

ASSEMBLY BILL NO. 7—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 15, 2016

Referred to Committee on Education

SUMMARY—Revises provisions related to education.  
(BDR 34-126)

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

~

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

AN ACT relating to education; revising certain references and terms in conformance with revisions to federal law; revising requirements for a plan to improve the achievement of pupils enrolled in a public school; repealing provisions requiring certain schools to carry out a process for peer review of a plan to improve the achievement of pupils enrolled in a school in accordance with federal law; requiring the State Board of Education to establish criteria for assessments that may be used to determine pupil achievement; revising provisions governing the count of pupils for purposes of calculating basic support; requiring the State Board to adopt regulations regarding end-of-course finals; revising the requirements for receipt of a standard high school diploma; providing for the creation of a college and career ready high school diploma; requiring a public awareness campaign concerning high school diplomas and endorsements to be conducted to the extent that money is available; revising provisions governing the annual reports of accountability prepared by the State Board and each school district; revising provisions governing evaluations of the overall performance of teachers and paraprofessionals; and providing other matters properly relating thereto.



\* A B 7 R 2 \*

**Legislative Counsel's Digest:**

1 In 2015, Congress passed the Every Student Succeeds Act of 2015, which  
2 replaced the No Child Left Behind Act of 2001 and was a significant  
3 reauthorization of the Elementary and Secondary Education Act of 1965. (20  
4 U.S.C. §§ 6301 et seq.) **Sections 6, 7, 56, 58, 75 and 76** of this bill replace  
5 references to the No Child Left Behind Act of 2001 with references to the Every  
6 Student Succeeds Act of 2015. **Sections 2, 32, 38, 43, 71 and 72** revise references  
7 to federal law to conform to changes made in the Every Student Succeeds Act of  
8 2015. **Sections 1, 2, 4, 5, 11, 15, 16, 19-21, 23, 24, 26-29, 31, 33, 35, 39, 55, 56,**  
9 **71, 73, 74 and 77-82** of this bill revise terminology to conform with the revisions to  
10 the federal law.

11 Existing law requires the principal of each school, in consultation with the  
12 employees of the school, to prepare a plan to improve the achievement of pupils  
13 enrolled in the school and prescribes the requirements for such a plan. (NRS  
14 385A.650) **Section 19** of this bill removes the statutory requirements concerning  
15 the contents of the plan and instead requires the State Board of Education to  
16 prescribe the contents of the plan by regulation. **Section 83** of this bill repeals a  
17 provision requiring certain schools to carry out a process for peer review of a plan  
18 to improve the achievement of pupils enrolled in the school in accordance with  
19 federal law.

20 Existing law requires the State Board to adopt regulations for counting  
21 enrollment of pupils for apportionment purposes. (NRS 387.123) **Section 23.5** of  
22 this bill prohibits such regulations from counting a pupil enrolled in grade 12 who  
23 is not prepared for college and career success as a full-time pupil for apportionment  
24 purposes unless the pupil is enrolled in a certain number of courses or periods per  
25 day.

26 **Section 41.3** of this bill requires the State Board to adopt regulations regarding  
27 end-of-course finals and the courses for which such finals may be administered.

28 Existing law requires the State Board to adopt regulations that prescribe the  
29 criteria for receipt of a standard high school diploma. (NRS 390.600) **Section 52** of  
30 this bill removes the requirement that the regulations require a pupil to pass certain  
31 end-of-course examinations to receive a standard high school diploma. **Section**  
32 **41.5** of this bill requires the State Board to adopt regulations that prescribe the  
33 criteria for a pupil to receive a college and career ready high school diploma, which  
34 must include requirements that the pupil: (1) satisfy the criteria for receipt of a  
35 standard high school diploma; and (2) obtain a college-ready endorsement or a  
36 career-ready endorsement. **Section 41.5** also requires the State Board to: (1) adopt  
37 regulations prescribing the criteria for a pupil to obtain each endorsement; (2)  
38 annually review and, if necessary, revise the regulations adopted relating to the  
39 college and career ready high school diploma; and (3) provide incentive grants and  
40 certain reimbursements relating to the college and career ready high school  
41 diploma, to the extent that money is available for this purpose. Finally, **section 41.5**  
42 provides that a college and career ready high school diploma confers all the same  
43 rights, privileges and benefits as a standard high school diploma.

44 **Section 41.7** of this bill requires the Department of Education, to the extent that  
45 money is available, to conduct a public awareness campaign to inform certain  
46 persons of the types of diplomas and endorsements on a diploma a pupil may  
47 receive upon graduation from high school and the criteria for obtaining such  
48 diplomas or endorsements.

49 Existing law requires the statewide performance evaluation system used to  
50 evaluate a public school employee's overall performance to include a process for  
51 peer evaluations of teachers by qualified educational personnel. (NRS 391.465)  
52 **Section 66** of this bill requires the statewide performance evaluation system to  
53 include a process for peer observations, instead of peer evaluations. **Sections 65.5**  
54 **and 66.5** of this bill make conforming changes.



55 Existing law requires the State Board to designate the assessments that may be  
56 used by a school district to determine pupil achievement. (NRS 391.465) **Section**  
57 **66** of this bill instead requires: (1) the State Board to establish the criteria for the  
58 assessments that may be used by a school district; and (2) the board of trustees of a  
59 school district to select assessments that meet the criteria established by the State  
60 Board to determine pupil achievement. Existing law requires the State Board to  
61 select a college and career readiness assessment for administration to pupils  
62 enrolled in grade 11 in public schools. (NRS 390.610) **Section 53** of this bill  
63 provides that the results of a pupil on this assessment may be used in determining  
64 whether the pupil satisfies the requirements for receipt of a college and career ready  
65 high school diploma. **Section 53** also requires the State Board to adopt regulations  
66 prescribing the manner in which a school district or charter school that enrolls  
67 pupils at a high school grade level is required to use the results of this assessment to  
68 inform the instruction provided to pupils enrolled in grade 12.

69 Existing law requires teachers and administrators to receive certain evaluations  
70 that are based in part upon a certain number of observations of the teacher or  
71 administrator. (NRS 391.685, 391.690, 391.705, 391.710) **Sections 67-68.5** of this  
72 bill require such evaluations to be based on a certain number of observation cycles  
73 of each teacher and administrator. **Section 69** of this bill makes a technical  
74 correction to provisions relating to the written evaluation of a probationary teacher  
75 or administrator. **Sections 36, 37 and 59-64** of this bill revise additional provisions  
76 governing the qualifications of certain teachers and paraprofessionals and  
77 evaluations of the performance of teachers and paraprofessionals.

78 Existing law requires the board of trustees of each school district to prepare an  
79 annual report of accountability concerning the educational goals and objectives of  
80 the school district. (385A.070) Existing law also requires the State Board to prepare  
81 a single annual report of accountability for all public schools in the State that  
82 includes certain information. (NRS 385A.400) **Sections 9 and 13** of this bill revise  
83 the contents of such annual reports of accountability and require the reports to  
84 include certain information concerning educational personnel.

