
ASSEMBLY BILL NO. 460—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON EDUCATION)

MARCH 25, 2013

Referred to Committee on Education

SUMMARY—Revises provisions governing the statewide system of accountability for public schools. (BDR 34-195)

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 obtain the approval necessary from the United States Department of Education to ensure that the statewide system of accountability for public schools complies with all requirements necessary to receive federal funding under the Elementary and Secondary Education Act of 1965; prescribing certain requirements for a uniform statewide system of accountability for public schools; repealing provisions relating to adequate yearly progress and the designation of public schools and school districts based upon an annual determination of whether the public schools and school districts have made adequate yearly progress; repealing provisions governing the consequences and sanctions for public schools and school districts designated as needing improvement; repealing provisions governing the creation and duties of school support teams for certain public schools designated as needing improvement; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 The No Child Left Behind Act of 2001 requires each state to have a single,
- 2 statewide system of accountability applicable to all pupils, challenging academic
- 3 content standards and periodic examinations on those challenging academic



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4 standards. (20 U.S.C. §§ 6301 et seq.) The Act was a significant reauthorization of
5 the Elementary and Secondary Education Act of 1965. Certain provisions of the
6 Act apply only to those public schools and school districts receiving federal money
7 pursuant to the provisions of the Act, also known as “Title I schools” and “Title I
8 school districts.” (NRS 385.3467, 385.34675) The intended goal of the No Child
9 Left Behind Act was to hold the states, local school districts and public schools
10 accountable for improving the academic achievement of all pupils and to identify
11 and turn around low performing schools. The Act’s mechanism for determining the
12 status of schools and school districts is based primarily upon an annual
13 determination of whether the school or school district has made adequate yearly
14 progress.

15 The Congress of the United States has not acted to make significant revisions to
16 the No Child Left Behind Act and, in 2011, the United States Department of
17 Education made it possible for states to apply to the Department for flexibility from
18 some of the provisions of the Act. In August 2012, the Nevada Department of
19 Education received approval from the United States Department of Education to
20 implement an accountability system for public schools that allows for a waiver
21 from some of the specific provisions of the No Child Left Behind Act. The
22 approval requires the Nevada Department of Education to track the performance of
23 pupils and public schools, including measuring, reporting on and supporting the
24 achievement of pupils. Since the approval of the waiver, the Nevada Department of
25 Education has developed the Nevada School Performance Framework for the
26 statewide system of accountability for public schools.

27 **Section 1** of this bill requires the Department of Education to obtain the
28 approval necessary to ensure that the statewide system of accountability for public
29 schools complies with all requirements for the receipt of federal money under the
30 Elementary and Secondary Education Act. **Section 1** also establishes certain
31 requirements for the statewide system of accountability for public schools which
32 applies to all public schools, regardless of Title I status, and which must: (1)
33 include a method to rate each public school based upon performance; (2) include a
34 method to implement consequences, rewards and supports for public schools based
35 upon the ratings; and (3) establish annual measurable objectives and performance
36 targets for public schools.

37 Under existing law, the statewide system of accountability for public schools
38 conforms with the No Child Left Behind Act and makes many of the provisions of
39 that Act applicable to both Title I and non-Title I schools. (NRS 385.3455-385.391)
40 Under Nevada’s accountability system, public schools and school districts are
41 designated as demonstrating: (1) exemplary achievement; (2) high achievement; (3)
42 adequate achievement; or (4) need for improvement. (NRS 385.3611) These
43 designations are based primarily upon an annual determination of whether each
44 public school and school district has made adequate yearly progress. (NRS
45 385.361, 385.3613, 385.3762) **Section 32** of this bill repeals these provisions
46 requiring the designations of public schools and school districts based upon
47 adequate yearly progress.

48 Under existing law, if a Title I school receives a designation as demonstrating
49 need for improvement, the Title I school is subject to certain consequences,
50 depending upon the number of consecutive years the Title I school receives the
51 designation, including providing school choice, providing supplemental educational
52 services, implementing certain corrective actions and implementing a plan for
53 restructuring the school. (NRS 385.3661, 385.372, 385.3743, 385.3746, 385.37607,
54 385.3761) If a non-Title I school receives a designation as demonstrating need for
55 improvement, depending upon the number of consecutive years the school receives
56 the designation, the non-Title I school is subject to some of the consequences that
57 apply to Title I schools. (NRS 385.3693, 385.3721, 385.3755, 385.3745, 385.376,
58 385.37603, 385.37605) In a similar manner, there are prescribed consequences for



59 school districts that are designated as demonstrating need for improvement. (NRS
60 385.3772, 385.3773) **Section 32** repeals these provisions relating to the
61 consequences for public schools and school districts based upon the annual
62 designations.

63 Under existing law, the State Board of Education is required to prescribe by
64 regulation differentiated corrective actions, consequences and sanctions for public
65 schools designated as needing improvement for 4 consecutive years or more,
66 including, without limitation, the establishment of a support team for the school.
67 (NRS 385.3611, 385.36125-385.36129) **Section 32** repeals the provisions relating
68 to the creation and duties of school support teams.

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

1 **Section 1.** Chapter 385 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Department shall make every effort to obtain the*
4 *approval necessary from the United States Department of*
5 *Education to ensure that the statewide system of accountability for*
6 *public schools complies with all requirements for the receipt of*
7 *federal money under the Elementary and Secondary Education*
8 *Act of 1965, 20 U.S.C. §§ 6301 et seq., as amended.*

9 *2. The statewide system of accountability applies to all public*
10 *schools, regardless of Title I status, and must:*

11 *(a) Include a method to, on an annual basis, rate each public*
12 *school based upon the performance of the school and based upon*
13 *whether each public school meets the annual measurable*
14 *objectives and performance targets established pursuant to the*
15 *statewide system of accountability;*

16 *(b) Include a method to implement consequences, rewards and*
17 *supports for public schools based upon the ratings; and*

18 *(c) Establish annual measurable objectives and performance*
19 *targets for public schools and performance targets for specific*
20 *groups of pupils, including, without limitation, pupils who are*
21 *economically disadvantaged, pupils from major racial and ethnic*
22 *groups, pupils with disabilities and pupils who are limited English*
23 *proficient. The annual measurable objectives and performance*
24 *targets must:*

25 *(1) Be based primarily upon the measurement of the*
26 *progress and proficiency of pupils on the examinations*
27 *administered pursuant to NRS 389.550 or the high school*
28 *proficiency examination, as applicable; and*

29 *(2) For high schools, include the rate of graduation and the*
30 *rate of attendance.*

31 *3. The statewide system of accountability for public schools*
32 *may include a method to:*



1 (a) *On an annual basis, rate school districts based upon the*
2 *performance of the public schools within the school district and*
3 *whether those public schools meet the annual measurable*
4 *objectives and performance targets established pursuant to the*
5 *statewide system of accountability; and*

6 (b) *Implement consequences, rewards and supports for school*
7 *districts based upon the ratings.*

8 **Sec. 2.** NRS 385.3455 is hereby amended to read as follows:

9 385.3455 As used in NRS 385.3455 to ~~385.391,~~ **385.3891**,
10 inclusive, *and section 1 of this act*, unless the context otherwise
11 requires, the words and terms defined in NRS 385.346 to
12 385.34675, inclusive, have the meanings ascribed to them in those
13 sections.

14 **Sec. 3.** NRS 385.3468 is hereby amended to read as follows:

15 385.3468 The provisions of NRS 385.3455 to ~~385.391,~~
16 **385.3891**, inclusive, *and section 1 of this act* do not supersede,
17 negate or otherwise limit the effect or application of the provisions
18 of chapters 288 and 391 of NRS or the rights, remedies and
19 procedures afforded to employees of a school district under the
20 terms of collective bargaining agreements, memoranda of
21 understanding or other such agreements between employees and
22 their employers.

23 **Sec. 4.** NRS 385.3469 is hereby amended to read as follows:

24 385.3469 1. The State Board shall prepare an annual report
25 of accountability that includes, without limitation:

26 (a) Information on the achievement of all pupils based upon the
27 results of the examinations administered pursuant to NRS 389.015
28 and 389.550, reported for each school district, including, without
29 limitation, each charter school in the district, and for this State as a
30 whole.

31 (b) Except as otherwise provided in subsection 2, pupil
32 achievement, reported separately by gender and reported separately
33 for the ~~following~~ groups of pupils ~~†~~:

34 ~~— (1) Pupils who are economically disadvantaged, as defined~~
35 ~~by the State Board;~~

36 ~~— (2) Pupils from major racial and ethnic groups, as defined by~~
37 ~~the State Board;~~

38 ~~— (3) Pupils with disabilities;~~

39 ~~— (4) Pupils who are limited English proficient; and~~

40 ~~— (5) Pupils who are migratory children, as defined by the State~~
41 ~~Board.~~ **identified in the statewide system of accountability for**
42 **public schools.**

43 (c) A comparison of the achievement of pupils in each group
44 identified in ~~paragraph (b) of subsection 1 of NRS 385.361 with the~~
45 ~~annual measurable objectives of the State Board.~~ **the statewide**



1 *system of accountability for public schools with the performance*
2 *targets established for that group.*

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

6 (e) Except as otherwise provided in subsection 2, the percentage
7 of pupils who were not tested, reported separately by gender and
8 reported separately for the groups identified in ~~paragraph (b)~~ *the*
9 *statewide system of accountability for public schools.*

10 (f) The most recent 3-year trend in the achievement of pupils in
11 each subject area tested and each grade level tested pursuant to NRS
12 389.015 and 389.550, reported for each school district, including,
13 without limitation, each charter school in the district, and for this
14 State as a whole, which may include information regarding the trend
15 in the achievement of pupils for more than 3 years, if such
16 information is available.

17 ~~(g) Information on whether each school district has made~~
18 ~~adequate yearly progress, including, without limitation, the name of~~
19 ~~each school district, if any, designated as demonstrating need for~~
20 ~~improvement pursuant to NRS 385.377 and the number of~~
21 ~~consecutive years that the school district has carried that~~
22 ~~designation.~~ *The rating of each public school, including, without*
23 *limitation, each charter school, pursuant to the statewide system of*
24 *accountability for public schools.*

25 (h) Information on whether each public school, including,
26 without limitation, each charter school, has made ~~f~~:

27 ~~— (1) Adequate yearly progress, including, without limitation,~~
28 ~~the name of each public school, if any, designated as demonstrating~~
29 ~~need for improvement pursuant to NRS 385.3623 and the number of~~
30 ~~consecutive years that the school has carried that designation.~~

31 ~~— (2) Progress~~ *progress* based upon the model adopted by the
32 Department pursuant to NRS 385.3595, if applicable for the grade
33 level of pupils enrolled at the school.

34 (i) Information on the results of pupils who participated in the
35 examinations of the National Assessment of Educational Progress
36 required pursuant to NRS 389.012.

37 (j) The ratio of pupils to teachers in kindergarten and at each
38 grade level for all elementary schools, reported for each school
39 district, including, without limitation, each charter school in the
40 district, and for this State as a whole, and the average class size for
41 each core academic subject, as set forth in NRS 389.018, for each
42 secondary school, reported for each school district and for this State
43 as a whole.

44 (k) The total number of persons employed by each school
45 district in this State, including without limitation, each charter



1 school in the district. Each such person must be reported as either an
2 administrator, a teacher or other staff and must not be reported in
3 more than one category. In addition to the total number of persons
4 employed by each school district in each category, the report must
5 include the number of employees in each of the three categories
6 expressed as a percentage of the total number of persons employed
7 by the school district. As used in this paragraph:

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

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

14 (I) School counselors, school nurses and other employees
15 who spend at least 50 percent of their work year providing
16 emotional support, noninstructional guidance or medical support to
17 pupils;

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

20 (III) Persons classified by the board of trustees of a school
21 district as professional-technical employees, including, without
22 limitation, technical employees and employees on the professional-
23 technical pay scale.

24 (3) "Teacher" means a person licensed pursuant to chapter
25 391 of NRS who is classified by the board of trustees of a school
26 district:

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

29 (II) As instructional support staff, who does not hold a
30 supervisory position and who spends not more than 50 percent of
31 his or her work year providing instruction to pupils. Such
32 instructional support staff includes, without limitation, librarians
33 and persons who provide instructional support.

34 (I) For each school district, including, without limitation, each
35 charter school in the district, and for this State as a whole,
36 information on the professional qualifications of teachers employed
37 by the school districts and charter schools, including, without
38 limitation:

39 (1) The percentage of teachers who are:

40 (I) Providing instruction pursuant to NRS 391.125;

41 (II) Providing instruction pursuant to a waiver of the
42 requirements for licensure for the grade level or subject area in
43 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, in this State that are not taught by
6 highly qualified teachers;

7 (3) The percentage of classes in the core academic subjects,
8 as set forth in NRS 389.018, in this State that are not taught by
9 highly qualified teachers, in the aggregate and disaggregated by
10 high-poverty compared to low-poverty schools, which for the
11 purposes of this subparagraph means schools in the top quartile of
12 poverty and the 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 (m) The total expenditure per pupil for each school district in
38 this State, including, without limitation, each charter school in the
39 district. If this State has a financial analysis program that is designed
40 to track educational expenditures and revenues to individual
41 schools, the State Board shall use that statewide program in
42 complying with this paragraph. If a statewide program is not
43 available, the State Board shall use the Department's own financial
44 analysis program in complying with this paragraph.



