board of trustees of each school  
29 district and the governing body of each charter high school of the  
30 requirements prescribed pursuant to paragraph (a); and

31 (c) Post notice of the requirements on the Internet website  
32 maintained by the Department of Education.

33 3. On or before September 1, 2013, the board of trustees of  
34 each school district and the governing body of each charter school  
35 shall:

36 (a) Provide timely notice to each pupil and the parent or legal  
37 guardian of each pupil enrolled in grade 10, 11 or 12 in the 2013-  
38 2014 school year of the requirements the pupil must satisfy to  
39 receive a standard high school diploma.

40 (b) Post notice of the requirements on the Internet website  
41 maintained by the board of trustees or the governing body of the  
42 charter school, as applicable.

43 4. If a pupil to whom the provisions of this section apply is  
44 retained in grade 10, 11 or 12, the requirements for receipt of a  
45 standard high school diploma prescribed by the State Board of



1 Education pursuant to subsection 2 continue to apply to that pupil  
2 until he or she exits high school.

3 **Sec. 44.3.** If the State Board of Education prescribes passage  
4 of the high school proficiency examination pursuant to paragraph (a)  
5 of subsection 2 of section 44 of this act as a requirement that a pupil  
6 must satisfy to receive a standard high school diploma:

7 1. The board of trustees of each school district shall administer  
8 the high school proficiency examination to pupils who have not  
9 passed the examination and are required to pass the examination to  
10 receive a standard high school diploma. The governing body of a  
11 charter school that enrolls pupils at the high school grade levels  
12 shall administer the same examination to pupils who have not  
13 passed the examination and are required to pass the examination to  
14 receive a standard high school diploma. The high school proficiency  
15 examination administered by the board of trustees and governing  
16 body must determine the achievement and proficiency of those  
17 pupils in:

- 18 (a) Reading;
- 19 (b) Mathematics;
- 20 (c) Science; and
- 21 (d) Writing.

22 2. The high school proficiency examination required by  
23 subsection 1 must be:

24 (a) Administered in each school district and each charter school  
25 that enrolls pupils at the high school grade levels who have not  
26 passed the high school proficiency examination and are required to  
27 pass the examination to receive a standard high school diploma at  
28 the same time, as prescribed by the State Board, and in accordance  
29 with uniform procedures adopted by the State Board. The  
30 Department of Education shall monitor the compliance of school  
31 districts and individual schools with the uniform procedures.

32 (b) Administered in accordance with the plan adopted pursuant  
33 to NRS 389.616 by the Department and the plan adopted pursuant to  
34 NRS 389.620 by the board of trustees of the school district in which  
35 the high school proficiency examination is administered. The  
36 Department shall monitor the compliance of school districts and  
37 individual schools with:

- 38 (1) The plan adopted by the Department; and
- 39 (2) The plan adopted by the board of trustees of the  
40 applicable school district, to the extent that the plan adopted by the  
41 board of trustees of the school district is consistent with the plan  
42 adopted by the Department.

43 (c) Scored by a single private entity that has contracted with the  
44 State Board to score the examinations. The private entity that scores  
45 the high school proficiency examination shall report the results of



1 the examinations in the form and by the date required by the  
2 Department.

3 3. Not more than 14 working days after the results of the  
4 examinations are reported to the Department of Education by a  
5 private entity that scored the examinations, the Superintendent of  
6 Public Instruction shall certify that the results of the examinations  
7 have been transmitted to each school district and each applicable  
8 charter school. Not more than 10 working days after a school district  
9 receives the results of the examinations, the superintendent of  
10 schools of each school district shall certify that the results of the  
11 examinations have been transmitted to each school within the school  
12 district at which the high school proficiency examination was  
13 administered pursuant to this section. Except as otherwise provided  
14 in this subsection, not more than 15 working days after each such  
15 school receives the results of the examinations, the principal of each  
16 such school and the governing body of each such charter school  
17 shall certify that the results for each pupil that took the examination  
18 have been provided to the parent or legal guardian of the pupil:

19 (a) During a conference between the teacher of the pupil or the  
20 administrator of the school and the parent or legal guardian of the  
21 pupil; or

22 (b) By mailing the results of the high school proficiency  
23 examination to the last known address of the parent or legal  
24 guardian of the pupil.

25 ↪ If a pupil fails the high school proficiency examination, the  
26 school shall notify the pupil and the parents or legal guardian of the  
27 pupil of each subject area that the pupil failed as soon as practicable  
28 but not later than 15 working days after the school receives the  
29 results of the examination.