---

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

- 1 **Section 1.** NRS 385.007 is hereby amended to read as follows:  
2 385.007 As used in this title, unless the context otherwise  
3 requires:  
4 1. "Achievement charter school" means a public school  
5 operated by a charter management organization, as defined in NRS  
6 388B.020, an educational management organization, as defined in  
7 NRS 388B.030, or other person pursuant to a contract with the  
8 Achievement School District pursuant to NRS 388B.210 and subject  
9 to the provisions of chapter 388B of NRS.  
10 2. "Department" means the Department of Education.  
11 3. *"English learner" has the meaning ascribed to it in 20*  
12 *U.S.C. § 7801(20).*  
13 4. "Homeschooled child" means a child who receives  
14 instruction at home and who is exempt from compulsory attendance  
15 pursuant to NRS 392.070, but does not include an opt-in child.



1 ~~4. “Limited English proficient” has the meaning ascribed to it~~  
2 ~~in 20 U.S.C. § 7801(25).]~~

3 5. “Opt-in child” means a child for whom an education savings  
4 account has been established pursuant to NRS 353B.850, who is not  
5 enrolled full-time in a public or private school and who receives all  
6 or a portion of his or her instruction from a participating entity, as  
7 defined in NRS 353B.750.

8 6. “Public schools” means all kindergartens and elementary  
9 schools, junior high schools and middle schools, high schools,  
10 charter schools and any other schools, classes and educational  
11 programs which receive their support through public taxation and,  
12 except for charter schools, whose textbooks and courses of study are  
13 under the control of the State Board.

14 7. “State Board” means the State Board of Education.

15 8. “University school for profoundly gifted pupils” has the  
16 meaning ascribed to it in NRS 388C.040.

17 **Sec. 2.** NRS 385.112 is hereby amended to read as follows:

18 385.112 A plan to improve the achievement of pupils enrolled  
19 in public schools in this State prepared pursuant to NRS 385.111  
20 must include:

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

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

28 3. Strategies based upon ~~scientifically based~~ *evidence-based*  
29 research, as defined in 20 U.S.C. § ~~7801(37),~~ *7801(21)*, that will  
30 strengthen the core academic subjects, as set forth in NRS 389.018.

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

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

36 (1) The curriculum appropriate to improve achievement;

37 (2) The manner by which the instruction will improve the  
38 achievement and proficiency of pupils on the examinations  
39 administered pursuant to NRS 390.105 ~~and 390.600~~ and the  
40 college and career readiness assessment administered pursuant to  
41 NRS 390.610, including, without limitation, the manner in which  
42 remediation will be provided to pupils who require remediation  
43 based on the results of an examination administered pursuant to  
44 NRS ~~390.600 and~~ 390.610; and



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

5 (b) Improve the literacy skills of pupils;

6 (c) Improve the development of English language skills and  
7 academic achievement of pupils who are ~~limited~~ English  
8 ~~proficient~~ learners;

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

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

13 (f) Manage effectively the discipline of pupils; and

14 (g) Enhance the professional development offered for the  
15 teachers and administrators employed at public schools in this State  
16 to include the activities set forth in 20 U.S.C. § ~~7801(34)~~ 7801(42)  
17 and to address the specific needs of the pupils enrolled in public  
18 schools in this State, as deemed appropriate by the State Board.

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

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

25 (b) The availability of Governor Guinn Millennium  
26 Scholarships pursuant to NRS 396.911 to 396.945, inclusive; and

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

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

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

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

38 (b) For each provision of the plan, a timeline for carrying out  
39 that provision, including, without limitation, a timeline for  
40 monitoring whether the provision is carried out effectively.

41 8. For each provision of the plan, measurable criteria for  
42 determining whether the provision has contributed toward  
43 improving the academic achievement of pupils, increasing the rate  
44 of attendance of pupils and reducing the number of pupils who drop  
45 out of school.



1 9. Strategies to improve the allocation of resources from this  
2 State, by program and by school district, in a manner that will  
3 improve the academic achievement of pupils. If this State has a  
4 financial analysis program that is designed to track educational  
5 expenditures and revenues to individual schools, the State Board  
6 shall use that statewide program in complying with this subsection.  
7 If a statewide program is not available, the State Board shall use the  
8 Department's own financial analysis program in complying with  
9 this subsection.

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

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

18 12. A 5-year strategic plan which identifies the recurring issues  
19 in improving the achievement and proficiency of pupils in this State  
20 and which establishes strategic goals to address those issues. The  
21 5-year strategic plan must be:

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

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

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

29 **Sec. 3.** NRS 385.113 is hereby amended to read as follows:

30 385.113 The State Board shall:

31 1. In developing the plan to improve the achievement of pupils  
32 enrolled in public schools pursuant to NRS 385.111, establish  
33 clearly defined goals and benchmarks for improving the  
34 achievement of pupils, including, without limitation, goals for:

35 (a) Improving proficiency results in core academic subjects;

36 (b) Increasing the number of pupils enrolled in public middle  
37 schools and junior high schools, including, without limitation,  
38 charter schools, who enter public high schools with the skills  
39 necessary to succeed in high school;

40 (c) Improving the percentage of pupils who enroll in grade 9 and  
41 who graduate from a public high school, including, without  
42 limitation, a charter school, with a standard or higher diploma upon  
43 completion;

44 (d) Improving the performance of pupils on standardized college  
45 entrance examinations;



1 (e) Increasing the percentage of pupils enrolled in high schools  
2 who enter postsecondary educational institutions or who are career  
3 and workforce ready; and

4 (f) Reengaging disengaged youth who have dropped out of high  
5 school or who are at risk of dropping out of high school, including,  
6 without limitation, a mechanism for tracking and maintaining  
7 communication with those youth who have dropped out of school or  
8 who are at risk of doing so;

9 2. Review the plan annually to evaluate the effectiveness of the  
10 plan;

11 3. Examine the timeline for implementing the plan and each  
12 provision of the plan to determine whether the annual goals and  
13 benchmarks have been attained;

14 4. Based upon the evaluation of the plan, make revisions, as  
15 necessary, to ensure that:

16 (a) The goals and benchmarks set forth in the plan are being  
17 attained in a timely manner; and

18 (b) The plan is designed to improve the academic achievement  
19 of pupils enrolled in public schools in this State; and

20 5. Review the plans submitted pursuant to subsection ~~5~~ 4 of  
21 NRS 385A.650 to:

22 (a) Determine common problems identified by the principal of  
23 each school ; ~~pursuant to paragraph (b) of subsection 2 of NRS~~  
24 ~~385A.650;~~ and

25 (b) Make recommendations to the Department concerning how  
26 the Department can best support the needs of schools.