1 (n) The total statewide expenditure per pupil. If this State has a
2 financial analysis program that is designed to track educational
3 expenditures and revenues to individual schools, the State Board
4 shall use that statewide program in complying with this paragraph.
5 If a statewide program is not available, the State Board shall use the
6 Department's own financial analysis program in complying with
7 this paragraph.

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

12 (p) The annual rate of pupils who drop out of school in grade 8
13 and a separate reporting of the annual rate of pupils who drop out of
14 school in grades 9 to 12, inclusive, reported for each school district,
15 including, without limitation, each charter school in the district, and
16 for this State as a whole. The reporting for pupils in grades 9 to 12,
17 inclusive, excludes pupils who:

18 (1) Provide proof to the school district of successful
19 completion of the examinations of general educational development.

20 (2) Are enrolled in courses that are approved by the
21 Department as meeting the requirements for an adult standard
22 diploma.

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

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

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

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

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

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

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



1 (w) The transiency rate of pupils, reported for each school
2 district, including, without limitation, each charter school in the
3 district, and for this State as a whole. For the purposes of this
4 paragraph, a pupil is not a transient if the pupil is transferred to a
5 different school within the school district as a result of a change in
6 the zone of attendance by the board of trustees of the school district
7 pursuant to NRS 388.040.

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

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

14 (1) The amount and sources of money received for programs
15 of remedial study.

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

18 (z) The percentage of pupils who graduated from a high school
19 or charter school in the immediately preceding year and enrolled in
20 remedial courses in reading, writing or mathematics at a university,
21 state college or community college within the Nevada System of
22 Higher Education, reported for each school district, including,
23 without limitation, each charter school in the district, and for this
24 State as a whole.

25 (aa) The technological facilities and equipment available for
26 educational purposes, reported for each school district, including,
27 without limitation, each charter school in the district, and for this
28 State as a whole.

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

32 (1) A standard high school diploma, reported separately for
33 pupils who received the diploma pursuant to:

34 (I) Paragraph (a) of subsection 1 of NRS 389.805; and

35 (II) Paragraph (b) of subsection 1 of NRS 389.805.

36 (2) An adult diploma.

37 (3) An adjusted diploma.

38 (4) A certificate of attendance.

39 (cc) For each school district, including, without limitation, each
40 charter school in the district, and for this State as a whole, the
41 number and percentage of pupils who failed to pass the high school
42 proficiency examination.

43 (dd) The number of habitual truants who are reported to a school
44 police officer or local law enforcement agency pursuant to
45 paragraph (a) of subsection 2 of NRS 392.144 and the number of



1 habitual truants who are referred to an advisory board to review
2 school attendance pursuant to paragraph (b) of subsection 2 of NRS
3 392.144, reported for each school district, including, without
4 limitation, each charter school in the district, and for this State as a
5 whole.

6 (ee) Information on the paraprofessionals employed at public
7 schools in this State, including, without limitation, the charter
8 schools in this State. The information must include:

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

12 (2) For each school district, including, without limitation,
13 each charter school in the district, and for this State as a whole, the
14 number and percentage of all paraprofessionals who do not satisfy
15 the qualifications set forth in 20 U.S.C. § 6319(c). The reporting
16 requirements of this subparagraph apply to paraprofessionals who
17 are employed in programs supported with Title I money and to
18 paraprofessionals who are not employed in programs supported with
19 Title I money.

20 (ff) An identification of appropriations made by the Legislature
21 to improve the academic achievement of pupils and programs
22 approved by the Legislature to improve the academic achievement
23 of pupils.

24 (gg) A compilation of the special programs available for pupils
25 at individual schools, listed by school and by school district,
26 including, without limitation, each charter school in the district.

27 (hh) For each school district, including, without limitation, each
28 charter school in the district and for this State as a whole,
29 information on pupils enrolled in career and technical education,
30 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, an adjusted diploma or a certificate of
43 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 (ii) The number of incidents resulting in suspension or expulsion
4 for bullying, cyber-bullying, harassment or intimidation, reported
5 for each school district, including, without limitation, each charter
6 school in the district, and for the State as a whole.

7 2. A separate reporting for a group of pupils must not be made
8 pursuant to this section if the number of pupils in that group is
9 insufficient to yield statistically reliable information or the results
10 would reveal personally identifiable information about an individual
11 pupil. The ~~{State Board}~~ *Department* shall ~~{prescribe a}~~ *use the*
12 *mechanism approved by the United States Department of*
13 *Education for the statewide system of accountability for public*
14 *schools* for determining the minimum number of pupils that must be
15 in a group for that group to yield statistically reliable information.

16 3. The annual report of accountability must:

17 (a) ~~{Comply with 20 U.S.C. § 6311(h)(1) and the regulations~~
18 ~~adopted pursuant thereto;~~

19 ~~{b}~~ Be prepared in a concise manner; and

20 ~~{e}~~ *(b)* Be presented in an understandable and uniform format
21 and, to the extent practicable, provided in a language that parents
22 can understand.

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

24 (a) Provide for public dissemination of the annual report of
25 accountability by posting a copy of the report on the Internet
26 website maintained by the Department; and

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

30 (1) Governor;

31 (2) Committee;

32 (3) Bureau;

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

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

35 (6) Governing body of each charter school.

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

40 6. As used in this section:

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

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

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



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

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

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

7 **Sec. 5.** NRS 385.34691 is hereby amended to read as follows:

8 385.34691 1. The State Board shall prepare a plan to improve
9 the achievement of pupils enrolled in the public schools in this
10 State. The plan:

11 (a) Must be prepared in consultation with:

12 (1) Employees of the Department;

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

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

19 (4) At least one representative of the Statewide Council for
20 the Coordination of the Regional Training Programs created by NRS
21 391.516, appointed by the Council; and

22 (b) May be prepared in consultation with:

23 (1) Representatives of institutions of higher education;

24 (2) Representatives of regional educational laboratories;

25 (3) Representatives of outside consultant groups;

26 (4) Representatives of the regional training programs for the
27 professional development of teachers and administrators created by
28 NRS 391.512;

29 (5) The Bureau; and

30 (6) Other persons who the State Board determines are
31 appropriate.

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

34 (a) A review and analysis of the data upon which the report
35 required pursuant to NRS 385.3469 is based and a review and
36 analysis of any data that is more recent than the data upon which the
37 report is based.

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

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



1 (d) Strategies to improve the academic achievement of pupils
2 enrolled in public schools in this State, including, without limitation,
3 strategies to:

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

6 (I) The curriculum appropriate to improve achievement;

7 (II) The manner by which the instruction will improve the
8 achievement and proficiency of pupils on the examinations
9 administered pursuant to NRS 389.015 and 389.550; and

10 (III) An identification of the instruction and curriculum
11 that is specifically designed to improve the achievement and
12 proficiency of pupils in each group identified in ~~paragraph (b) of~~
13 ~~subsection 1 of NRS 385.361;~~ *the statewide system of*
14 *accountability for public schools;*

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

17 (3) Integrate technology into the instructional and
18 administrative programs of the school districts;

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

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

25 (e) Strategies designed to provide to the pupils enrolled in
26 middle school, junior high school and high school, the teachers and
27 counselors who provide instruction to those pupils, and the parents
28 and guardians of those pupils information concerning:

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

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

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

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

39 (g) A timeline for carrying out the plan, including, without
40 limitation:

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



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

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

9 (i) Strategies to improve the allocation of resources from this
10 State, by program and by school district, in a manner that will
11 improve the academic achievement of pupils. If this State has a
12 financial analysis program that is designed to track educational
13 expenditures and revenues to individual schools, the State Board
14 shall use that statewide program in complying with this paragraph.
15 If a statewide program is not available, the State Board shall use the
16 Department's own financial analysis program in complying with
17 this paragraph.

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

22 (k) A summary of the effectiveness of appropriations made by
23 the Legislature to improve the academic achievement of pupils and
24 programs approved by the Legislature to improve the academic
25 achievement of pupils.

26 (l) A 5-year strategic plan which identifies the recurring issues
27 in improving the achievement and proficiency of pupils in this State
28 and which establishes strategic goals to address those issues. The
29 5-year strategic plan must be:

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

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

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

37 3. The State Board shall:

38 (a) In developing the plan to improve the achievement of pupils
39 enrolled in public schools, establish clearly defined goals and
40 benchmarks for improving the achievement of pupils, including,
41 without limitation, goals for:

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

43 (2) Increasing the number of pupils enrolled in public middle
44 schools and junior high schools, including, without limitation,



1 charter schools, who enter public high schools with the skills
2 necessary to succeed in high school;

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

7 (4) Improving the performance of pupils on standardized
8 college entrance examinations;

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

12 (6) Reengaging disengaged youth who have dropped out of
13 high school or who are at risk of dropping out of high school,
14 including, without limitation, a mechanism for tracking and
15 maintaining communication with those youth who have dropped out
16 of school or who are at risk of doing so;

17 (b) Review the plan annually to evaluate the effectiveness of the
18 plan;

19 (c) Examine the timeline for implementing the plan and each
20 provision of the plan to determine whether the annual goals and
21 benchmarks have been attained; and

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

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

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

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

30 (a) Governor;

31 (b) Committee;

32 (c) Bureau;

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

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

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

37 (g) Governing body of each charter school.

38 **Sec. 6.** NRS 385.347 is hereby amended to read as follows:

39 385.347 1. The board of trustees of each school district in
40 this State, in cooperation with associations recognized by the State
41 Board as representing licensed educational personnel in the district,
42 shall adopt a program providing for the accountability of the school
43 district to the residents of the district and to the State Board for the
44 quality of the schools and the educational achievement of the pupils
45 in the district, including, without limitation, pupils enrolled in



1 charter schools sponsored by the school district. The board of
2 trustees of each school district shall report the information required
3 by subsection 2 for each charter school sponsored by the school
4 district. The information for charter schools must be reported
5 separately.

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

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

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

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

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

25 (3) Except as otherwise provided in this paragraph, pupil
26 achievement, reported separately by gender and reported separately
27 for the ~~following~~ groups of pupils ~~†~~:

28 ~~(I) Pupils who are economically disadvantaged, as~~
29 ~~defined by the State Board;~~

30 ~~(II) Pupils from major racial and ethnic groups, as defined~~
31 ~~by the State Board;~~

32 ~~(III) Pupils with disabilities;~~

33 ~~(IV) Pupils who are limited English proficient; and~~

34 ~~(V) Pupils who are migratory children, as defined by the~~
35 ~~State Board.†~~ *identified in the statewide system of accountability*
36 *for public schools.*

37 (4) A comparison of the achievement of pupils in each group
38 identified in ~~paragraph (b) of subsection 1 of NRS 385.361 with the~~
39 ~~annual measurable objectives of the State Board.~~ *the statewide*
40 *system of accountability for public schools with the performance*
41 *targets established for that group.*

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

43 (6) Except as otherwise provided in this paragraph, the
44 percentage of pupils who were not tested, reported separately by
45 gender and reported separately for the groups identified in



1 ~~subparagraph (3)~~ *the statewide system of accountability for*
2 *public schools.*

3 (7) The most recent 3-year trend in pupil achievement in
4 each subject area tested and each grade level tested pursuant to NRS
5 389.015 and 389.550, which may include information regarding the
6 trend in the achievement of pupils for more than 3 years, if such
7 information is available.

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

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

21 (10) Information on whether each school in the district,
22 including, without limitation, each charter school sponsored by the
23 district, has made progress based upon the model adopted by the
24 Department pursuant to NRS 385.3595.

25 ↪ A separate reporting for a group of pupils must not be made
26 pursuant to this paragraph if the number of pupils in that group is
27 insufficient to yield statistically reliable information or the results
28 would reveal personally identifiable information about an individual
29 pupil. The ~~State Board~~ *Department* shall ~~prescribe~~ *use* the
30 mechanism *approved by the United States Department of*
31 *Education for the statewide system of accountability for public*
32 *schools* for determining the minimum number of pupils that must be
33 in a group for that group to yield statistically reliable information.

34 (c) The ratio of pupils to teachers in kindergarten and at each
35 grade level for each elementary school in the district and the district
36 as a whole, including, without limitation, each charter school
37 sponsored by the district, and the average class size for each core
38 academic subject, as set forth in NRS 389.018, for each secondary
39 school in the district and the district as a whole, including, without
40 limitation, each charter school sponsored by the district.

41 (d) The total number of persons employed for each elementary
42 school, middle school or junior high school, and high school in the
43 district, including, without limitation, each charter school sponsored
44 by the district. Each such person must be reported as either an
45 administrator, a teacher or other staff and must not be reported in



1 more than one category. In addition to the total number of persons
2 employed by each school in each category, the report must include
3 the number of employees in each of the three categories for each
4 school expressed as a percentage of the total number of persons
5 employed by the school. As used in this paragraph:

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

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

12 (I) School counselors, school nurses and other employees
13 who spend at least 50 percent of their work year providing
14 emotional support, noninstructional guidance or medical support to
15 pupils;

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

18 (III) Persons classified by the board of trustees of the
19 school district as professional-technical employees, including,
20 without limitation, technical employees and employees on the
21 professional-technical pay scale.

22 (3) "Teacher" means a person licensed pursuant to chapter
23 391 of NRS who is classified by the board of trustees of the school
24 district:

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

27 (II) As instructional support staff, who does not hold a
28 supervisory position and who spends not more than 50 percent of
29 his or her work year providing instruction to pupils. Such
30 instructional support staff includes, without limitation, librarians
31 and persons who provide instructional support.