30 4. A pupil who transfers during grade 12 to a school in this  
31 State from a school outside of this State because of the military  
32 transfer of the parent or legal guardian of the pupil may receive a  
33 waiver from the requirements of subsection 4 if, in accordance with  
34 the provisions of NRS 392C.010, the school district in which the  
35 pupil is enrolled:

36 (a) Accepts the results of the exit or end-of-course examinations  
37 required for graduation in the local education agency in which the  
38 pupil was previously enrolled;

39 (b) Accepts the results of a national norm-referenced  
40 achievement examination taken by the pupil; or

41 (c) Establishes an alternative test for the pupil which  
42 demonstrates proficiency in the subject areas tested on the high  
43 school proficiency examination, and the pupil successfully passes  
44 that test.



1 5. For the purposes of this section, the State Board shall  
2 prescribe the high school proficiency examination, which must  
3 include the subjects of reading, mathematics and science and, except  
4 for the writing portion, must be developed, printed and scored by a  
5 nationally recognized testing company in accordance with the  
6 process established by the testing company. The State Board, in  
7 consultation with the Council to Establish Academic Standards for  
8 Public Schools created by NRS 389.510, shall prescribe the writing  
9 portion of the high school proficiency examination. The questions  
10 contained in the high school proficiency examination and the  
11 approved answers used for grading them are confidential, and  
12 disclosure is unlawful except:

13 (a) To the extent necessary for administering and evaluating the  
14 high school proficiency examination.

15 (b) That a disclosure may be made to a:

16 (1) State officer who is a member of the Executive or  
17 Legislative Branch of State Government, to the extent that it is  
18 necessary for the performance of his or her duties;

19 (2) Superintendent of schools of a school district, to the  
20 extent that it is necessary for the performance of his or her duties;

21 (3) Director of curriculum of a school district, to the extent  
22 that it is necessary for the performance of his or her duties; and

23 (4) Director of testing of a school district, to the extent that it  
24 is necessary for the performance of his or her duties.

25 (c) That specific questions and answers may be disclosed if the  
26 Superintendent of Public Instruction determines that the content of  
27 the questions and answers is not being used in a current examination  
28 and making the content available to the public poses no threat to the  
29 security of the current examination process.

30 (d) As required pursuant to NRS 239.0115.

31 6. The administrative regulations adopted by the State Board of  
32 Education for purposes of carrying out NRS 389.015 as of June 30,  
33 2013, continue in effect if the high school proficiency examination  
34 is administered pursuant to this section.

35 **Sec. 44.7.** If the State Board of Education prescribes passage  
36 of the high school proficiency examination pursuant to paragraph (a)  
37 of subsection 2 of section 44 of this act as a requirement that a pupil  
38 must satisfy to receive a standard high school diploma:

39 1. The results of the high school proficiency examination  
40 administered pursuant to section 44.3 of this act must be reported  
41 for the applicable school year for each school, including, without  
42 limitation, each charter school that enrolls pupils at the high school  
43 grade levels who have not passed the high school proficiency  
44 examination and are required to pass the examination to receive a



1 standard high school diploma, each school district and this State, as  
2 follows:

3 (a) The average score, as defined by the Department, of such  
4 pupils who took the high school proficiency examination under  
5 regular testing conditions; and

6 (b) The average score, as defined by the Department of  
7 Education, of such pupils who took the high school proficiency  
8 examination with modifications or accommodations, if such  
9 reporting does not violate the confidentiality of the test scores of any  
10 individual pupil.

11 2. The superintendent of schools of each school district and the  
12 governing body of each charter school that enrolls pupils at the high  
13 school grade levels who have not passed the high school proficiency  
14 examination and are required to pass the examination to receive a  
15 standard high school diploma, through the sponsor of the charter  
16 school, shall certify that the number of pupils who have not passed  
17 the high school proficiency examination and are required to pass the  
18 examination to receive a standard high school diploma and who  
19 took the high school proficiency examination in the applicable  
20 school year is equal to the number of such pupils in each school in  
21 the school district or in the charter school who are required to take  
22 the high school proficiency examination in that school year.

23 3. In addition to the information required by subsection 2, the  
24 Superintendent of Public Instruction shall, for each applicable  
25 school year:

26 (a) Report the number of pupils who have not passed the high  
27 school proficiency examination and are required to pass the  
28 examination to receive a standard high school diploma and who  
29 were absent from school on the day that the high school proficiency  
30 examination was administered; and

31 (b) Reconcile the number of pupils who have not passed the  
32 high school proficiency examination and are required to pass  
33 the examination to receive a standard high school diploma with the  
34 number of such pupils who were absent from school on the day that  
35 the examination was administered.

36 **Sec. 45.** 1. This section and sections 43.5 to 44.7, inclusive,  
37 of this act become effective upon passage and approval.

38 2. Sections 1 to 43, inclusive, of this act become effective on  
39 July 1, 2013.





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LEADLINES OF REPEALED SECTIONS

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**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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\* A B 2 8 8 R 3 \*