27 **Sec. 4.** NRS 385.230 is hereby amended to read as follows:

28 385.230 1. The Department shall, in conjunction with the  
29 State Board, prepare an annual report of the state of public  
30 education in this State. The report must include, without limitation:

31 (a) An analysis of each annual report of accountability prepared  
32 by the State Board pursuant to NRS 385A.400;

33 (b) An update on the status of K-12 public education in this  
34 State;

35 (c) A description of the most recent vision and mission  
36 statements of the State Board and the Department, including,  
37 without limitation, the progress made by the State Board and  
38 Department in achieving those visions and missions;

39 (d) A description of the goals and benchmarks for improving the  
40 academic achievement of pupils which are included in the plan to  
41 improve the achievement of pupils required by NRS 385.111;

42 (e) A description of any significant changes made to the  
43 collection, maintenance or transfer of data concerning pupils by the  
44 Department, a school district, a sponsor of a charter school or a  
45 university school for profoundly gifted pupils;



1 (f) Any new data elements, including, without limitation, data  
2 about individual pupils and aggregated data about pupils within a  
3 defined group, proposed for inclusion in the automated system of  
4 accountability information for Nevada established pursuant to  
5 NRS 385A.800;

6 (g) An analysis of the progress the public schools have made in  
7 the previous year toward achieving the goals and benchmarks for  
8 improving the academic achievement of pupils;

9 (h) An analysis of whether the standards and examinations  
10 adopted by the State Board adequately prepare pupils for success in  
11 postsecondary educational institutions and in career and workforce  
12 readiness;

13 (i) An analysis of the extent to which school districts and charter  
14 schools recruit and retain effective teachers and principals;

15 (j) An analysis of the ability of the automated system of  
16 accountability information for Nevada established pursuant to NRS  
17 385A.800 to link the achievement of pupils to the performance of  
18 the individual teachers assigned to those pupils and to the principals  
19 of the schools in which the pupils are enrolled;

20 (k) An analysis of the extent to which the lowest performing  
21 public schools have improved the academic achievement of pupils  
22 enrolled in those schools;

23 (l) A summary of the innovative educational programs  
24 implemented by public schools which have demonstrated the ability  
25 to improve the academic achievement of pupils, including, without  
26 limitation:

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

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

31 (3) Pupils with disabilities;

32 (4) Pupils who are ~~limited~~ English ~~proficient~~ *learners*;  
33 and

34 (5) Pupils who are migratory children, as defined by the State  
35 Board; and

36 (m) A description of any plan of corrective action requested by  
37 the Superintendent of Public Instruction from the board of trustees  
38 of a school district or the governing body of a charter school and the  
39 status of that plan.

40 2. In odd-numbered years, the Superintendent of Public  
41 Instruction shall present the report prepared pursuant to subsection 1  
42 in person to the Governor and each standing committee of the  
43 Legislature with primary jurisdiction over matters relating to K-12  
44 public education at the beginning of each regular session of the  
45 Legislature.





1 3. In even-numbered years, the Superintendent of Public  
2 Instruction shall, on or before January 31, submit a written copy of  
3 the report prepared pursuant to subsection 1 to the Governor and to  
4 the Legislative Committee on Education.

5 **Sec. 5.** NRS 385.620 is hereby amended to read as follows:

6 385.620 The Advisory Council shall:

7 1. Review the policy of parental involvement adopted by the  
8 State Board and the policy of parental involvement and family  
9 engagement adopted by the board of trustees of each school district  
10 pursuant to NRS 392.457;

11 2. Review the information relating to communication with and  
12 participation, involvement and engagement of parents and families  
13 that is included in the annual report of accountability for each school  
14 district pursuant to NRS 385A.320 and similar information in the  
15 annual report of accountability prepared by the State Public Charter  
16 School Authority, the Achievement School District and a college or  
17 university within the Nevada System of Higher Education that  
18 sponsors a charter school pursuant to subsection 3 of  
19 NRS 385A.070;

20 3. Review any effective practices carried out in individual  
21 school districts to increase parental involvement and family  
22 engagement and determine the feasibility of carrying out those  
23 practices on a statewide basis;

24 4. Review any effective practices carried out in other states to  
25 increase parental involvement and family engagement and  
26 determine the feasibility of carrying out those practices in this State;

27 5. Identify methods to communicate effectively and provide  
28 outreach to parents, legal guardians and families of pupils who have  
29 limited time to become involved in the education of their children  
30 for various reasons, including, without limitation, work schedules,  
31 single-parent homes and other family obligations;

32 6. Identify the manner in which the level of parental  
33 involvement and family engagement affects the performance,  
34 attendance and discipline of pupils;

35 7. Identify methods to communicate effectively with and  
36 provide outreach to parents, legal guardians and families of pupils  
37 who are ~~limited~~ English ~~proficient;~~ *learners;*

38 8. Determine the necessity for the appointment of a statewide  
39 parental involvement and family engagement coordinator or a  
40 parental involvement and family engagement coordinator in each  
41 school district, or both;

42 9. Work in collaboration with the Office of Parental  
43 Involvement and Family Engagement created by NRS 385.630 to  
44 carry out the duties prescribed in NRS 385.635;



1 10. On or before July 1 of each year, submit a report to the  
2 Legislative Committee on Education describing the activities of the  
3 Advisory Council and any recommendations for legislation; and

4 11. On or before February 1 of each odd-numbered year,  
5 submit a report to the Director of the Legislative Counsel Bureau for  
6 transmission to the next regular session of the Legislature describing  
7 the activities of the Advisory Council and any recommendations for  
8 legislation.

9 **Sec. 6.** NRS 385A.040 is hereby amended to read as follows:

10 385A.040 “Title I school” means a public school that receives  
11 money pursuant to the  ~~[No Child Left Behind Act of 2001,]~~  *Every*  
12 *Student Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq., and is  
13 obligated to comply with the provisions of that federal law.

14 **Sec. 7.** NRS 385A.050 is hereby amended to read as follows:

15 385A.050 “Title I school district” means a school district that  
16 receives money pursuant to the  ~~[No Child Left Behind Act of 2001,]~~   
17 *Every Student Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq., and  
18 is obligated to comply with the provisions of that federal law.

19 **Sec. 8.** NRS 385A.200 is hereby amended to read as follows:

20 385A.200 The annual report of accountability prepared  
21 pursuant to NRS 385A.070 must include information on pupil  
22 achievement and school performance, including, without limitation,  
23 pupil achievement for each school in the district and the district as a  
24 whole, including, without limitation, each charter school sponsored  
25 by the district. The board of trustees of the district shall base its  
26 report on the results of the examinations administered pursuant to  
27 NRS 390.105  ~~[and 390.600]~~  and the college and career readiness  
28 assessment administered pursuant to NRS 390.610 and shall  
29 compare the results of those examinations for the current school  
30 year with those of previous school years. The report must include,  
31 for each school in the district, including, without limitation, each  
32 charter school sponsored by the district, and each grade in which the  
33 examinations and assessments were administered:

34 1. The number of pupils who took the examinations and a  
35 record of attendance for the period in which the examinations were  
36 administered, including an explanation of any difference in the  
37 number of pupils who took the examinations and the number of  
38 pupils who are enrolled in the school.

39 2. Except as otherwise provided in subsection 2 of NRS  
40 385A.070, pupil achievement, reported separately by gender and  
41 reported separately for the groups of pupils identified in the  
42 statewide system of accountability for public schools.

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



1 4. The percentage of pupils who were not tested.  
2 5. Except as otherwise provided in subsection 2 of NRS  
3 385A.070, the percentage of pupils who were not tested, reported  
4 separately by gender and reported separately for the groups  
5 identified in the statewide system of accountability for public  
6 schools.