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

43 (f) Information on the professional qualifications of teachers
44 employed by each school in the district and the district as a whole,



1 including, without limitation, each charter school sponsored by the
2 district. The information must include, without limitation:

3 (1) The percentage of teachers who are:
4 (I) Providing instruction pursuant to NRS 391.125;
5 (II) Providing instruction pursuant to a waiver of the
6 requirements for licensure for the grade level or subject area in
7 which the teachers are employed; or

8 (III) Otherwise providing instruction without an
9 endorsement for the subject area in which the teachers are
10 employed;

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

14 (3) The percentage of classes in the core academic subjects,
15 as set forth in NRS 389.018, that are not taught by highly qualified
16 teachers, in the aggregate and disaggregated by high-poverty
17 compared to low-poverty schools, which for the purposes of this
18 subparagraph means schools in the top quartile of poverty and the
19 bottom quartile of poverty in this State;

20 (4) For each middle school, junior high school and high
21 school:

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

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

33 (5) For each elementary school:

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

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

44 (g) The total expenditure per pupil for each school in the district
45 and the district as a whole, including, without limitation, each



1 charter school sponsored by the district. If this State has a financial
2 analysis program that is designed to track educational expenditures
3 and revenues to individual schools, each school district shall use that
4 statewide program in complying with this paragraph. If a statewide
5 program is not available, each school district shall use its own
6 financial analysis program in complying with this paragraph.

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

8 (1) Any special programs for pupils at an individual school;
9 and
10 (2) The curriculum used by each charter school sponsored by
11 the district.

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

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

17 (2) For each elementary school, middle school and junior
18 high school in the district, including, without limitation, each charter
19 school sponsored by the district that provides instruction to pupils
20 enrolled in a grade level other than high school, information that
21 compares the attendance of the pupils enrolled in the school with the
22 attendance of pupils throughout the district and throughout this
23 State. The information required by this subparagraph must be
24 provided in consultation with the Department to ensure the accuracy
25 of the comparison.

26 (j) The annual rate of pupils who drop out of school in grade 8
27 and a separate reporting of the annual rate of pupils who drop out of
28 school in grades 9 to 12, inclusive, for each such grade, for each
29 school in the district and for the district as a whole. The reporting
30 for pupils in grades 9 to 12, inclusive, excludes pupils who:

31 (1) Provide proof to the school district of successful
32 completion of the examinations of general educational development.

33 (2) Are enrolled in courses that are approved by the
34 Department as meeting the requirements for an adult standard
35 diploma.

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

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

40 (l) Efforts made by the school district and by each school in the
41 district, including, without limitation, each charter school sponsored
42 by the district, to increase:

43 (1) Communication with the parents of pupils enrolled in the
44 district;



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

5 (3) The involvement of parents and the engagement of
6 families of pupils enrolled in the district in the education of their
7 children.

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

11 (n) Records of incidents involving the use or possession of
12 alcoholic beverages or controlled substances for each school in the
13 district, including, without limitation, each charter school sponsored
14 by the district.

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

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

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

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

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

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

38 (1) The amount and sources of money received for programs
39 of remedial study for each school in the district and the district as a
40 whole, including, without limitation, each charter school sponsored
41 by the district.

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

44 (u) For each high school in the district, including, without
45 limitation, each charter school sponsored by the district, the



1 percentage of pupils who graduated from that high school or charter
2 school in the immediately preceding year and enrolled in remedial
3 courses in reading, writing or mathematics at a university, state
4 college or community college within the Nevada System of Higher
5 Education.

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

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

13 (1) A standard high school diploma, reported separately for
14 pupils who received the diploma pursuant to:

15 (I) Paragraph (a) of subsection 1 of NRS 389.805; and

16 (II) Paragraph (b) of subsection 1 of NRS 389.805.

17 (2) An adult diploma.

18 (3) An adjusted diploma.

19 (4) A certificate of attendance.

20 (x) For each school in the district and the district as a whole,
21 including, without limitation, each charter school sponsored by the
22 district, the number and percentage of pupils who failed to pass the
23 high school proficiency examination.

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

30 (z) The amount and sources of money received for the training
31 and professional development of teachers and other educational
32 personnel for each school in the district and for the district as a
33 whole, including, without limitation, each charter school sponsored
34 by the district.

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

40 ~~—(bb) Information on whether~~ *The rating of* each public school
41 in the district, including, without limitation, each charter school
42 sponsored by the district, ~~has made adequate yearly progress,~~
43 ~~including, without limitation:~~



1 ~~—— (1) The number and percentage of schools in the district, if~~
2 ~~any, that have been designated as needing improvement pursuant to~~
3 ~~NRS 385.3623; and~~

4 ~~—— (2) The name of each school, if any, in the district that has~~
5 ~~been designated as needing improvement pursuant to NRS 385.3623~~
6 ~~and the number of consecutive years that the school has carried that~~
7 ~~designation.~~

8 ~~—(cc) pursuant to the statewide system of accountability for~~
9 ~~public schools.~~

10 *(bb)* Information on the paraprofessionals employed by each
11 public school in the district, including, without limitation, each
12 charter school sponsored by the district. The information must
13 include:

14 (1) The number of paraprofessionals employed at the school;
15 and

16 (2) The number and percentage of all paraprofessionals who
17 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
18 reporting requirements of this subparagraph apply to
19 paraprofessionals who are employed in positions supported with
20 Title I money and to paraprofessionals who are not employed in
21 positions supported with Title I money.

22 ~~[(dd)]~~ *(cc)* For each high school in the district, including,
23 without limitation, each charter school sponsored by the district that
24 operates as a high school, information that provides a comparison of
25 the rate of graduation of pupils enrolled in the high school with the
26 rate of graduation of pupils throughout the district and throughout
27 this State. The information required by this paragraph must be
28 provided in consultation with the Department to ensure the accuracy
29 of the comparison.

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

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

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

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

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



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

4 (5) The number and percentage of pupils who completed a
5 program of career and technical education and who received a
6 standard high school diploma, an adjusted diploma or a certificate of
7 attendance; and

8 (6) The number and percentage of pupils who completed a
9 program of career and technical education and who did not receive a
10 high school diploma because the pupils failed to pass the high
11 school proficiency examination.

12 ~~(gg)~~ (ff) The number of incidents resulting in suspension or
13 expulsion for bullying, cyber-bullying, harassment or intimidation,
14 for each school in the district and the district as a whole, including,
15 without limitation, each charter school sponsored by the district.

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

18 3. The State Public Charter School Authority and each college
19 or university within the Nevada System of Higher Education that
20 sponsors a charter school shall, on or before September 30 of each
21 year, prepare an annual report of accountability of the charter
22 schools sponsored by the State Public Charter School Authority or
23 institution, as applicable, concerning the accountability information
24 prescribed by the Department pursuant to this section. The
25 Department, in consultation with the State Public Charter School
26 Authority and each college or university within the Nevada System
27 of Higher Education that sponsors a charter school, shall prescribe
28 by regulation the information that must be prepared by the State
29 Public Charter School Authority and institution, as applicable,
30 which must include, without limitation, the information contained in
31 paragraphs (a) to ~~(hh)~~ (gg), inclusive, of subsection 2, as
32 applicable to charter schools. The Department shall provide for
33 public dissemination of the annual report of accountability prepared
34 pursuant to this section ~~in the manner set forth in 20 U.S.C. §~~
35 ~~6311(h)(2)(E)~~ by posting a copy of the report on the Internet
36 website maintained by the Department.

37 4. The records of attendance maintained by a school for
38 purposes of paragraph (k) of subsection 2 or maintained by a charter
39 school for purposes of the reporting required pursuant to subsection
40 3 must include the number of teachers who are in attendance at
41 school and the number of teachers who are absent from school. A
42 teacher shall be deemed in attendance if the teacher is excused from
43 being present in the classroom by the school in which the teacher is
44 employed for one of the following reasons:



1 (a) Acquisition of knowledge or skills relating to the
2 professional development of the teacher; or

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

5 5. The annual report of accountability prepared pursuant to
6 subsection 2 or 3, as applicable, must ~~+~~

7 ~~—(a) Comply with 20 U.S.C. § 6311(h)(2) and the regulations~~
8 ~~adopted pursuant thereto; and~~

9 ~~—(b) Be~~ *be* presented in an understandable and uniform format
10 and, to the extent practicable, provided in a language that parents
11 can understand.

12 6. The Superintendent of Public Instruction shall:

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

18 (b) Provide statistical information and technical assistance to the
19 school districts, the State Public Charter School Authority and each
20 college or university within the Nevada System of Higher Education
21 that sponsors a charter school to ensure that the reports provide
22 comparable information with respect to each school in each district,
23 each charter school and among the districts and charter schools
24 throughout this State.

25 (c) Consult with a representative of the:

- 26 (1) Nevada State Education Association;
27 (2) Nevada Association of School Boards;
28 (3) Nevada Association of School Administrators;
29 (4) Nevada Parent Teacher Association;
30 (5) Budget Division of the Department of Administration;
31 (6) Legislative Counsel Bureau; and
32 (7) Charter School Association of Nevada,

33 ↪ concerning the program and consider any advice or
34 recommendations submitted by the representatives with respect to
35 the program.

36 7. The Superintendent of Public Instruction may consult with
37 representatives of parent groups other than the Nevada Parent
38 Teacher Association concerning the program and consider any
39 advice or recommendations submitted by the representatives with
40 respect to the program.

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

42 (a) The board of trustees of each school district shall submit to
43 each advisory board to review school attendance created in the
44 county pursuant to NRS 392.126 the information required in
45 paragraph (i) of subsection 2.



1 (b) The State Public Charter School Authority and each college
2 or university within the Nevada System of Higher Education that
3 sponsors a charter school shall submit to each advisory board to
4 review school attendance created in a county pursuant to NRS
5 392.126 the information regarding the records of the attendance and
6 truancy of pupils enrolled in the charter school located in that
7 county, if any, in accordance with the regulations prescribed by the
8 Department pursuant to subsection 3.

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

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

- 19 (1) Governor;
- 20 (2) State Board;
- 21 (3) Department;
- 22 (4) Committee; and
- 23 (5) Bureau.

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



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

8 11. As used in this section:

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

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

12 (c) "Harassment" has the meaning ascribed to it in
13 NRS 388.125.

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

16 (e) "Intimidation" has the meaning ascribed to it in
17 NRS 388.129.

18 (f) "Paraprofessional" has the meaning ascribed to it in
19 NRS 391.008.

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

21 385.357 1. ~~Except as otherwise provided in NRS 385.37603~~
22 ~~and 385.37607, the~~ *The* principal of each school, including, without
23 limitation, each charter school, shall, in consultation with the
24 employees of the school, prepare a plan to improve the achievement
25 of the pupils enrolled in the school.

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

27 (a) A review and analysis of the data pertaining to the school
28 upon which the report required pursuant to subsection 2 or 3 of NRS
29 385.347, as applicable, is based and a review and analysis of any
30 data that is more recent than the data upon which the report is based.

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

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

36 (d) Policies and practices concerning the core academic subjects
37 which have the greatest likelihood of ensuring that each group of
38 pupils *enrolled in the school and* identified in ~~paragraph (b) of~~
39 ~~subsection 1 of NRS 385.361 who are enrolled in the school will~~
40 ~~make adequate yearly progress and meet the minimum level of~~
41 ~~proficiency prescribed by the State Board.~~ *the statewide system of*
42 *accountability for public schools will meet the performance targets*
43 *established for that group.*

44 (e) Annual measurable objectives ~~†~~ *and performance targets,*
45 consistent with the annual measurable objectives *and performance*



1 *targets* established ~~{by the State Board pursuant to NRS 385.361,}~~
2 *pursuant to the statewide system of accountability for public*
3 *schools*, for the continuous and substantial progress by each group
4 of pupils identified in ~~{paragraph (b) of subsection 1 of that section}~~
5 *the statewide system of accountability for public schools* who are
6 enrolled in the school to ensure that each group will ~~{make adequate~~
7 ~~yearly progress and meet the level of proficiency prescribed by the~~
8 ~~State Board.}~~ *meet the performance targets established for that*
9 *group.*

10 (f) Strategies and practices which:

11 (1) Are consistent with the policy adopted pursuant to NRS
12 392.457 by the board of trustees of the school district in which the
13 school is located, to promote effective involvement by parents and
14 families of pupils enrolled in the school in the education of their
15 children; and

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

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

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

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

30 (I) The curriculum appropriate to improve achievement;

31 (II) The manner by which the instruction will improve the
32 achievement and proficiency of pupils on the examinations
33 administered pursuant to NRS 389.015 and 389.550; and

34 (III) An identification of the instruction and curriculum
35 that is specifically designed to improve the achievement and
36 proficiency of pupils in each group identified in ~~{paragraph (b) of~~
37 ~~subsection 1 of NRS 385.361.}~~ *the statewide system of*
38 *accountability for public schools;*

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

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

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

44 (5) Enhance the professional development offered for the
45 teachers and administrators employed at the school to include the



1 activities set forth in 20 U.S.C. § 7801(34) and to address the
2 specific needs of pupils enrolled in the school, as deemed
3 appropriate by the principal.

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

7 (j) In consultation with the school district or governing body, as
8 applicable, an identification, by category, of the employees of the
9 school district or governing body, if any, who are responsible for
10 ensuring that the plan is carried out effectively or for overseeing and
11 monitoring whether the plan is carried out effectively.

12 (k) In consultation with the Department, an identification, by
13 category, of the employees of the Department, if any, who are
14 responsible for overseeing and monitoring whether the plan is
15 carried out effectively.

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

19 (m) For each provision of the plan, measurable criteria for
20 determining whether the provision has contributed toward
21 improving the academic achievement of pupils, increasing the rate
22 of attendance of pupils and reducing the number of pupils who drop
23 out of school.

