
ASSEMBLY BILL NO. 459—COMMITTEE ON EDUCATION

MARCH 25, 2019

Referred to Committee on Education

SUMMARY—Expands certain reporting requirements relating to the performance and achievement of pupils. (BDR 34-795)

FISCAL NOTE: Effect on Local Government: No.
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 Department of Education to establish a mechanism to search certain types of data; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Education to establish and maintain an
2 automated system of accountability information. Existing law also requires the
3 Department to establish a mechanism by which persons or entities may access
4 certain information contained within the automated system. (NRS 385A.800) This
5 bill requires the Department to establish a mechanism by which a person or entity
6 may search such information using one or more categories. This bill also
7 establishes the categories by which the data must be able to be searched.

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

1 **Section 1.** NRS 385A.800 is hereby amended to read as
2 follows:

3 385A.800 1. The Department shall establish and maintain an
4 automated system of accountability information for Nevada. The
5 system must:

6 (a) Have the capacity to provide and report information,
7 including, without limitation, the results of the achievement of
8 pupils:



1 (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and
2 the regulations adopted pursuant thereto, and NRS 385A.070 and
3 385A.400; and

4 (2) In a separate reporting for each group of pupils identified
5 in the statewide system of accountability for public schools;

6 (b) Include a system of unique identification for each pupil:

7 (1) To ensure that individual pupils may be tracked over time
8 throughout this State;

9 (2) That, to the extent practicable, may be used for purposes
10 of identifying a pupil for both the public schools and the Nevada
11 System of Higher Education, if that pupil enrolls in the System after
12 graduation from high school; and

13 (3) Which must, to the extent money is available for this
14 purpose, include, without limitation, a unique identifier for each
15 pupil whose parent or guardian is a member of the Armed Forces of
16 the United States, a reserve component thereof or the National
17 Guard in a manner that will allow for the disaggregation of each
18 category;

19 (c) Have the capacity to provide longitudinal comparisons of the
20 academic achievement, rate of attendance and rate of graduation of
21 pupils over time throughout this State;

22 (d) Have the capacity to perform a variety of longitudinal
23 analyses of the results of individual pupils on assessments,
24 including, without limitation, the results of pupils by classroom and
25 by school;

26 (e) Have the capacity to identify which teachers are assigned to
27 individual pupils;

28 (f) Have the capacity to provide other information concerning
29 schools and school districts that is not linked to individual pupils,
30 including, without limitation, the ratings of schools and, if available,
31 school districts pursuant to the statewide system of accountability
32 for public schools and an identification of which schools, if any, are
33 persistently dangerous;

34 (g) Have the capacity to access financial accountability
35 information for each public school, including, without limitation,
36 each charter school, for each school district and for this State as a
37 whole; and

38 (h) Be designed to improve the ability of the Department, the
39 sponsors of charter schools, the school districts and the public
40 schools in this State, including, without limitation, charter schools,
41 to account for the pupils who are enrolled in the public schools,
42 including, without limitation, charter schools.

43 ➤ The information maintained pursuant to paragraphs (c), (d) and
44 (e) must be used for the purpose of improving the achievement of
45 pupils and improving classroom instruction.



1 2. The Department shall establish, to the extent authorized by
2 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
3 1232g, and any regulations adopted pursuant thereto, a mechanism
4 by which persons or entities, including, without limitation, state
5 officers who are members of the Executive or Legislative Branch,
6 administrators of public schools and school districts, teachers and
7 other educational personnel, and parents and guardians, will have
8 different types of access to the accountability information contained
9 within the automated system to the extent that such information is
10 necessary for the performance of a duty or to the extent that such
11 information may be made available to the general public without
12 posing a threat to the confidentiality of an individual pupil.

13 3. *The Department shall establish a mechanism to allow*
14 *information made available to persons or entities pursuant to*
15 *subsection 2 to be searched regarding a combination of one or*
16 *more groups of pupils in each of the following categories:*

- 17 (a) *The average daily attendance;*
- 18 (b) *The rate of chronic absenteeism;*
- 19 (c) *For secondary schools, the average class size;*
- 20 (d) *For elementary schools, the pupil-teacher ratio;*
- 21 (e) *For kindergarten and grades 1 to 8, inclusive, the retention*
22 *rate by grades;*
- 23 (f) *For grades 9 to 12, inclusive, the credit deficiency;*
- 24 (g) *Transiency; and*
- 25 (h) *Remedial data.*

26 4. *The groups of pupils whose information must be*
27 *searchable pursuant to subsection 3, individually or in*
28 *combination, must include, without limitation, groups on the basis*
29 *of:*

- 30 (a) *Gender;*
- 31 (b) *Race or ethnicity;*
- 32 (c) *Whether a pupil has an individualized education program;*
- 33 (d) *Whether a pupil has an individualized education program*
34 *that contains modifications or accommodations for testing*
35 *pursuant to NRS 390.820;*
- 36 (e) *Whether a pupil is identified as an English learner;*
- 37 (f) *Whether a pupil is eligible for free or reduced-price lunch*
38 *pursuant to 42 U.S.C. §§ 1751 et seq.; and*
- 39 (g) *Whether a pupil is a migratory child, as defined in 20*
40 *U.S.C. § 6399.*

41 5. On or before December 31 of each year, the Department
42 shall share with the Interagency Council on Veterans Affairs
43 aggregate data collected pursuant to subsection 1 concerning each
44 pupil whose parent or guardian is a member of the Armed Forces of



1 the United States, a reserve component thereof or the National
2 Guard.

3 ~~[4.]~~ 6. The Department may, to the extent authorized by the
4 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
5 1232g, and any regulations adopted pursuant thereto, enter into an
6 agreement with the Nevada System of Higher Education to provide
7 access to data contained within the automated system for research
8 purposes.