7 6. The most recent 3-year trend in pupil achievement in each  
8 subject area tested and each grade level tested pursuant to NRS  
9 390.105 ~~and 390.600~~ and the college and career readiness  
10 assessment administered pursuant to NRS 390.610, which may  
11 include information regarding the trend in the achievement of pupils  
12 for more than 3 years, if such information is available.

13 7. The rating of each public school in the district, including,  
14 without limitation, each charter school sponsored by the district,  
15 pursuant to the statewide system of accountability for public  
16 schools.

17 8. Information on whether each school in the district,  
18 including, without limitation, each charter school sponsored by the  
19 district, has made progress based upon the model adopted by the  
20 Department pursuant to NRS 390.125.

21 9. Information that compares the results of pupils in the school  
22 district, including, without limitation, pupils enrolled in charter  
23 schools sponsored by the district, with the results of pupils  
24 throughout this State. The information required by this subsection  
25 must be provided in consultation with the Department to ensure the  
26 accuracy of the comparison.

27 10. For each school in the district, including, without  
28 limitation, each charter school sponsored by the district, information  
29 that compares the results of pupils in the school with the results of  
30 pupils throughout the school district and throughout this State. The  
31 information required by this subsection must be provided in  
32 consultation with the Department to ensure the accuracy of the  
33 comparison.

34 **Sec. 9.** NRS 385A.230 is hereby amended to read as follows:

35 385A.230 1. The annual report of accountability prepared  
36 pursuant to NRS 385A.070 must include information on teachers ,  
37 *other licensed educational personnel* and paraprofessionals,  
38 including, without limitation:

39 (a) Information on the professional qualifications of teachers  
40 *and other licensed educational personnel* employed by each school  
41 in the district and the district as a whole, including, without  
42 limitation, each charter school sponsored by the district. The  
43 information must include, without limitation:

44 (1) *The total number of:*



1 (I) *Teachers and other licensed educational personnel*  
2 *employed at each school;*

3 (II) *Vacancies at each school which are not filled by a*  
4 *teacher who has a contract to teach at the school on a full-time*  
5 *basis, as determined by the Commission on Professional*  
6 *Standards in Education;*

7 (III) *Teachers and other licensed educational personnel*  
8 *employed at each school who provide instruction in a grade level*  
9 *or subject area for which they do not meet the requirements for*  
10 *licensure or do not hold a required endorsement;*

11 (IV) *Teachers and other licensed educational personnel*  
12 *employed at each school who are inexperienced, as defined by the*  
13 *Commission on Professional Standards in Education; and*

14 (V) *Employees at each school whose overall*  
15 *performance was determined to be highly effective, effective,*  
16 *minimally effective or ineffective under the statewide performance*  
17 *evaluation system.*

18 (2) The percentage of ~~teachers~~ :

19 (I) *Teachers and other licensed educational personnel*  
20 *employed by the school district who are* ~~;~~

21 ~~(I) Providing instruction pursuant to NRS 391.125;~~  
22 ~~employed at each school;~~

23 ~~(II) Providing instruction pursuant to a waiver of the~~  
24 ~~requirements for licensure for the grade level or subject area in~~  
25 ~~which the teachers are employed; or~~

26 ~~(III) Otherwise providing instruction without an~~  
27 ~~endorsement for the subject area in which the teachers are~~  
28 ~~employed;~~

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

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

38 ~~(4) Vacancies at each school which are not filled by a~~  
39 ~~teacher who has a contract to teach at the school on a full-time~~  
40 ~~basis, as determined by the Commission on Professional~~  
41 ~~Standards in Education;~~

42 (III) *Teachers and other licensed educational personnel*  
43 *employed at each school who provide instruction in a grade level*  
44 *or subject area for which they do not meet the requirements for*  
45 *licensure or do not hold a required endorsement;*



1            *(IV) Teachers and other licensed educational personnel*  
2 *employed at each school who are inexperienced, as defined by the*  
3 *Commission on Professional Standards in Education; and*

4            *(V) Employees at each school whose overall*  
5 *performance was determined to be highly effective, effective,*  
6 *minimally effective or ineffective under the statewide performance*  
7 *evaluation system.*

8            (3) For each middle school, junior high school and high  
9 school:

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

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

21 ~~— (5)†~~ (4) For each elementary 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

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

32            (b) Records of attendance of teachers who provide instruction,  
33 for each school in the district and the district as a whole, including,  
34 without limitation, each charter school sponsored by the district. The  
35 records of attendance maintained by a school for purposes of this  
36 paragraph must include the number of teachers who are in  
37 attendance at school and the number of teachers who are absent  
38 from school. A teacher shall be deemed in attendance if the teacher  
39 is excused from being present in the classroom by the school in  
40 which the teacher is employed for one of the following reasons:

41            (1) Acquisition of knowledge or skills relating to the  
42 professional development of the teacher; or

43            (2) Assignment of the teacher to perform duties for  
44 cocurricular or extracurricular activities of pupils.



1 (c) Information on the paraprofessionals employed by each  
2 public school in the district, including, without limitation, each  
3 charter school sponsored by the district. The information must  
4 include:

5 (1) The number of paraprofessionals employed at the school;

6 ~~and~~

7 (2) The number ~~and percentage of all~~ of paraprofessionals  
8 *employed at the school* who do not satisfy the ~~qualifications set~~  
9 ~~forth in 20 U.S.C. § 6319(c). The reporting requirements of this~~  
10 ~~subparagraph apply to paraprofessionals who are employed in~~  
11 ~~positions supported with Title I money and to paraprofessionals who~~  
12 ~~are not employed in positions supported with Title I money.]~~  
13 *requirements prescribed by the Department to comply with 20*  
14 *U.S.C. § 6311(g)(2)(M);*

15 (3) *The percentage of paraprofessionals employed by the*  
16 *school district who do not satisfy the requirements prescribed by*  
17 *the Department to comply with 20 U.S.C. § 6311(g)(2)(M) who are*  
18 *employed at the school; and*

19 (4) *Any other information required by regulation of the*  
20 *State Board.*

21 2. As used in this section ~~†~~:

22 ~~(a) “Highly qualified” has the meaning ascribed to it in 20~~  
23 ~~U.S.C. § 7801(23). (b) “Paraprofessional”, “paraprofessional” has~~  
24 ~~the meaning ascribed to it in NRS 391.008.~~

25 **Sec. 10.** NRS 385A.270 is hereby amended to read as follows:

26 385A.270 1. The annual report of accountability prepared  
27 pursuant to NRS 385A.070 must include, for each school in the  
28 district and the district as a whole, including, without limitation,  
29 each charter school sponsored by the district, information  
30 concerning pupils who are eligible for free or reduced-price  
31 breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are  
32 eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§  
33 1751 et seq., including, without limitation:

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

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

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

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

42 (e) A comparison of the achievement and proficiency of pupils,  
43 reported separately by race and ethnicity, who are eligible for free or  
44 reduced-price breakfasts, pupils who receive free and reduced-price  
45 breakfasts, pupils who are eligible for free or reduced-price lunches,



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

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

- 9 (1) Retention rates;
- 10 (2) Graduation rates;
- 11 (3) Dropout rates;
- 12 (4) Grade point averages; and
- 13 (5) Scores on the examinations administered pursuant to

14 NRS 390.105 ~~and 390.600~~ and the college and career readiness  
15 assessment administered pursuant to NRS 390.610.