24 (n) The resources available to the school to carry out the plan. If
25 this State has a financial analysis program that is designed to track
26 educational expenditures and revenues to individual schools, each
27 school shall use that statewide program in complying with this
28 paragraph. If a statewide program is not available, each school shall
29 use the financial analysis program used by the school district in
30 which the school is located in complying with this paragraph.

31 (o) A summary of the effectiveness of appropriations made by
32 the Legislature that are available to the school to improve the
33 academic achievement of pupils and programs approved by the
34 Legislature to improve the academic achievement of pupils.

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

36 3. ~~In addition to the requirements of subsection 2, if a school~~
37 ~~has been designated as demonstrating need for improvement~~
38 ~~pursuant to NRS 385.3623, the plan must comply with 20 U.S.C. §~~
39 ~~6316(b)(3) and the regulations adopted pursuant thereto.~~

40 ~~4. Except as otherwise provided in subsection 5, the~~ *The*
41 principal of each school shall, in consultation with the employees of
42 the school:

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



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

4 ~~{5. If a school has been designated as demonstrating need for~~
5 ~~improvement pursuant to NRS 385.3623 and a support team has~~
6 ~~been established for the school, the support team shall review the~~
7 ~~plan and make revisions to the most recent plan for improvement of~~
8 ~~the school pursuant to NRS 385.36127. If the school is a Title I~~
9 ~~school that has been designated as demonstrating need for~~
10 ~~improvement, the support team established for the school shall, in~~
11 ~~making revisions to the plan, work in consultation with parents and~~
12 ~~guardians of pupils enrolled in the school and, to the extent deemed~~
13 ~~appropriate by the entity responsible for creating the support team,~~
14 ~~outside experts.~~

15 ~~—6.} 4. On or before December 15 of each year, the principal of~~
16 ~~each school for the support team established for the school, as~~
17 ~~applicable,} shall submit the plan or the revised plan, as applicable,~~
18 ~~to:~~

19 (a) If the school is a public school of the school district, the
20 superintendent of schools of the school district.

21 (b) If the school is a charter school, the governing body of the
22 charter school.

23 ~~{7.} 5. If a Title I school is {designated as demonstrating need~~
24 ~~for improvement pursuant to NRS 385.3623,} rated as~~
25 ~~underperforming pursuant to the statewide system of~~
26 ~~accountability for public schools,~~ the superintendent of schools of
27 the school district or the governing body, as applicable, shall carry
28 out a process for peer review of the plan or the revised plan, as
29 applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the
30 regulations adopted pursuant thereto. Not later than 45 days after
31 receipt of the plan, the superintendent of schools of the school
32 district or the governing body, as applicable, shall approve the plan
33 or the revised plan, as applicable, if it meets the requirements of 20
34 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto
35 and the requirements of this section. The superintendent of schools
36 of the school district or the governing body, as applicable, may
37 condition approval of the plan or the revised plan, as applicable, in
38 the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the
39 regulations adopted pursuant thereto. The State Board shall
40 prescribe the requirements for the process of peer review, including,
41 without limitation, the qualifications of persons who may serve as
42 peer reviewers.

43 ~~{8.} 6. If a school is {designated as demonstrating exemplary~~
44 ~~achievement, high achievement or adequate achievement,} rated as~~
45 ~~meeting the annual measurable objectives and performance~~



1 *targets established pursuant to the statewide system of*
2 *accountability for public schools,* or if a school that is not a Title I
3 school is ~~designated as demonstrating need for improvement,~~ *rated*
4 *as underperforming pursuant to the statewide accountability*
5 *system for public schools,* not later than 45 days after receipt of the
6 plan or the revised plan, as applicable, the superintendent of schools
7 of the school district or the governing body, as applicable, shall
8 approve the plan or the revised plan if it meets the requirements of
9 this section.

10 ~~19.1~~ 7. On or before January 31 of each year, the principal of
11 each school ~~for the support team established for the school, as~~
12 ~~applicable,~~ shall submit the final plan or the final revised plan, as
13 applicable, to the:

- 14 (a) Superintendent of Public Instruction;
- 15 (b) Governor;
- 16 (c) State Board;
- 17 (d) Department;
- 18 (e) Committee;
- 19 (f) Bureau; and
- 20 (g) Board of trustees of the school district in which the school is

21 located or, if the school is a charter school, the sponsor of the
22 charter school and the governing body of the charter school.

23 ~~10.1~~ 8. A plan for the improvement of a school must be
24 carried out expeditiously, but not later than February 15 after
25 approval of the plan pursuant to subsection ~~7 or 8,~~ *5 or 6,* as
26 applicable.

27 **Sec. 8.** NRS 385.3612 is hereby amended to read as follows:

28 385.3612 1. The State Board shall adopt regulations that
29 prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the
30 regulations adopted pursuant thereto, the manner in which pupils
31 enrolled in:

32 (a) A program of distance education pursuant to NRS 388.820 to
33 388.874, inclusive;

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

36 (c) A program of education that:

- 37 (1) Primarily serves pupils with disabilities; or
- 38 (2) Is operated within a:

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

41 (II) Juvenile forestry camp;

42 (III) Child welfare agency; or

43 (IV) Correctional institution,



1 ↪ will be included within the statewide system of accountability set
2 forth in NRS 385.3455 to ~~385.391.~~ **385.3891**, inclusive ~~†~~ , and
3 **section 1 of this act.**

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

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

10 (b) The results of pupils enrolled in a program of distance
11 education, an alternative program or a program of education
12 described in subsection 1 on the examinations administered pursuant
13 to NRS 389.015 and 389.550 will be reported.

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

15 385.3613 1. ~~†~~ ~~Except as otherwise provided in subsection 2,~~
16 ~~on†~~ **On** or before July 31 of each year, the Department shall
17 determine whether each public school is ~~making adequate yearly~~
18 ~~progress, as defined by the State Board pursuant to NRS 385.361.~~
19 **meeting the annual measurable objectives and performance**
20 **targets established pursuant to the statewide system of**
21 **accountability for public schools.**

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

26 ~~—3.†~~ The determination pursuant to subsection 1 ~~for 2, as~~
27 ~~applicable,†~~ for a public school, including, without limitation, a
28 charter school sponsored by the board of trustees of the school
29 district, must be made in consultation with the board of trustees of the
30 school district in which the public school is located. If a charter
31 school is sponsored by the State Public Charter School Authority or
32 by a college or university within the Nevada System of Higher
33 Education, the Department shall make a determination for the
34 charter school in consultation with the State Public Charter School
35 Authority or the institution within the Nevada System of Higher
36 Education that sponsors the charter school, as applicable. The
37 determination made for each school must be based only upon the
38 information and data for those pupils who are enrolled in the school
39 for a full academic year. On or before July 31 of each year, the
40 Department shall transmit:

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



1 (b) To the State Public Charter School Authority the
2 determination made for each charter school that is sponsored by the
3 State Public Charter School Authority.

4 (c) The determination made for the charter school to the
5 institution that sponsors the charter school if a charter school is
6 sponsored by a college or university within the Nevada System of
7 Higher Education.

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

19 ~~5. In addition to the provisions of subsection 4, the Department~~
20 ~~shall determine that a public school has failed to make adequate~~
21 ~~yearly progress if:~~

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

27 ~~(b) Except as otherwise provided in subsection 6, for each group~~
28 ~~of pupils identified in paragraph (b) of subsection 1 of NRS~~
29 ~~385.361, the number of pupils in the group enrolled in the school~~
30 ~~who took the examinations administered pursuant to NRS 389.550~~
31 ~~or the high school proficiency examination, as applicable, is less~~
32 ~~than 95 percent of all pupils in that group enrolled in the school who~~
33 ~~were required to take the examinations.~~

34 ~~6. 3.~~ If the number of pupils in a particular group who are
35 enrolled in a public school is insufficient to yield statistically
36 reliable information:

37 (a) The Department shall not determine that the school has
38 failed to ~~{make adequate yearly progress pursuant to paragraph (b)~~
39 ~~of subsection 5}~~ *meet the performance targets established pursuant*
40 *to the statewide system of accountability for public schools* based
41 solely upon that particular group.

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

44 ➔ The ~~{State Board}~~ *Department* shall ~~{prescribe}~~ *use* the
45 mechanism *approved by the United States Department of*



1 *Education for the statewide system of accountability for public*
2 *schools* for determining the number of pupils that must be in a
3 group for that group to yield statistically reliable information.

4 ~~{7-}~~ 4. If an irregularity in testing administration or an
5 irregularity in testing security occurs at a school and the irregularity
6 invalidates the test scores of pupils, those test scores must be
7 included in the scores of pupils reported for the school, the
8 attendance of those pupils must be counted towards the total number
9 of pupils who took the examinations and the pupils must be
10 included in the total number of pupils who were required to take the
11 examinations.

12 ~~{8-}~~ 5. As used in this section:

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

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

17 **Sec. 10.** NRS 385.3622 is hereby amended to read as follows:

18 385.3622 If the Department determines that a public school has
19 failed to ~~{make adequate yearly progress pursuant to subsection 5 of~~
20 ~~NRS 385.3613,}~~ *meet the annual measurable objectives and*
21 *performance targets established pursuant to the statewide system*
22 *of accountability for public schools*, the Department or its designee
23 shall, to the extent money is available, monitor at the school the
24 administration of the examinations that are required pursuant to
25 NRS 389.550 and ensure that all eligible pupils who are in
26 attendance on the day of the administration of the examinations are
27 given an opportunity to take the examinations. ~~{until the percentage~~
28 ~~of pupils who take the examinations is 95 percent or more of all~~
29 ~~pupils enrolled in the school who are required to take the~~
30 ~~examinations.}~~

31 **Sec. 11.** NRS 385.366 is hereby amended to read as follows:

32 385.366 1. Based upon the information received from the
33 Department pursuant to NRS 385.3613, the board of trustees of each
34 school district shall, on or before August 15 of each year, issue a
35 preliminary ~~{designation}~~ *rating* for each public school in the school
36 district in accordance with the ~~{criteria set forth in NRS 385.3623,}~~
37 *statewide system of accountability for public schools*, excluding
38 charter schools sponsored by the State Public Charter School
39 Authority or by a college or university within the Nevada System of
40 Higher Education. The board of trustees shall make preliminary
41 ~~{designations}~~ *ratings* for all charter schools that are sponsored by
42 the board of trustees. The Department shall make preliminary
43 ~~{designations}~~ *ratings* for all charter schools that are sponsored by
44 the State Public Charter School Authority and all charter schools
45 sponsored by a college or university within the Nevada System of



1 Higher Education. ~~{The initial designation of a school as~~
2 ~~demonstrating need for improvement must be based upon 2~~
3 ~~consecutive years of data and information for that school.}~~

4 2. Before making a final ~~{designation}~~ **rating** for a school, the
5 board of trustees of the school district or the Department, as
6 applicable, shall provide the school an opportunity to review the
7 data upon which the preliminary ~~{designation}~~ **rating** is based and to
8 present evidence. ~~{in the manner set forth in 20 U.S.C. § 6316(b)(2)~~
9 ~~and the regulations adopted pursuant thereto.}~~ If the school is a
10 public school of the school district or a charter school sponsored by
11 the board of trustees, the board of trustees of the school district
12 shall, in consultation with the Department, make a final
13 determination concerning the ~~{designation}~~ **rating** for the school on
14 September 15. If the school is a charter school sponsored by the
15 State Public Charter School Authority or by a college or university
16 within the Nevada System of Higher Education, the Department
17 shall make a final determination concerning the ~~{designation}~~ **rating**
18 for the school on September 15.

19 3. On or before September 15 of each year, the Department
20 shall provide written notice of the determinations made pursuant to
21 NRS 385.3613 and the final ~~{designations}~~ **ratings** made pursuant to
22 this section as follows:

23 (a) The determinations and final ~~{designations}~~ **ratings** made for
24 all schools in this State to the:

- 25 (1) Governor;
- 26 (2) State Board;
- 27 (3) Committee; and
- 28 (4) Bureau.

29 (b) The determinations and final ~~{designations}~~ **ratings** made for
30 all schools within a school district to the:

- 31 (1) Superintendent of schools of the school district; and
- 32 (2) Board of trustees of the school district.

33 (c) The determination and final ~~{designation}~~ **rating** made for
34 each school to the principal of the school.

35 (d) The determination and final ~~{designation}~~ **rating** made for
36 each charter school to the sponsor of the charter school.

37 **Sec. 12.** NRS 385.3785 is hereby amended to read as follows:

38 385.3785 1. The Commission shall:

39 (a) Establish a program of educational excellence designed
40 exclusively for pupils enrolled in kindergarten through grade 6 in
41 public schools in this State based upon:

42 (1) The plan to improve the achievement of pupils prepared
43 by the State Board pursuant to NRS 385.34691;

44 (2) The plan to improve the achievement of pupils prepared
45 by the principal of each school pursuant to NRS 385.357, which



1 may include a program of innovation ; ~~}; the turnaround plan for the~~
2 ~~school implemented pursuant to NRS 385.37603 or the plan for~~
3 ~~restructuring the school implemented pursuant to NRS 385.37607,~~
4 ~~whichever is applicable for the school;}~~ and

5 (3) Any other information that the Commission considers
6 relevant to the development of the program of educational
7 excellence.

8 (b) Identify programs, practices and strategies that have proven
9 effective in improving the academic achievement and proficiency of
10 pupils.

11 (c) Develop a concise application and simple procedures for the
12 submission of applications by public schools and consortiums of
13 public schools, including, without limitation, charter schools, for
14 participation in a program of educational excellence and for grants
15 of money from the Account. Grants of money must be made for
16 programs designed for the achievement of pupils that are linked to
17 the plan to improve the achievement of pupils or for innovative
18 programs, or both . ~~}; or that are linked to the turnaround plan for the~~
19 ~~school or the plan for restructuring the school, if applicable, or for~~
20 ~~innovative programs, or both.}~~ The Commission shall not award a
21 grant of money from the Account for a program to provide full-day
22 kindergarten. All public schools and consortiums of public schools,
23 including, without limitation, charter schools, are eligible to submit
24 such an application . ~~}; regardless of whether the schools have made~~
25 ~~adequate yearly progress or failed to make adequate yearly~~
26 ~~progress.}~~ A public school or a consortium of public schools
27 selected for participation may be approved by the Commission for
28 participation for a period not to exceed 2 years, but may reapply.

29 (d) Prescribe a long-range timeline for the review, approval and
30 evaluation of applications received from public schools and
31 consortiums of public schools that desire to participate in the
32 program.

33 (e) Establish guidelines for the review, evaluation and approval
34 of applications for grants of money from the Account, including,
35 without limitation, consideration of the list of priorities of public
36 schools provided by the Department pursuant to subsection 6. To
37 ensure consistency in the review, evaluation and approval of
38 applications, if the guidelines authorize the review and evaluation of
39 applications by less than the entire membership of the Commission,
40 money must not be allocated from the Account for a grant until the
41 entire membership of the Commission has reviewed and approved
42 the application for the grant.

43 (f) Prescribe accountability measures to be carried out by a
44 public school that participates in the program if that public school
45 does not meet the annual measurable objectives ~~}; established by the~~



1 ~~State Board pursuant to NRS 385.361,]~~ *and performance targets*
2 *established pursuant to the statewide system of accountability for*
3 *public schools,* including, without limitation:

4 (1) The specific levels of achievement expected of schools
5 that participate; and

6 (2) Conditions for schools that do not meet the grant criteria
7 but desire to continue participation in the program and receive
8 money from the Account, including, without limitation, a review of
9 the leadership at the school and recommendations regarding changes
10 to the appropriate body.

11 (g) Determine the amount of money that is available from the
12 Account for those public schools and consortiums of public schools
13 that are selected to participate in the program.

14 (h) Allocate money to public schools and consortiums of public
15 schools from the Account. Allocations must be distributed not later
16 than September 30 of each year.

17 (i) Establish criteria for public schools and consortiums of
18 public schools that participate in the program and receive an
19 allocation of money from the Account to evaluate the effectiveness
20 of the allocation in improving the achievement of pupils, including,
21 without limitation, a detailed analysis of:

22 (1) The achievement of pupils enrolled at each school that
23 received money from the allocation based upon measurable criteria
24 identified in ~~[, as applicable, the:~~

25 ~~(I) Plan] the plan~~ to improve the achievement of pupils
26 for the school prepared pursuant to NRS 385.357;

27 ~~[(II) Turnaround plan for the school implemented~~
28 ~~pursuant to NRS 385.37603; or~~

29 ~~(III) Plan for restructuring the school implemented~~
30 ~~pursuant to NRS 385.37607;]~~

31 (2) If applicable, the effectiveness of the program of
32 innovation on the achievement of pupils and the overall
33 effectiveness for pupils and staff;

34 (3) The implementation of the ~~[applicable plans]~~ *plan* for
35 improvement, including, without limitation, an analysis of whether
36 the school is meeting the measurable objectives identified in the
37 plan; and

38 (4) The attainment of measurable progress on the annual list
39 of ~~[adequate yearly progress of school districts and schools.]~~ *ratings*
40 *of schools pursuant to the statewide system of accountability for*
41 *public schools.*

42 2. To the extent money is available, the Commission shall
43 make allocations of money to public schools and consortiums of
44 public schools for effective programs for grades 7 through 12 that
45 are designed to improve the achievement of pupils and effective



1 programs of innovation for pupils. In making such allocations, the
2 Commission shall comply with the requirements of this section.

3 3. An application submitted pursuant to this section must
4 include a written statement which:

5 (a) Indicates whether the public school or consortium of public
6 schools is submitting the application for the continuation of an
7 existing program or for the establishment of a new program; and

8 (b) Identifies all other sources of money that the public school
9 or consortium of public schools has requested or received for the
10 continuation or establishment of:

11 (1) The program for which the application is submitted; or

12 (2) A substantially similar program.

13 4. The Commission shall ensure, to the extent practicable, that
14 grants of money provided pursuant to this section reflect the
15 economic and geographic diversity of this State.

16 5. If a public school or consortium of public schools that
17 receives money pursuant to subsection 1 or 2:

18 (a) Does not meet the criteria for effectiveness as prescribed in
19 paragraph (i) of subsection 1;

20 (b) Does not, as a result of the program for which the grant of
21 money was awarded, show improvement in the achievement of
22 pupils, as determined in an evaluation conducted pursuant to
23 subsection 3 of NRS 385.379; or

24 (c) Does not implement the program for which the money was
25 received, as determined in an audit conducted pursuant to subsection
26 4 of NRS 385.3789 or an evaluation conducted pursuant to
27 subsection 3 of NRS 385.379,

28 ➔ over a 2-year period, the Commission may consider not awarding
29 future allocations of money to that public school or consortium of
30 public schools.

31 6. On or before August 15 of each year, the Department shall
32 provide a list of priorities of public schools that indicates:

33 (a) The ~~adequate yearly progress status~~ *ratings* of schools
34 *pursuant to the statewide system of accountability for public*
35 *schools* in the immediately preceding year; and

36 (b) The public schools that are considered Title I eligible by the
37 Department based upon the poverty level of the pupils enrolled in a
38 school in comparison to the poverty level of the pupils in the school
39 district as a whole,

40 ➔ for consideration by the Commission in its development of
41 procedures for the applications.

42 7. A public school, including, without limitation, a charter
43 school, or a consortium of public schools may request assistance
44 from the school district in which the school is located in preparing
45 an application for a grant of money pursuant to this section. A



1 school district shall assist each public school or consortium of
2 public schools that requests assistance pursuant to this subsection to
3 ensure that the application of the school:

4 (a) Is based directly upon ~~1, as applicable, the:~~

5 ~~— (1) Plan~~ **the plan** to improve the achievement of pupils
6 prepared for the school pursuant to NRS 385.357;

7 ~~— (2) Turnaround plan for the school implemented pursuant to~~
8 ~~NRS 385.37603; or~~

9 ~~— (3) Plan for restructuring the school implemented pursuant to~~
10 ~~NRS 385.37607;}~~

11 (b) Is developed in accordance with the criteria established by
12 the Commission; and

13 (c) Is complete and complies with all technical requirements for
14 the submission of an application.

15 ➔ A school district may make recommendations to the individual
16 schools and consortiums of public schools. Such schools and
17 consortiums of public schools are not required to follow the
18 recommendations of a school district.

19 8. In carrying out the requirements of this section, the
20 Commission shall review and consider the ~~programs of remedial~~
21 ~~study adopted by the Department pursuant to NRS 385.389, the list~~
22 ~~of approved providers of supplemental educational services~~
23 ~~maintained by the Department pursuant to NRS 385.384 and the}~~
24 recommendations submitted by the Committee pursuant to NRS
25 218E.615 concerning programs, practices and strategies that have
26 proven effective in improving the academic achievement and
27 proficiency of pupils.

28 9. ~~The Commission shall not award a grant of money from the~~
29 ~~Account for a program of remedial study that is available~~
30 ~~commercially unless that program has been adopted by the~~
31 ~~Department pursuant to NRS 385.389.~~

32 ~~—10.~~ If a consortium of public schools is formed for the purpose
33 of submitting an application pursuant to this section, the public
34 schools within the consortium do not need to be located within the
35 same school district.

36 **Sec. 13.** NRS 385.382 is hereby amended to read as follows:

37 385.382 ~~{1.}~~ The Department shall prescribe a form for
38 notice to parents and guardians concerning the ~~designation}~~ **rating**
39 of a public school as ~~demonstrating need for improvement pursuant~~
40 ~~to NRS 385.3623. For Title I schools, the notice must comply with~~
41 ~~20 U.S.C. § 6316(b)(6) and the regulations adopted pursuant thereto.~~

42 ~~—2.~~ The Department shall prescribe a form for notice to parents
43 and guardians pursuant to NRS 385.3772 concerning the
44 designation of a school district as demonstrating need for
45 improvement. For Title I school districts, the notice must comply



1 ~~with 20 U.S.C. § 6316(e)(6) and the regulations adopted pursuant~~
2 ~~thereto.] **underperforming.**~~

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

4 386.5515 1. To the extent money is available from legislative
5 appropriation or otherwise, a charter school may apply to the
6 Department for money for facilities if:

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

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

13 (c) The charter school has met or exceeded ~~adequate yearly~~
14 ~~progress as determined pursuant to NRS 385.3613] **the annual**~~
15 **measurable objectives and performance targets established**
16 **pursuant to the statewide system of accountability for public**
17 **schools** or has demonstrated improvement in the achievement of
18 pupils enrolled in the charter school, as indicated by *those* annual
19 measurable objectives ~~determined by the State Board,] and~~
20 **performance targets**, for the majority of the years of its operation;
21 and

22 (d) At least 75 percent of the pupils enrolled in grade 12 in the
23 charter school in the immediately preceding school year who have
24 completed the required course work for graduation have passed the
25 high school proficiency examination, if the charter school enrolls
26 pupils at a high school grade level.

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

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



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

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

7 **Sec. 15.** NRS 386.605 is hereby amended to read as follows:

8 386.605 ~~1.~~ On or before August 31 of each year, the
9 governing body of a charter school shall submit the information
10 concerning the charter school that is required pursuant to NRS
11 385.347 to the sponsor of the charter school for inclusion in the
12 report required pursuant to that section. The information must be
13 submitted in a format prescribed by the sponsor of the charter
14 school.

15 ~~2. The Legislative Bureau of Educational Accountability and
16 Program Evaluation created pursuant to NRS 218E.625 may
17 authorize a person or entity with whom it contracts pursuant to NRS
18 385.359 to review and analyze information submitted pursuant to
19 this section and pursuant to NRS 385.357, 385.3745 or 385.3746,
20 whichever is applicable for the school, consult with the sponsors of
21 the charter schools and the governing bodies of charter schools and
22 submit written reports concerning charter schools pursuant to
23 NRS 385.359.]~~

24 **Sec. 16.** NRS 386.650 is hereby amended to read as follows:

25 386.650 1. The Department shall establish and maintain an
26 automated system of accountability information for Nevada. The
27 system must:

28 (a) Have the capacity to provide and report information,
29 including, without limitation, the results of the achievement of
30 pupils:

31 (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and
32 the regulations adopted pursuant thereto, and NRS 385.3469 and
33 385.347; and

34 (2) In a separate reporting for each group of pupils identified
35 in ~~paragraph (b) of subsection 1 of NRS 385.361;~~ *the statewide*
36 *system of accountability for public schools;*

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

38 (1) To ensure that individual pupils may be tracked over time
39 throughout this State; and

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



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

4 (d) Have the capacity to perform a variety of longitudinal
5 analyses of the results of individual pupils on assessments,
6 including, without limitation, the results of pupils by classroom and
7 by school;

8 (e) Have the capacity to identify which teachers are assigned to
9 individual pupils;

10 (f) Have the capacity to provide other information concerning
11 schools and school districts that is not linked to individual pupils,
12 including, without limitation, the ~~designation~~ ratings of schools
13 and , if available, school districts pursuant to ~~NRS 385.3623 and~~
14 ~~385.377, respectively,] the statewide system of accountability for~~
15 *public schools* and an identification of which schools, if any, are
16 persistently dangerous;

17 (g) Have the capacity to access financial accountability
18 information for each public school, including, without limitation,
19 each charter school, for each school district and for this State as a
20 whole; and

21 (h) Be designed to improve the ability of the Department, the
22 sponsors of charter schools, the school districts and the public
23 schools in this State, including, without limitation, charter schools,
24 to account for the pupils who are enrolled in the public schools,
25 including, without limitation, charter schools.

26 ↪ The information maintained pursuant to paragraphs (c), (d) and
27 (e) must be used for the purpose of improving the achievement of
28 pupils and improving classroom instruction. The information must
29 account for at least 50 percent, but must not be used as the sole
30 criterion, in evaluating the performance of or taking disciplinary
31 action against an individual teacher or other employee.

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

33 (a) Adopt and maintain the program prescribed by the
34 Superintendent of Public Instruction pursuant to subsection 3 for the
35 collection, maintenance and transfer of data from the records of
36 individual pupils to the automated system of information, including,
37 without limitation, the development of plans for the educational
38 technology which is necessary to adopt and maintain the program;

39 (b) Provide to the Department electronic data concerning pupils
40 as required by the Superintendent of Public Instruction pursuant to
41 subsection 3; and

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

44 3. The Superintendent of Public Instruction shall:



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

4 (b) Prescribe the data to be collected and reported to the
5 Department by each school district and each sponsor of a charter
6 school pursuant to subsection 2 and by each university school for
7 profoundly gifted pupils;

8 (c) Prescribe the format for the data;

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

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

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

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

18 (1) Individual pupils;

19 (2) Individual teachers;

20 (3) Individual schools and school districts; and

21 (4) Programs and financial information;

22 (h) Provide technical assistance to each school district to ensure
23 that the data from each public school in the school district,
24 including, without limitation, each charter school and university
25 school for profoundly gifted pupils located within the school
26 district, is compatible with the automated system of information and
27 comparable to the data reported by other school districts; and

28 (i) Provide for the analysis and reporting of the data in the
29 automated system of information.