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

18 **Sec. 11.** NRS 385A.280 is hereby amended to read as follows:

19 385A.280 The annual report of accountability prepared  
20 pursuant to NRS 385A.070 must include, for each school in the  
21 district and the district as a whole, including, without limitation,  
22 each charter school sponsored by the district, information regarding  
23 the progression of pupils who are ~~limited~~ English ~~proficient~~  
24 *learners* in attaining proficiency in the English language, including,  
25 without limitation:

26 1. The number and percentage of pupils who were identified as  
27 ~~limited~~ English ~~proficient~~ *learners* at the beginning of the school  
28 year, were continually enrolled throughout the school year and were  
29 identified as proficient in English by the completion of the school  
30 year;

31 2. The achievement and proficiency of pupils who are ~~limited~~  
32 English ~~proficient~~ *learners* in comparison to the pupils who are  
33 proficient in English;

34 3. A comparison of pupils who are ~~limited~~ English  
35 ~~proficient~~ *learners* and pupils who are proficient in the English  
36 language in the following areas:

- 37 (a) Retention rates;
- 38 (b) Graduation rates;
- 39 (c) Dropout rates;
- 40 (d) Grade point averages; and
- 41 (e) Scores on the examinations administered pursuant to NRS

42 390.105 ~~and 390.600~~ and the college and career readiness  
43 assessment administered pursuant to NRS 390.610; and

44 4. Results of the assessments and reassessments of pupils who  
45 are ~~limited~~ English ~~proficient~~ *learners*, reported separately by





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

4 **Sec. 12.** NRS 385A.410 is hereby amended to read as follows:

5 385A.410 The annual report of accountability prepared by the  
6 State Board pursuant to NRS 385A.400 must include information on  
7 pupil achievement and school performance, including, without  
8 limitation:

9 1. Information on the achievement of all pupils based upon the  
10 results of the examinations administered pursuant to NRS 390.105  
11 ~~and 390.600~~ and the college and career readiness assessment  
12 administered pursuant to NRS 390.610, reported for each school  
13 district, including, without limitation, each charter school in the  
14 district, and for this State as a whole.

15 2. Except as otherwise provided in subsection 2 of NRS  
16 385A.400, pupil achievement, reported separately by gender and  
17 reported separately for the groups of pupils identified in the  
18 statewide system of accountability for public schools.

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

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

25 5. Except as otherwise provided in subsection 2 of NRS  
26 385A.400, the percentage of pupils who were not tested, reported  
27 separately by gender and reported separately for the groups  
28 identified in the statewide system of accountability for public  
29 schools.

30 6. The most recent 3-year trend in the achievement of pupils in  
31 each subject area tested and each grade level tested pursuant to NRS  
32 390.105 ~~and 390.600~~ and the college and career readiness  
33 assessment administered pursuant to NRS 390.610, reported for  
34 each school district, including, without limitation, each charter  
35 school in the district, and for this State as a whole, which may  
36 include information regarding the trend in the achievement of pupils  
37 for more than 3 years, if such information is available.

38 7. The rating of each public school, including, without  
39 limitation, each charter school, pursuant to the statewide system of  
40 accountability for public schools.

41 8. Information on whether each public school, including,  
42 without limitation, each charter school, has made progress based  
43 upon the model adopted by the Department pursuant to NRS  
44 390.125, if applicable for the grade level of pupils enrolled at the  
45 school.





1 9. Information on the results of pupils who participated in the  
2 examinations of the National Assessment of Educational Progress  
3 required pursuant to NRS 390.830.

4 **Sec. 13.** NRS 385A.440 is hereby amended to read as follows:

5 385A.440 1. The annual report of accountability prepared by  
6 the State Board pursuant to NRS 385A.400 must include  
7 information on teachers , *other licensed personnel* and  
8 paraprofessionals, including, without limitation:

9 (a) For each school district, including, without limitation, each  
10 charter school in the district, and for this State as a whole,  
11 information on the professional qualifications of teachers *and other*  
12 *licensed educational personnel* employed by the school districts  
13 and charter schools, including, without limitation:

14 (1) *The total number of:*

15 (I) *Teachers and other licensed educational personnel*  
16 *employed by each school district, including, without limitation,*  
17 *each charter school in the district, and for this State as a whole;*

18 (II) *Vacancies at each school district, including, without*  
19 *limitation, each charter school in the district, which are not filled*  
20 *by a teacher who has a contract to teach on a full-time basis, as*  
21 *determined by the Commission on Professional Standards in*  
22 *Education and for this State as a whole;*

23 (III) *Teachers and other licensed educational personnel*  
24 *employed by each school district, including, without limitation,*  
25 *each charter school in the district, who provide instruction in a*  
26 *grade level or subject area for which they do not meet the*  
27 *requirements for licensure or do not hold a required endorsement,*  
28 *and for this State as a whole;*

29 (IV) *Teachers or other licensed educational personnel*  
30 *who are inexperienced, as defined by the Commission on*  
31 *Professional Standards in Education, employed by each school*  
32 *district, including, without limitation, each charter school in the*  
33 *district, and for this State as a whole; and*

34 (V) *Employees at each school district, including, without*  
35 *limitation, each charter school in the district, whose overall*  
36 *performance was determined to be highly effective, effective,*  
37 *minimally effective or ineffective under the statewide performance*  
38 *evaluation system, and for this State as a whole.*

39 (2) The percentage of ~~teachers~~ :

40 (I) *Teachers and other licensed educational personnel*  
41 *employed in this State* who are ~~†~~

42 ~~—(I) Providing instruction pursuant to NRS 391.125;†~~  
43 *employed by each school district, including, without limitation,*  
44 *each charter school in the district, and for this State as a whole;*



1           (II) ~~Providing instruction pursuant to a waiver of the~~  
2 ~~requirements for licensure for the grade level or subject area in~~  
3 ~~which the teachers are employed; or~~

4           ~~(III) Otherwise providing instruction without an~~  
5 ~~endorsement for the subject area in which the teachers are~~  
6 ~~employed;~~

7           ~~(2) 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;~~

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

16          ~~(4) Vacancies at each school district including, without~~  
17 ~~limitation, each charter school in the district, which are not filled~~  
18 ~~by a teacher who has a contract to teach on a full-time basis, as~~  
19 ~~determined by the Commission on Professional Standards in~~  
20 ~~Education, and for this State as a whole;~~

21          ~~(III) Teachers and other licensed educational personnel~~  
22 ~~employed by each school district, including, without limitation,~~  
23 ~~each charter school in the district, who provide instruction in a~~  
24 ~~grade level or subject area in which they do not meet the~~  
25 ~~requirements for licensure or do not hold a required endorsement,~~  
26 ~~and for this State as a whole;~~

27          ~~(IV) Teachers and other licensed educational personnel~~  
28 ~~employed by each school district, including, without limitation,~~  
29 ~~each charter school in the district, who are inexperienced, as~~  
30 ~~defined by the Commission on Professional Standards in~~  
31 ~~Education, and for this State as a whole; and~~

32          ~~(V) Employees at each school district, including, without~~  
33 ~~limitation, each charter school in the district, whose overall~~  
34 ~~performance was determined to be highly effective, effective~~  
35 ~~minimally effective or ineffective under the statewide performance~~  
36 ~~evaluation system, and for this State as a whole.~~

37          (3) For each middle school, junior high school and high  
38 school:

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



1 (II) The number of persons employed as substitute  
2 teachers for less than 20 consecutive days, designated as short-term  
3 substitute teachers, including the total number of days short-term  
4 substitute teachers were employed at each school, identified by  
5 grade level and subject area. ~~†; and~~

6 ~~— (5)†~~ (4) For each elementary school:

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

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

17 (b) The attendance of teachers who provide instruction, reported  
18 for each school district, including, without limitation, each charter  
19 school in the district, and for this State as a whole.