30 4. The Department shall establish, to the extent authorized by
31 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
32 1232g, and any regulations adopted pursuant thereto, a mechanism
33 by which persons or entities, including, without limitation, state
34 officers who are members of the Executive or Legislative Branch,
35 administrators of public schools and school districts, teachers and
36 other educational personnel, and parents and guardians, will have
37 different types of access to the accountability information contained
38 within the automated system to the extent that such information is
39 necessary for the performance of a duty or to the extent that such
40 information may be made available to the general public without
41 posing a threat to the confidentiality of an individual pupil.

42 5. The Department may, to the extent authorized by the Family
43 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,
44 and any regulations adopted pursuant thereto, enter into an
45 agreement with the Nevada System of Higher Education to provide



1 access to data contained within the automated system for research
2 purposes.

3 **Sec. 17.** NRS 386.725 is hereby amended to read as follows:

4 386.725 1. The board of trustees of a school district that
5 participates in the Program of Empowerment Schools may establish
6 policies and procedures for public schools within the school district
7 that wish to convert to empowerment schools which may provide
8 for:

9 (a) The process by which a public school may convert to an
10 empowerment school, including, without limitation, the
11 development of an empowerment plan for the school in accordance
12 with NRS 386.740;

13 (b) Autonomy for the principal of each empowerment school to
14 decide issues relating to the operation of the school, including,
15 without limitation, the school schedule, governance, incentives for
16 employees, staffing, budgeting and the provision of instruction;

17 (c) The opportunity for empowerment schools within the school
18 district to offer an alternative schedule, including, without
19 limitation, a longer school day or a longer school year, or both, and
20 to offer school during the summer; and

21 (d) Other matters as deemed necessary by the board of trustees.

22 2. The board of trustees of a school district that participates in
23 the Program of Empowerment Schools shall adopt policies and
24 procedures which provide for:

25 (a) Accountability measures designed to ensure that pupils
26 enrolled in an empowerment school are achieving certain goals and
27 standards relating to academic achievement;

28 (b) The process for the selection of empowerment schools and
29 the approval of empowerment plans for those schools;

30 (c) The process for renewal of empowerment plans;

31 (d) The criteria for revocation of an empowerment plan for a
32 school and the procedure for revocation; and

33 (e) The time period for which empowerment plans will be
34 approved.

35 3. A school district that participates in the Program of
36 Empowerment Schools shall provide a process for a pupil who
37 resides in the school district to attend:

38 (a) An empowerment school regardless of the school which the
39 pupil is otherwise zoned to attend.

40 (b) A school that is not an empowerment school if the pupil is
41 zoned to attend a school that converts to an empowerment school.

42 ~~†→ The board of trustees of a school district must comply with the~~
43 ~~No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., when~~
44 ~~establishing provisions relating to school choice pursuant to this~~
45 ~~subsection.†~~



1 4. An empowerment school shall:

2 (a) Enroll first the pupils who are zoned to attend that school.

3 (b) After the enrollment of pupils pursuant to paragraph (a), if
4 the school has space available, enroll pupils who are not otherwise
5 zoned to attend the school on the basis of a lottery system.

6 5. A school district is not required to provide transportation to
7 a pupil who attends a public school which the pupil is not otherwise
8 zoned to attend.

9 6. A school district that participates in the Program of
10 Empowerment Schools shall provide a procedure for an
11 empowerment school to obtain a waiver from the requirements and
12 regulations of the board of trustees of the school district. The board
13 of trustees may not waive:

14 (a) The requirements of a state or federal law or regulation.

15 (b) A policy or requirement relating to safety, including, without
16 limitation, hiring security personnel and following procedures
17 designed to ensure the safety of the school, the personnel employed
18 at the school and the pupils.

19 **Sec. 18.** NRS 386.730 is hereby amended to read as follows:

20 386.730 1. Except as otherwise provided in subsection 2, the
21 principal of a public school within a school district that participates
22 in the Program of Empowerment Schools who wishes to convert to
23 an empowerment school shall:

24 (a) Establish an empowerment team for the school; and

25 (b) Develop an empowerment plan for the school in consultation
26 with ~~†~~

27 ~~—— (1) The~~ *the* empowerment team. ~~†; and~~

28 ~~—— (2) The school support team, if a school support team has~~
29 ~~been established for the school in accordance with the regulations of~~
30 ~~the State Board adopted pursuant to NRS 385.361.†~~

31 2. The principal of a public school located in a county whose
32 population is less than 100,000 may develop an empowerment plan
33 for the school without establishing or consulting with an
34 empowerment team. ~~† If a school support team has been established~~
35 ~~for the school, the principal shall develop the empowerment plan in~~
36 ~~consultation with the school support team.†~~ If an empowerment
37 team has not been established pursuant to the exception provided in
38 this subsection, the principal of the school shall carry out the
39 responsibilities and duties otherwise assigned to an empowerment
40 team pursuant to NRS 386.700 to 386.780, inclusive.

41 3. An empowerment team for a school must consist of the
42 following persons:

43 (a) The principal of the school;

44 (b) At least two but not more than four teachers and other
45 licensed educational personnel who are employed at the school,



1 selected by a recognized employee organization that represents
2 licensed educational personnel within the school district;

3 (c) At least two but not more than four employees, other than
4 teachers and other licensed educational personnel, who are
5 employed at the school, selected by an organization that represents
6 those employees;

7 (d) At least two but not more than four parents and legal
8 guardians of pupils enrolled in the school, selected by an association
9 of parents established for the school;

10 (e) At least two but not more than four representatives of the
11 community or businesses within the community; *and*

12 ~~(f) The facilitator of the school support team, if a school
13 support team has been established for the school pursuant to
14 regulations adopted by the State Board pursuant to NRS 385.361;
15 and~~

16 ~~(g)~~ Such other persons as may be necessary to meet the
17 requirements set forth in subsection 4.

18 4. Of the total number of members on an empowerment team
19 for a school:

20 (a) At least one member must have 5 years or more of
21 experience in school finance;

22 (b) At least one member must have 5 years or more of
23 experience in school administration or human resources;

24 (c) At least one member must have 5 years or more of
25 experience in overseeing the academic programs and curriculum for
26 a public school; and

27 (d) At least one member must have 5 years or more of
28 experience in the collection and analysis of data.

29 ➤ The provisions of this subsection do not require the appointment
30 of four persons if one, two or three such persons satisfy the
31 qualifications.

32 5. A charter school that wishes to participate in the Program of
33 Empowerment Schools shall comply with the provisions of NRS
34 386.700 to 386.780, inclusive. If a charter school is approved as an
35 empowerment school, the charter school does not forfeit its status as
36 a charter school.

37 **Sec. 19.** NRS 386.740 is hereby amended to read as follows:

38 386.740 1. Each empowerment plan for a school must:

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

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

44 ~~(c) If a school support team has been established for the school
45 in accordance with the regulations of the State Board adopted~~



~~pursuant to NRS 385.361, require the principal and the empowerment team for the school to work in consultation with the school support team;~~

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

~~(e)~~ (d) Prescribe the manner by which the achievement of pupils will be measured and reported for the school, including, without limitation, the results of the pupils on the examinations administered pursuant to NRS 389.015 and 389.550;

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

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

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

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

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

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

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

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

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

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

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

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



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

4 3. An empowerment plan may:

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

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

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

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

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

29 **Sec. 20.** NRS 388.846 is hereby amended to read as follows:

30 388.846 1. If the board of trustees of a school district
31 provides a program of distance education, the board of trustees shall
32 ensure that the persons who operate the program on a day-to-day
33 basis comply with and carry out all applicable requirements,
34 statutes, regulations, rules and policies of the school district,
35 including, without limitation:

36 (a) Graduation requirements;

37 (b) Accountability of public schools, as set forth in NRS
38 385.3455 to ~~385.391~~, **385.3891**, inclusive ~~;~~ **, and section 1 of**
39 **this act;**

40 (c) Provisions governing the attendance and truancy of pupils, as
41 set forth in NRS 392.040 to 392.220, inclusive; and

42 (d) Discipline of pupils.

43 2. If the governing body of a charter school provides a program
44 of distance education, the governing body shall:



1 (a) For each pupil who is enrolled in the program, provide
2 written notice to the board of trustees of the school district in which
3 the pupil resides of the type of educational services that will be
4 provided to the pupil through the program. The written notice must
5 be provided to the board of trustees before the pupil receives
6 educational services through the program of distance education.

7 (b) Ensure that the persons who operate the program on a day-
8 to-day basis comply with and carry out all applicable requirements,
9 statutes, regulations, rules and policies of the charter school,
10 including, without limitation:

11 (1) Graduation requirements;

12 (2) Accountability of public schools, as set forth in NRS
13 385.3455 to ~~385.391~~, **385.3891**, inclusive ~~§~~, *and section 1 of*
14 *this act*;

15 (3) Provisions governing the attendance and truancy of
16 pupils, as set forth in NRS 392.040 to 392.220, inclusive; and

17 (4) Discipline of pupils.

18 **Sec. 21.** NRS 388.862 is hereby amended to read as follows:

19 388.862 1. If a pupil is enrolled full-time in a program of
20 distance education provided by the board of trustees of a school
21 district, the board of trustees that provides the program shall declare
22 for each such pupil one public school within that school district with
23 which the pupil is affiliated. The board of trustees may declare that
24 all the pupils enrolled in the program of distance education are
25 affiliated with one public school within the school district, or it may
26 declare individual public schools for the pupils enrolled in the
27 program. Upon the declared affiliation, the pupil shall be deemed
28 enrolled in that public school for purposes of all the applicable
29 requirements, statutes, regulations, rules and policies of that public
30 school and school district, including, without limitation:

31 (a) Graduation requirements;

32 (b) Accountability of public schools, as set forth in NRS
33 385.3455 to ~~385.391~~, **385.3891**, inclusive ~~§~~, *and section 1 of*
34 *this act*;

35 (c) Provisions governing the attendance and truancy of pupils, as
36 set forth in NRS 392.040 to 392.220, inclusive; and

37 (d) Discipline of pupils.

38 2. A pupil who is enrolled full-time in a program of distance
39 education provided by a charter school shall be deemed enrolled in
40 the charter school. All the applicable requirements, including,
41 without limitation, statutes, regulations, rules and policies of that
42 charter school apply to such a pupil, including, without limitation:

43 (a) Graduation requirements;



1 (b) Accountability of public schools, as set forth in NRS
2 385.3455 to ~~385.391,~~ **385.3891**, inclusive ~~†~~ , **and section 1 of**
3 **this act**;

4 (c) Provisions governing the attendance and truancy of pupils, as
5 set forth in NRS 392.040 to 392.220, inclusive; and

6 (d) Discipline of pupils.

7 3. If a pupil is enrolled part-time in a program of distance
8 education, all the applicable requirements, statutes, regulations,
9 rules and policies of the public school of the school district in which
10 the pupil is otherwise enrolled or the charter school in which the
11 pupil is otherwise enrolled apply to such a pupil, including, without
12 limitation:

13 (a) Graduation requirements;

14 (b) Accountability of public schools, as set forth in NRS
15 385.3455 to ~~385.391,~~ **385.3891**, inclusive ~~†~~ , **and section 1 of**
16 **this act**;

17 (c) Provisions governing the attendance and truancy of pupils, as
18 set forth in NRS 392.040 to 392.220, inclusive; and

19 (d) Discipline of pupils.

20 **Sec. 22.** NRS 389.011 is hereby amended to read as follows:

21 389.011 1. The board of trustees of each school district and
22 the governing body of each charter school shall ensure that each
23 pupil who is limited English proficient and is enrolled in the school
24 district or charter school, as applicable, participates in the
25 achievement and proficiency examinations administered pursuant to
26 this chapter. The State Board shall prescribe reasonable
27 modifications and accommodations that must be used in the
28 administration of an examination to a pupil who is limited English
29 proficient and who is unable to take an examination under regular
30 testing conditions. The results of each pupil who is limited English
31 proficient and who takes an examination with modifications and
32 accommodations must be reported and included within the
33 determination of whether the school ~~and the school district have~~
34 ~~made adequate yearly progress.~~ **has met the annual measurable**
35 **objectives and performance targets established pursuant to the**
36 **statewide system of accountability for public schools.**

37 2. The board of trustees of a school district and the governing
38 body of a charter school shall administer to a pupil who is limited
39 English proficient:

40 (a) To the extent practicable, examinations in mathematics and
41 science required by subsection 1 in the language most likely to yield
42 accurate and reliable information on what the pupil knows.

43 (b) To the extent practicable, examinations in reading required
44 by subsection 1 in the language most likely to yield accurate and
45 reliable information on what the pupil knows if the pupil has



1 attended public schools in the United States for less than 3
2 consecutive years.

3 (c) If the pupil has attended public schools in the United States
4 for 3 consecutive years but less than 5 consecutive years:

5 (1) Examinations in reading required by subsection 1 in the
6 English language; or

7 (2) Examinations in reading required by subsection 1 in the
8 language most likely to yield accurate and reliable information on
9 what the pupil knows if the board of trustees or the governing body,
10 as applicable, determines that the pupil has not reached a level of
11 English proficiency sufficient to yield valid and reliable information
12 on what the pupil knows. The board of trustees or the governing
13 body of a charter school, as applicable, may grant exceptions for a
14 particular pupil pursuant to this subparagraph, on a case-by-case
15 basis, for a period not longer than 2 consecutive years.

16 (d) If the pupil has attended public schools in the United States
17 for 5 consecutive years or more, examinations in reading required
18 by subsection 1 in the English language.

19 3. The State Board shall prescribe an assessment of proficiency
20 in the English language for pupils who are limited English proficient
21 to measure oral language skills, comprehension skills, reading skills
22 and writing skills. The board of trustees of each school district and
23 the governing body of each charter school shall administer the
24 assessment annually at the time prescribed by the State Board. A
25 pupil who takes the assessment prescribed pursuant to this
26 subsection is not exempt from the achievement and proficiency
27 examinations administered pursuant to this chapter.

28 **Sec. 23.** NRS 389.0115 is hereby amended to read as follows:

29 389.0115 1. If a pupil with a disability is unable to take an
30 examination administered pursuant to NRS 389.015 or 389.550
31 under regular testing conditions, the pupil may take the examination
32 with modifications and accommodations that the pupil's
33 individualized education program team determines, in consultation
34 with the Department and in accordance with the Individuals with
35 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the No
36 Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., are
37 necessary to measure the progress of the pupil. If modifications or
38 accommodations are made in the administration of an examination
39 for a pupil with a disability, the modifications or accommodations
40 must be set forth in the pupil's individualized education program.
41 The results of each pupil with a disability who takes an examination
42 with modifications or accommodations must be reported and must
43 be included in the determination of whether the school ~~and the~~
44 ~~school district have made adequate yearly progress.~~ *has met the*
45 *annual measurable objectives and performance targets established*



1 *pursuant to the statewide system of accountability for public*
2 *schools.*

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

9 3. The State Board shall prescribe, 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., the modifications and accommodations that must be used in
13 the administration of an examination to a pupil with a disability who
14 is unable to take the examination under regular testing conditions.

15 4. As used in this section:

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

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

20 **Sec. 24.** NRS 391.098 is hereby amended to read as follows:

21 391.098 1. If a pupil enrolled in a Title I school or a school
22 that is ~~designated as needing improvement pursuant to NRS~~
23 ~~385.3623-1~~ *rated as underperforming pursuant to the statewide*
24 *system of accountability for public schools:*

25 (a) Is assigned to a teacher, as the pupil's regular classroom
26 teacher, who is not highly qualified; or

27 (b) Has been taught for 4 consecutive weeks or more by a
28 teacher who is not the pupil's regular classroom teacher and who is
29 not highly qualified,

30 ➤ the principal of the school or the administrative head of the
31 charter school, as applicable, shall provide notice of that fact to the
32 parent or legal guardian of the pupil.

33 2. The State Board shall prescribe the date on which the notice
34 required by subsection 1 must be provided. The notice must be
35 provided in a uniform and understandable format and, to the extent
36 practicable, in a language that parents and guardians can understand.

37 3. As used in this section, "highly qualified" has the meaning
38 ascribed to it in 20 U.S.C. § 7801(23).

39 **Sec. 25.** NRS 391.125 is hereby amended to read as follows:

40 391.125 1. If the board of trustees of a school district
41 determines that a shortage of teachers exists within the school
42 district in a particular subject area, the board of trustees may submit
43 a written request to the Superintendent of Public Instruction to
44 employ persons who are licensed teachers but who do not hold an
45 endorsement to teach in the subject area for which there is a



1 shortage of teachers at a public school within the school district that
2 is not ~~designated as demonstrating need for improvement pursuant~~
3 ~~to NRS 385.3623.~~ *rated as underperforming pursuant to the*
4 *statewide system of accountability for public schools.* The
5 Superintendent of Public Instruction may grant such a request if the
6 Superintendent determines that a shortage of teachers exists in the
7 subject area. If the Superintendent of Public Instruction grants a
8 request pursuant to this subsection, a person who holds a license to
9 teach but not an endorsement in the subject area for which the
10 request was granted may be employed by the school district
11 for not more than 2 school years to teach in that subject area at a
12 public school within the school district that is not ~~designated as~~
13 ~~needing improvement pursuant to NRS 385.3623.~~ *rated as*
14 *underperforming pursuant to the statewide system of*
15 *accountability for public schools.*

16 2. If the Superintendent of Public Instruction grants a request
17 pursuant to subsection 1, the Superintendent shall submit a written
18 report to the Commission that includes the name of the school
19 district for which the request was granted and the subject area for
20 which the request was granted. Upon receipt of such a report, the
21 Commission shall consider whether to adopt revisions to the
22 requirements for an endorsement in that subject area to address
23 the shortage of teachers.

24 **Sec. 26.** NRS 391.298 is hereby amended to read as follows:

25 391.298 If the board of trustees of a school district or the
26 superintendent of schools of a school district schedules a day or
27 days for the professional development of teachers or administrators
28 employed by the school district:

29 1. The primary focus of that scheduled professional
30 development must be to improve the achievement of the pupils
31 enrolled in the school district, as set forth in the ~~†~~

32 ~~—(a) Plan† plan~~ to improve the achievement of pupils prepared
33 pursuant to NRS 385.357. ~~†~~

34 ~~—(b) Turnaround plan for the school implemented pursuant to~~
35 ~~NRS 385.37603; or~~

36 ~~—(c) Plan for restructuring the school implemented pursuant to~~
37 ~~NRS 385.37607;~~

38 ~~→ as applicable.†~~

39 2. The scheduled professional development must be structured
40 so that teachers attend professional development that is designed for
41 the specific subject areas or grades taught by those teachers.

42 **Sec. 27.** NRS 391.540 is hereby amended to read as follows:

43 391.540 1. The governing body of each regional training
44 program shall:



1 (a) Adopt a training model, taking into consideration other
2 model programs, including, without limitation, the program used by
3 the Geographic Alliance in Nevada.

4 (b) Assess the training needs of teachers and administrators who
5 are employed by the school districts within the primary jurisdiction
6 of the regional training program and adopt priorities of training for
7 the program based upon the assessment of needs. The board of
8 trustees of each such school district may submit recommendations to
9 the appropriate governing body for the types of training that should
10 be offered by the regional training program.

11 (c) In making the assessment required by paragraph (b) and as
12 deemed necessary by the governing body, review the ~~†~~

13 ~~— (1) Plans† plans~~ to improve the achievement of pupils
14 prepared pursuant to NRS 385.357 ~~†~~

15 ~~— (2) Turnaround plans for schools implemented pursuant to~~
16 ~~NRS 385.37603; and~~

17 ~~— (3) Plans for restructuring schools implemented pursuant to~~
18 ~~NRS 385.37607;~~

19 ~~†~~ for individual schools within the primary jurisdiction of the
20 regional training program.

21 (d) Prepare a 5-year plan for the regional training program,
22 which includes, without limitation:

23 (1) An assessment of the training needs of teachers and
24 administrators who are employed by the school districts within the
25 primary jurisdiction of the regional training program; and

26 (2) Specific details of the training that will be offered by the
27 regional training program for the first 2 years covered by the plan.

28 (e) Review the 5-year plan on an annual basis and make
29 revisions to the plan as are necessary to serve the training needs of
30 teachers and administrators employed by the school districts within
31 the primary jurisdiction of the regional training program.

32 2. The Department, the Nevada System of Higher Education
33 and the board of trustees of a school district may request the
34 governing body of the regional training program that serves the
35 school district to provide training, participate in a program or
36 otherwise perform a service that is in addition to the duties of the
37 regional training program that are set forth in the plan adopted
38 pursuant to this section or otherwise required by statute. An entity
39 may not represent that a regional training program will perform
40 certain duties or otherwise obligate the regional training program as
41 part of an application by that entity for a grant unless the entity has
42 first obtained the written confirmation of the governing body of the
43 regional training program to perform those duties or obligations.
44 The governing body of a regional training program may, but is not
45 required to, grant a request pursuant to this subsection.



1 **Sec. 28.** NRS 392.456 is hereby amended to read as follows:
2 392.456 1. The Department shall:

3 (a) Prescribe a form for use by teachers in elementary schools to
4 provide reports to parents and legal guardians of pupils pursuant to
5 this section;

6 (b) Work in consultation with the Legislative Bureau of
7 Educational Accountability and Program Evaluation, the Nevada
8 Association of School Boards, the Nevada Association of School
9 Administrators, the Nevada State Education Association and the
10 Nevada Parent Teacher Association in the development of the form;
11 and

12 (c) Make the form available in electronic format for use by
13 school districts and charter schools and, upon request, in any other
14 manner deemed reasonable by the Department.

15 2. The form must include, without limitation:

16 (a) A notice to parents and legal guardians that parental
17 involvement is important in ensuring the success of the academic
18 achievement of pupils;

19 (b) A checklist indicating whether:

20 (1) The pupil completes his or her homework assignments in
21 a timely manner;

22 (2) The pupil is present in the classroom when school begins
23 each day and is present for the entire school day unless the pupil's
24 absence is approved in accordance with NRS 392.130;

25 (3) The parent or legal guardian and the pupil abide by any
26 applicable rules and policies of the school and the school district;
27 and

28 (4) The pupil complies with the dress code for the school, if
29 applicable; and

30 (c) A list of the resources and services available within the
31 community to assist parents and legal guardians in addressing any
32 issues identified on the checklist.

33 3. In addition to the requirements of subsection 2, the
34 Department may prescribe additional information for inclusion on
35 the form, including, without limitation:

36 (a) A report of the participation of the parent or legal guardian,
37 including, without limitation, whether the parent or legal guardian:

38 (1) Completes forms and other documents that are required
39 by the school or school district in a timely manner;

40 (2) Assists in carrying out a plan to improve the pupil's
41 academic achievement, if applicable;

42 (3) Attends conferences between the teacher and the parent
43 or legal guardian, if applicable; and

44 (4) Attends school activities.



1 (b) A report of whether the parent or legal guardian ensures the
2 health and safety of the pupil, including, without limitation,
3 whether:

4 (1) Current information is on file with the school that
5 designates each person whom the school should contact if an
6 emergency involving the pupil occurs; and

7 (2) Current information is on file with the school regarding
8 the health and safety of the pupil, such as immunization records, if
9 applicable, and any special medical needs of the pupil.

10 4. A teacher at an elementary school may provide the form
11 prescribed by the Department, including the additional information
12 prescribed pursuant to subsection 3 if the Department has prescribed
13 such information on the form, to a parent or legal guardian of a
14 pupil if the teacher determines that the provision of such a report
15 would assist in improving the academic achievement of the pupil.

16 5. A report provided to a parent or legal guardian pursuant to
17 this section must not be used in a manner that:

18 (a) Interferes unreasonably with the personal privacy of the
19 parent or legal guardian or the pupil;

20 (b) Reprimands the parent or legal guardian; or

21 (c) Affects the grade or report of progress given to a pupil based
22 upon the information contained in the report.

23 ~~16. —The principal of each elementary school at which a teacher
24 provides reports pursuant to this section shall provide to the support
25 team established for the school in accordance with the regulations of
26 the State Board adopted pursuant to NRS 385.361, if applicable, the
27 information contained in the completed reports for consideration by
28 the support team. The information must be provided in an
29 aggregated format and must not disclose the identity of an
30 individual parent, legal guardian or pupil.]~~

31 **Sec. 29.** NRS 392.4575 is hereby amended to read as follows:

32 392.4575 1. The Department shall prescribe a form for
33 educational involvement accords to be used by all public schools in
34 this State. The educational involvement accord must comply with
35 the policy:

36 (a) For parental involvement required by the federal No Child
37 Left Behind Act of 2001, as set forth in 20 U.S.C. § 6318.

38 (b) For parental involvement and family engagement adopted by
39 the State Board pursuant to NRS 392.457.

40 2. Each educational involvement accord must include, without
41 limitation:

42 (a) A description of how the parent or legal guardian will be
43 involved in the education of the pupil, including, without limitation:

44 (1) Reading to the pupil, as applicable for the grade or
45 reading level of the pupil;



1 (2) Reviewing and checking the pupil's homework; and
2 (3) Contributing 5 hours of time each school year, including,
3 without limitation, by attending school-related activities, parent-
4 teacher association meetings, parent-teacher conferences,
5 volunteering at the school and chaperoning school-sponsored
6 activities.

7 (b) The responsibilities of a pupil in a public school, including,
8 without limitation:

9 (1) Reading each day before or after school, as applicable for
10 the grade or reading level of the pupil;

11 (2) Using all school equipment and property appropriately
12 and safely;

13 (3) Following the directions of any adult member of the staff
14 of the school;

15 (4) Completing and submitting homework in a timely
16 manner; and

17 (5) Respecting himself or herself, others and all property.

18 (c) The responsibilities of a public school and the
19 administrators, teachers and other personnel employed at a school,
20 including, without limitation:

21 (1) Ensuring that each pupil is provided proper instruction,
22 supervision and interaction;

23 (2) Maximizing the educational and social experience of
24 each pupil;

25 (3) Carrying out the professional responsibility of educators
26 to seek the best interest of each pupil; and

27 (4) Making staff available to the parents and legal guardians
28 of pupils to discuss the concerns of parents and legal guardians
29 regarding the pupils.