20 (c) Information on the paraprofessionals employed at public  
21 schools in this State, including, without limitation, the charter  
22 schools in this State. The information must include:

23 (1) The number of paraprofessionals employed, reported for  
24 each school district, including, without limitation, each charter  
25 school in the district, and for this State as a whole; ~~†and†~~

26 (2) ~~†For each school district, including, without limitation,~~  
27 ~~each charter school in the district, and for this State as a whole, the~~  
28 ~~number and percentage of all paraprofessionals who do not satisfy~~  
29 ~~the qualifications set forth in 20 U.S.C. § 6319(e). The reporting~~  
30 ~~requirements of this subparagraph apply to paraprofessionals who~~  
31 ~~are employed in programs supported with Title I money and to~~  
32 ~~paraprofessionals who are not employed in programs supported with~~  
33 ~~Title I money.†~~ *The number of paraprofessional employed by each*  
34 *school district, including, without limitation, each charter school*  
35 *in the district, who do not satisfy the requirements prescribed by*  
36 *the Department to comply with 20 U.S.C. § 6311(g)(2)(M), and for*  
37 *this State as a whole;*

38 (3) *The percentage of paraprofessionals employed by each*  
39 *school district, including, without limitation, each charter school*  
40 *in the district, who do not satisfy the requirements prescribed by*  
41 *the Department to comply with 20 U.S.C. § 6311(g)(2)(M), and for*  
42 *this State as a whole; and*

43 (4) *Any other information required by regulation of the*  
44 *State Board.*

45 2. As used in this section ~~†~~



1 ~~—(a) “Highly qualified” has the meaning ascribed to it in 20~~  
2 ~~U.S.C. § 7801(23).~~

3 ~~—(b) “Paraprofessional”~~<sup>21</sup>, *“paraprofessional”* has the meaning  
4 ascribed to it in NRS 391.008.

5 **Sec. 14.** NRS 385A.480 is hereby amended to read as follows:

6 385A.480 The annual report of accountability prepared by the  
7 State Board pursuant to NRS 385A.400 must include for each  
8 school district, including, without limitation, each charter school in  
9 the district, and for this State as a whole, information concerning  
10 pupils who are eligible for free or reduced-price breakfasts pursuant  
11 to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or  
12 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.,  
13 including, without limitation:

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

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

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

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

22 5. A comparison of the achievement and proficiency of pupils,  
23 reported separately by race and ethnicity, who are eligible for free or  
24 reduced-price breakfasts, pupils who receive free and reduced-price  
25 breakfasts, pupils who are eligible for free or reduced-price lunches,  
26 pupils who receive free and reduced-price lunches and pupils who  
27 are not eligible for free or reduced-price breakfasts or lunches;

28 6. A comparison of pupils, reported separately by race and  
29 ethnicity, who are eligible for free or reduced-price breakfasts,  
30 pupils who receive free and reduced-price breakfasts, pupils who are  
31 eligible for free or reduced-price lunches and pupils who receive  
32 free and reduced-price lunches for which data is required to be  
33 collected in the following areas:

34 (a) Retention rates;

35 (b) Graduation rates;

36 (c) Dropout rates;

37 (d) Grade point averages; and

38 (e) Scores on the examinations administered pursuant to NRS  
39 390.105 ~~and 390.600~~ and the college and career readiness  
40 assessment administered pursuant to NRS 390.610.

41 **Sec. 15.** NRS 385A.490 is hereby amended to read as follows:

42 385A.490 The annual report of accountability prepared by the  
43 State Board pursuant to NRS 385A.400 must include for each  
44 school district, including, without limitation, each charter school in  
45 the district, and for this State as a whole, information regarding the



1 progression of pupils who are ~~limited~~ English ~~proficient~~ *learners*  
2 in attaining proficiency in the English language, including, without  
3 limitation:

4 1. The number and percentage of pupils who were identified as  
5 ~~limited~~ English ~~proficient~~ *learners* at the beginning of the school  
6 year, were continually enrolled throughout the school year and were  
7 identified as proficient in English by the completion of the school  
8 year;

9 2. The achievement and proficiency of pupils who are ~~limited~~  
10 English ~~proficient~~ *learners* in comparison to the pupils who are  
11 proficient in English;

12 3. A comparison of pupils who are ~~limited~~ English  
13 ~~proficient~~ *learners* and pupils who are proficient in the English  
14 language in the following areas:

15 (a) Retention rates;

16 (b) Graduation rates;

17 (c) Dropout rates;

18 (d) Grade point averages; and

19 (e) Scores on the examinations administered pursuant to NRS  
20 390.105 ~~and 390.600~~ and the college and career readiness  
21 assessment administered pursuant to NRS 390.610; and

22 4. Results of the assessments and reassessments of pupils who  
23 are ~~limited~~ English ~~proficient,~~ *learners*, reported separately by  
24 the primary language of the pupils, pursuant to the policies  
25 developed by the boards of trustees of school districts pursuant to  
26 NRS 388.407.

27 **Sec. 16.** NRS 385A.600 is hereby amended to read as follows:

28 385A.600 1. The Department shall make every effort to  
29 obtain the approval necessary from the United States Department of  
30 Education to ensure that the statewide system of accountability for  
31 public schools complies with all requirements for the receipt of  
32 federal money under the Elementary and Secondary Education Act  
33 of 1965, 20 U.S.C. §§ 6301 et seq., as amended.

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

36 (a) Include a method to, on an annual basis, rate each public  
37 school based upon the performance of the school and based upon  
38 whether each public school meets the ~~annual measurable~~  
39 ~~objectives~~ *school achievement targets* and performance targets  
40 established pursuant to the statewide system of accountability;

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

43 (c) Include a method to provide grants and other financial  
44 support, to the extent that money is available from legislative  
45 appropriation, to public schools receiving one of the two lowest



1 ratings of performance pursuant to the statewide system of  
2 accountability for public schools; and

3 (d) Establish ~~{annual—measurable—objectives}~~ *school*  
4 *achievement targets* and performance targets for public schools and  
5 performance targets for specific groups of pupils, including, without  
6 limitation, pupils who are economically disadvantaged, pupils from  
7 major racial and ethnic groups, pupils with disabilities and pupils  
8 who are ~~{limited}~~ English ~~{proficient}~~ *learners*. The ~~{annual~~  
9 ~~measurable—objectives}~~ *school achievement targets* and  
10 performance targets must:

11 (1) Be based primarily upon the measurement of the progress  
12 and proficiency of pupils on the examinations administered pursuant  
13 to NRS 390.105 ; ~~{for 390.600, as applicable;}~~ and

14 (2) For high schools, include the rate of graduation and the  
15 rate of attendance.