30 3. Each educational involvement accord must be accompanied
31 by, without limitation:

32 (a) Information describing how the parent or legal guardian may
33 contact the pupil's teacher and the principal of the school in which
34 the pupil is enrolled;

35 (b) The curriculum of the course or standards for the grade in
36 which the pupil is enrolled, as applicable, including, without
37 limitation, a calendar that indicates the dates of major examinations
38 and the due dates of significant projects, if those dates are known by
39 the teacher at the time that the information is distributed;

40 (c) The homework and grading policies of the pupil's teacher or
41 school;

42 (d) Directions for finding resource materials for the course or
43 grade in which the pupil is enrolled, as applicable;

44 (e) Suggestions for parents and legal guardians to assist pupils in
45 their schoolwork at home;



1 (f) The dates of scheduled conferences between teachers or
2 administrators and the parents or legal guardians of the pupil;

3 (g) The manner in which reports of the pupil's progress will be
4 delivered to the parent or legal guardian and how a parent or legal
5 guardian may request a report of progress;

6 (h) The classroom rules and policies;

7 (i) The dress code of the school, if any;

8 (j) The availability of assistance to parents who have limited
9 proficiency in the English language;

10 (k) Information describing the availability of free and reduced-
11 price meals, including, without limitation, information regarding
12 school breakfast, school lunch and summer meal programs;

13 (l) Opportunities for parents and legal guardians to become
14 involved in the education of their children and to volunteer for the
15 school or class; and

16 (m) The code of honor relating to cheating prescribed pursuant
17 to NRS 392.461.

18 4. The board of trustees of each school district shall adopt a
19 policy providing for the development and distribution of the
20 educational involvement accord. The policy adopted by a board of
21 trustees must require each classroom teacher to:

22 (a) Distribute the educational involvement accord to the parent
23 or legal guardian of each pupil in the teacher's class at the beginning
24 of each school year or upon a pupil's enrollment in the class, as
25 applicable; and

26 (b) Provide the parent or legal guardian with a reasonable
27 opportunity to sign the educational involvement accord.

28 5. Except as otherwise provided in this subsection, the board of
29 trustees of each school district shall ensure that the form prescribed
30 by the Department is used for the educational involvement accord of
31 each public school in the school district. The board of trustees of a
32 school district may authorize the use of an expanded form that
33 contains additions to the form prescribed by the Department if the
34 basic information contained in the expanded form complies with the
35 form prescribed by the Department.

36 6. The Department and the board of trustees of each school
37 district shall, at least once each year, review and amend their
38 respective educational involvement accords.

39 ~~7. If a school support team is established in accordance with~~
40 ~~the regulations of the State Board adopted pursuant to NRS 385.361~~
41 ~~for an elementary school, the principal of the school shall provide to~~
42 ~~the support team information concerning the distribution of the~~
43 ~~educational involvement accord and the number of accords which~~
44 ~~were signed and returned by parents and legal guardians. The~~



1 ~~information must be provided in an aggregated format and must not~~
2 ~~disclose the identity of an individual parent, legal guardian or pupil.]~~

3 **Sec. 30.** NRS 218E.615 is hereby amended to read as follows:
4 218E.615 1. The Committee may:

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

7 (1) Programs to enhance accountability in education;

8 (2) Legislative measures regarding education;

9 (3) The progress made by this State, the school districts and
10 the public schools in this State in satisfying the goals and objectives
11 of the ~~federal No Child Left Behind Act of 2001, 20 U.S.C. §§~~
12 ~~6301 et seq., and the annual measurable objectives established by~~
13 ~~the State Board of Education pursuant to NRS 385.361;]~~ *statewide*
14 *system of accountability for public schools;*

15 (4) Methods of financing public education;

16 (5) The condition of public education in the elementary and
17 secondary schools;

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

20 (7) The development of any programs to automate the
21 receipt, storage and retrieval of the educational records of pupils;
22 and

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

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

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

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

31 2. The Committee shall ~~†~~:

32 ~~—(a) In addition to any standards prescribed by the Department of~~
33 ~~Education, prescribe standards for the review and evaluation of the~~
34 ~~reports of the State Board of Education, State Public Charter School~~
35 ~~Authority, school districts and public schools pursuant to paragraph~~
36 ~~(a) of subsection 1 of NRS 385.359.~~

37 ~~—(b) For the purposes set forth in NRS 385.389, recommend to~~
38 ~~the Department of Education programs of remedial study for each~~
39 ~~subject tested on the examinations administered pursuant to NRS~~
40 ~~389.015. In recommending these programs of remedial study, the~~
41 ~~Committee shall consider programs of remedial study that have~~
42 ~~proven to be successful in improving the academic achievement of~~
43 ~~pupils.~~

44 ~~—(c) Recommend to the Department of Education providers of~~
45 ~~supplemental educational services for inclusion on the list of~~



1 ~~approved providers prepared by the Department pursuant to NRS~~
2 ~~385.384. In recommending providers, the Committee shall consider~~
3 ~~providers with a demonstrated record of effectiveness in improving~~
4 ~~the academic achievement of pupils.~~

5 ~~—(d) For~~ , *for* the purposes set forth in NRS 385.3785,
6 recommend to the Commission on Educational Excellence created
7 by NRS 385.3784 programs, practices and strategies that have
8 proven effective in improving the academic achievement and
9 proficiency of pupils.

10 **Sec. 31.** NRS 218E.625 is hereby amended to read as follows:

11 218E.625 1. The Legislative Bureau of Educational
12 Accountability and Program Evaluation is hereby created within the
13 Fiscal Analysis Division. The Fiscal Analysts shall appoint to the
14 Legislative Bureau of Educational Accountability and Program
15 Evaluation a Chief and such other personnel as the Fiscal Analysts
16 determine are necessary for the Bureau to carry out its duties
17 pursuant to this section.

18 2. The Bureau shall, as the Fiscal Analysts determine is
19 necessary or at the request of the Committee:

20 (a) Collect and analyze data and issue written reports
21 concerning:

22 (1) The effectiveness of the provisions of NRS 385.3455 to
23 ~~385.391,~~ **385.3891**, inclusive, *and section 1 of this act*, in
24 improving the accountability of the schools of this State;

25 (2) The statewide program to reduce the ratio of pupils per
26 class per licensed teacher prescribed in NRS 388.700, 388.710 and
27 388.720;

28 (3) The statewide program to educate persons with
29 disabilities that is set forth in chapter 395 of NRS;

30 (4) The results of the examinations of the National
31 Assessment of Educational Progress that are administered pursuant
32 to NRS 389.012; and

33 (5) Any program or legislative measure, the purpose of
34 which is to reform the system of education within this State.

35 (b) Conduct studies and analyses to evaluate the performance
36 and progress of the system of public education within this State.
37 Such studies and analyses may be conducted:

38 (1) As the Fiscal Analysts determine are necessary; or

39 (2) At the request of the Legislature.

40 ↪ This paragraph does not prohibit the Bureau from contracting
41 with a person or entity to conduct studies and analyses on behalf of
42 the Bureau.

43 (c) On or before October 1 of each even-numbered year, submit
44 a written report of its findings pursuant to paragraphs (a) and (b) to
45 the Director for transmission to the next regular session. The Bureau



1 shall, on or before October 1 of each odd-numbered year, submit a
2 written report of its findings pursuant to paragraphs (a) and (b) to
3 the Director for transmission to the Legislative Commission and to
4 the Legislative Committee on Education.

5 3. The Bureau may, pursuant to NRS 218F.620, require a
6 school, a school district, the Nevada System of Higher Education or
7 the Department of Education to submit to the Bureau books, papers,
8 records and other information that the Chief of the Bureau
9 determines are necessary to carry out the duties of the Bureau
10 pursuant to this section. An entity whom the Bureau requests to
11 produce records or other information shall provide the records or
12 other information in any readily available format specified by the
13 Bureau.

14 4. Except as otherwise provided in this subsection and NRS
15 239.0115, any information obtained by the Bureau pursuant to this
16 section shall be deemed a work product that is confidential pursuant
17 to NRS 218F.150. The Bureau may, at the discretion of the Chief
18 and after submission to the Legislature or Legislative Commission,
19 as appropriate, publish reports of its findings pursuant to paragraphs
20 (a) and (b) of subsection 2.

21 5. This section does not prohibit the Department of Education
22 or the State Board of Education from conducting analyses,
23 submitting reports or otherwise reviewing educational programs in
24 this State.

25 **Sec. 32.** NRS 385.34692, 385.349, 385.358, 385.359, 385.361,
26 385.3611, 385.36125, 385.36127, 385.36129, 385.362, 385.3623,
27 385.3625, 385.3661, 385.3693, 385.372, 385.3721, 385.3743,
28 385.3744, 385.3745, 385.3746, 385.376, 385.37603, 385.37605,
29 385.37607, 385.3761, 385.3762, 385.377, 385.3771, 385.37715,
30 385.3772, 385.3773, 385.3774, 385.384, 385.389 and 385.391 are
31 hereby repealed.

32 **Sec. 33.** The Department of Education shall:

33 1. Monitor the impact of the revisions made by this act,
34 including, without limitation, the removal of certain accountability
35 provisions included in the statewide system of accountability for
36 public schools under the No Child Left Behind Act of 2001, 20
37 U.S.C. § 6301 et seq.

38 2. Provide a status report on the impact to the Legislative
39 Committee on Education, including, without limitation:

40 (a) The status of the statewide system of accountability for
41 public schools developed under authorization from the United States
42 Department of Education in accordance with the waiver approved in
43 August of 2012, from some of the requirements of the No Child Left
44 Behind Act; and



- 1 (b) Any recommendations for legislation based upon the
2 revisions made to the statewide system of accountability for public
3 schools by this act.
4 **Sec. 34.** This act becomes effective on July 1, 2013.

LEADLINES OF REPEALED SECTIONS

385.34692 Summary of accountability information for State Board; submission and public dissemination of summary; availability of summary on Internet.

385.349 Summary of accountability information for school districts and charter schools; submission and public dissemination of summary; availability of summary on Internet.

385.358 Summary of accountability information for individual schools; submission and public dissemination of summary; availability of summary on Internet.

385.359 Authority of Bureau to convene advisory group to review accountability information; duties of advisory group; qualifications of members of advisory group.

385.361 Measurement of adequate yearly progress prescribed by State Board; regulations governing corrective action, consequences and sanctions for certain schools.

385.3611 Regulations governing criteria for designating schools and school districts.

385.36125 Membership.

385.36127 Duties and powers; quarterly progress report.

385.36129 Annual written report; contents, submission and availability of report.

385.362 Consequences for failure to make adequate yearly progress for 1 year.

385.3623 Criteria for designating schools as demonstrating exemplary achievement, high achievement, adequate achievement or need for improvement.

385.3625 Recognition as exemplary turnaround school.

385.3661 Designation as demonstrating need for improvement for 1 year: Notice; technical assistance; school choice required for Title I schools.

385.3693 Designation as demonstrating need for improvement for 2 consecutive years: Notice; technical assistance.



385.372 Designation of Title I schools as demonstrating need for improvement for 2 consecutive years: School choice and supplemental services required; delay from imposition of supplemental services required for certain schools.

385.3721 Designation as demonstrating need for improvement for 3 consecutive years: Notice; technical assistance; comprehensive audit of school.

385.3743 Designation of Title I schools as demonstrating need for improvement for 3 consecutive years: School choice, supplemental services and corrective action required; delay from imposition of corrective action required for certain schools.

385.3744 Designation of non-Title I schools as demonstrating need for improvement for 3 consecutive years: Certain corrective action authorized; delay from imposition for certain schools.

385.3745 Designation of non-Title I schools as demonstrating need for improvement for 4 consecutive years: Development of turnaround plan; monitoring of implementation of turnaround plan and corrective action by Department; notice; technical assistance; regulations.

385.3746 Designation of Title I schools as demonstrating need for improvement for 4 consecutive years: Technical assistance, school choice, supplemental educational services and development of plan for restructuring required; delay from development of plan required for certain schools.

385.376 Designation of non-Title I schools as demonstrating need for improvement for 4 consecutive years: Corrective action and other consequences and sanctions authorized; delay from imposition required for certain schools; notice of consequences and sanctions.

385.37603 Designation of non-Title I schools as demonstrating need for improvement for 5 or more consecutive years: Repeal of plan to improve and implementation of turnaround plan; notice; technical assistance.

385.37605 Designation of non-Title I schools as demonstrating need for improvement for 5 consecutive years or more: Corrective action and other consequences and sanctions authorized; delay from imposition required for certain schools; monitoring of turnaround plan by Department; notice of consequences and sanctions.

385.37607 Designation of Title I schools as demonstrating need for improvement for 5 consecutive years or more: Repeal of plan to improve and implementation of plan for restructuring; delay from implementation of plan required for



certain schools; technical assistance, school choice and supplemental educational services required; notice.

385.3761 Restructuring required for Title I schools; notice of restructuring.

385.3762 Annual determination of adequate yearly progress for school districts.

385.377 Criteria for designating school districts as demonstrating exemplary achievement, high achievement, adequate achievement or need for improvement.

385.3771 Annual designation of school districts; issuance of preliminary designations; opportunity for school districts to review data; notice of final designations; public dissemination.

385.37715 Recognition as exemplary turnaround school district.

385.3772 Consequences for school district designated as demonstrating need for improvement; technical assistance and corrective action.

385.3773 Types of corrective actions for school districts; notice of corrective action and opportunity for hearing.

385.3774 Delay from imposition of corrective action required for certain school districts.

385.384 Selection of providers of supplemental educational services; maintenance of updated list of approved providers.

385.389 Department required to adopt programs of remedial study; schools demonstrating need for improvement required to ensure completion of remedial study by certain pupils.

385.391 Regulations governing recognition of certain schools and to carry out statewide system of accountability.