16 3. The statewide system of accountability for public schools  
17 may include a method to:

18 (a) On an annual basis, rate school districts based upon the  
19 performance of the public schools within the school district and  
20 whether those public schools meet the ~~{annual—measurable~~  
21 ~~objectives}~~ *school achievement targets* and performance targets  
22 established pursuant to the statewide system of accountability; and

23 (b) Implement consequences, rewards and supports for school  
24 districts based upon the ratings.

25 **Sec. 17.** NRS 385A.610 is hereby amended to read as follows:

26 385A.610 1. The Department shall establish a monitoring  
27 system for the statewide system of accountability. The monitoring  
28 system must identify significant levels of achievement of pupils on  
29 the examinations that are administered pursuant to NRS 390.105  
30 ~~{and 390.600}~~ and the college and career readiness assessment  
31 administered pursuant to NRS 390.610, identified by school and by  
32 school district.

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

36 (a) The Committee; and

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

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

42 **Sec. 18.** NRS 385A.620 is hereby amended to read as follows:

43 385A.620 1. The State Board shall adopt regulations that  
44 prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the



1 regulations adopted pursuant thereto, the manner in which pupils  
2 enrolled in:

3 (a) A program of distance education pursuant to NRS 388.820 to  
4 388.874, inclusive;

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

7 (c) A program of education that:

8 (1) Primarily serves pupils with disabilities; or

9 (2) Is operated within a:

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

12 (II) Juvenile forestry camp;

13 (III) Child welfare agency; or

14 (IV) Correctional institution,

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

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

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

23 (b) The results of pupils enrolled in a program of distance  
24 education, an alternative program or a program of education  
25 described in subsection 1 on the examinations administered pursuant  
26 to NRS 390.105 and, if applicable for the grade levels of the pupils  
27 enrolled, the ~~examinations administered pursuant to NRS 390.600~~  
28 ~~and the~~ college and career readiness assessment administered  
29 pursuant to NRS 390.610 will be reported.

30 **Sec. 19.** NRS 385A.650 is hereby amended to read as follows:

31 385A.650 1. The principal of each school, including, without  
32 limitation, each charter school, shall, in consultation with the  
33 employees of the school, prepare a plan to improve the achievement  
34 of the pupils enrolled in the school.

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

36 ~~—(a) A review and analysis of the data pertaining to the school~~  
37 ~~upon which the report required pursuant to subsection 2 or 3 of NRS~~  
38 ~~385A.070, as applicable, is based and a review and analysis of any~~  
39 ~~data that is more recent than the data upon which the report is based.~~

40 ~~—(b) The identification of any problems or factors at the school~~  
41 ~~that are revealed by the review and analysis.~~

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





- 1 ~~—(d) Policies and practices concerning the core academic subjects~~  
2 ~~which have the greatest likelihood of ensuring that each group of~~  
3 ~~pupils enrolled in the school and identified in the statewide system~~  
4 ~~of accountability for public schools will meet the performance~~  
5 ~~targets established for that group.~~  
6 ~~—(e) Annual measurable objectives and performance targets,~~  
7 ~~consistent with the annual measurable objectives and performance~~  
8 ~~targets established pursuant to the statewide system of~~  
9 ~~accountability for public schools, for the continuous and substantial~~  
10 ~~progress by each group of pupils identified in the statewide system~~  
11 ~~of accountability for public schools who are enrolled in the school to~~  
12 ~~ensure that each group will meet the performance targets established~~  
13 ~~for that group.~~  
14 ~~—(f) Strategies and practices which:~~  
15 ~~—(1) Are consistent with the policy adopted pursuant to NRS~~  
16 ~~392.457 by the board of trustees of the school district in which the~~  
17 ~~school is located, to promote effective involvement by parents and~~  
18 ~~families of pupils enrolled in the school in the education of their~~  
19 ~~children; and~~  
20 ~~—(2) Are designed to improve and promote effective~~  
21 ~~involvement and engagement by parents and families of pupils~~  
22 ~~enrolled in the school which are consistent with the policies and~~  
23 ~~recommendations of the Office of Parental Involvement and Family~~  
24 ~~Engagement made pursuant to NRS 385.635.~~  
25 ~~—(g) As appropriate, programs of remedial education or tutoring~~  
26 ~~to be offered before and after school, during the summer, or between~~  
27 ~~sessions if the school operates on a year round calendar for pupils~~  
28 ~~enrolled in the school who need additional instructional time to pass~~  
29 ~~or to reach a level considered proficient.~~  
30 ~~—(h) Strategies to improve the academic achievement of pupils~~  
31 ~~enrolled in the school, including, without limitation, strategies to:~~  
32 ~~—(1) Instruct pupils who are not achieving to their fullest~~  
33 ~~potential, including, without limitation:~~  
34 ~~—(I) The curriculum appropriate to improve achievement;~~  
35 ~~—(II) The manner by which the instruction will improve the~~  
36 ~~achievement and proficiency of pupils on the examinations~~  
37 ~~administered pursuant to NRS 390.105 and 390.600 and the college~~  
38 ~~and career readiness assessment administered pursuant to NRS~~  
39 ~~390.610; and~~  
40 ~~—(III) An identification of the instruction and curriculum~~  
41 ~~that is specifically designed to improve the achievement and~~  
42 ~~proficiency of pupils in each group identified in the statewide~~  
43 ~~system of accountability for public schools;~~  
44 ~~—(2) Increase the rate of attendance of pupils and reduce the~~  
45 ~~number of pupils who drop out of school;~~





- 1 ~~— (3) Integrate technology into the instructional and~~  
2 ~~administrative programs of the school;~~  
3 ~~— (4) Manage effectively the discipline of pupils; and~~  
4 ~~— (5) Enhance the professional development offered for the~~  
5 ~~teachers and administrators employed at the school to include~~  
6 ~~the activities set forth in 20 U.S.C. § 7801(34) and to address the~~  
7 ~~specific needs of pupils enrolled in the school, as deemed~~  
8 ~~appropriate by the principal.~~  
9 ~~— (i) An identification, by category, of the employees of the school~~  
10 ~~who are responsible for ensuring that the plan is carried out~~  
11 ~~effectively.~~  
12 ~~— (j) In consultation with the school district or governing body, as~~  
13 ~~applicable, an identification, by category, of the employees of the~~  
14 ~~school district or governing body, if any, who are responsible for~~  
15 ~~ensuring that the plan is carried out effectively or for overseeing and~~  
16 ~~monitoring whether the plan is carried out effectively.~~  
17 ~~— (k) In consultation with the Department, an identification, by~~  
18 ~~category, of the employees of the Department, if any, who are~~  
19 ~~responsible for overseeing and monitoring whether the plan is~~  
20 ~~carried out effectively.~~  
21 ~~— (l) For each provision of the plan, a timeline for carrying out~~  
22 ~~that provision, including, without limitation, a timeline for~~  
23 ~~monitoring whether the provision is carried out effectively.~~  
24 ~~— (m) For each provision of the plan, measurable criteria for~~  
25 ~~determining whether the provision has contributed toward~~  
26 ~~improving the academic achievement of pupils, increasing the rate~~  
27 ~~of attendance of pupils and reducing the number of pupils who drop~~  
28 ~~out of school.~~  
29 ~~— (n) The resources available to the school to carry out the plan. If~~  
30 ~~this State has a financial analysis program that is designed to track~~  
31 ~~educational expenditures and revenues to individual schools, each~~  
32 ~~school shall use that statewide program in complying with this~~  
33 ~~paragraph. If a statewide program is not available, each school shall~~  
34 ~~use the financial analysis program used by the school district in~~  
35 ~~which the school is located in complying with this paragraph.~~  
36 ~~— (o) A summary of the effectiveness of appropriations made by~~  
37 ~~the Legislature that are available to the school to improve the~~  
38 ~~academic achievement of pupils and programs approved by the~~  
39 ~~Legislature to improve the academic achievement of pupils.~~  
40 ~~— (p) A budget of the overall cost for carrying out the plan. ] :~~  
41 ~~(a) Include any information prescribed by regulation of the~~  
42 ~~State Board; and~~  
43 ~~(b) Comply with the provisions of 20 U.S.C. § 6311(d).~~  
44 3. The principal of each school shall, in consultation with the  
45 employees of the school:



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

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

6 4. ~~{On or before December 15 of each year, the principal of~~  
7 ~~each school shall submit the plan or the revised plan, as applicable,~~  
8 ~~to:~~

9 ~~—(a) If the school is a public school of the school district, the~~  
10 ~~superintendent of schools of the school district.~~

11 ~~—(b) If the school is a charter school, the governing body of the~~  
12 ~~charter school.~~

13 ~~—5.} On or before {January 31 of each year,} *the date prescribed*~~

14 *by the Department,* the principal of each school shall submit the  
15 ~~{final}~~ plan or the ~~{final}~~ revised plan, as applicable, to the:

16 (a) Department;

17 (b) Committee;

18 (c) Bureau; and

19 (d) Board of trustees of the school district in which the school is  
20 located or, if the school is a charter school, the sponsor of the  
21 charter school and the governing body of the charter school.

22 ~~{6.—A plan for the improvement of a school must be carried out~~  
23 ~~expeditiously, but not later than February 15 after approval of the~~  
24 ~~plan pursuant to subsection 1 or 2 of NRS 385A.660, as applicable.}~~

25 **Sec. 20.** NRS 385A.670 is hereby amended to read as follows:

26 385A.670 1. On or before July 31 of each year, the  
27 Department shall determine whether each public school is meeting  
28 the ~~{annual measurable objectives}~~ *school achievement targets* and  
29 performance targets established pursuant to the statewide system of  
30 accountability for public schools.

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



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

4 (b) To the State Public Charter School Authority the  
5 determination made for each charter school that is sponsored by the  
6 State Public Charter School Authority.

7 (c) The determination made for the charter school to the  
8 Achievement School District if the charter school is sponsored by  
9 the Achievement School District.

10 (d) The determination made for the charter school to the  
11 institution that sponsors the charter school if a charter school is  
12 sponsored by a college or university within the Nevada System of  
13 Higher Education.

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

17 (a) The Department shall not determine that the school has  
18 failed to meet the performance targets established pursuant to the  
19 statewide system of accountability for public schools based solely  
20 upon that particular group.

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

23 ➤ The Department shall use the mechanism approved by the United  
24 States Department of Education for the statewide system of  
25 accountability for public schools for determining the number of  
26 pupils that must be in a group for that group to yield statistically  
27 reliable information.

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

35 5. As used in this section:

36 (a) "Irregularity in testing administration" has the meaning  
37 ascribed to it in NRS 390.255.

38 (b) "Irregularity in testing security" has the meaning ascribed to  
39 it in NRS 390.260.

40 **Sec. 21.** NRS 385A.680 is hereby amended to read as follows:

41 385A.680 If the Department determines that a public school  
42 has failed to meet the ~~{annual measurable objectives}~~ *school*  
43 *achievement targets* and performance targets established pursuant to  
44 the statewide system of accountability for public schools, the  
45 Department or its designee shall, to the extent money is available,



1 monitor at the school the administration of the examinations that are  
2 required pursuant to NRS 390.105 and ensure that all eligible pupils  
3 who are in attendance on the day of the administration of the  
4 examinations are given an opportunity to take the examinations.

5 **Sec. 22.** NRS 385A.730 is hereby amended to read as follows:

6 385A.730 1. The State Board shall adopt regulations that  
7 prescribe an alternative performance framework to evaluate public  
8 schools that are approved pursuant to NRS 385A.740. Such  
9 regulations must include, without limitation, an alternative manner  
10 in which to evaluate such a school and the manner in which the  
11 school will be included within the statewide system of  
12 accountability set forth in this chapter.

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

15 (a) The progress of pupils enrolled in a public school for which  
16 an alternative performance framework has been approved pursuant  
17 to NRS 385A.740 will be accounted for within the statewide system  
18 of accountability; and

19 (b) To report the results of pupils enrolled in such a public  
20 school on the examinations administered pursuant to NRS 390.105  
21 and, if applicable for the grade levels of the pupils enrolled, the  
22 ~~examinations administered pursuant to NRS 390.600 and the~~  
23 college and career readiness assessment administered pursuant to  
24 NRS 390.610.

25 **Sec. 23.** NRS 387.121 is hereby amended to read as follows:

26 387.121 1. The Legislature declares that the proper objective  
27 of state financial aid to public education is to ensure each Nevada  
28 child a reasonably equal educational opportunity. Recognizing wide  
29 local variations in wealth and costs per pupil, this State should  
30 supplement local financial ability to whatever extent necessary in  
31 each school district to provide programs of instruction in both  
32 compulsory and elective subjects that offer full opportunity for  
33 every Nevada child to receive the benefit of the purposes for which  
34 public schools are maintained. Therefore, the quintessence of the  
35 State's financial obligation for such programs can be expressed in a  
36 formula partially on a per pupil basis and partially on a per program  
37 basis as: State financial aid to school districts equals the difference  
38 between school district basic support guarantee and local available  
39 funds produced by mandatory taxes minus all the local funds  
40 attributable to pupils who reside in the county but attend a charter  
41 school or a university school for profoundly gifted pupils. This  
42 formula is designated the Nevada Plan.

43 2. It is the intent of the Legislature, commencing with Fiscal  
44 Year 2016-2017, to provide additional resources to the Nevada Plan  
45 expressed as a multiplier of the basic support guarantee to meet the



1 unique needs of certain categories of pupils, including, without  
2 limitation, pupils with disabilities, pupils who are ~~limited~~ English  
3 ~~proficient~~ learners, pupils who are at risk and gifted and talented  
4 pupils. As used in this subsection, “pupils who are at risk” means  
5 pupils who are eligible for free or reduced-price lunch pursuant to  
6 42 U.S.C. §§ 1751 et seq., or an alternative measure prescribed by  
7 the State Board of Education.

8 **Sec. 23.5.** NRS 387.123 is hereby amended to read as follows:

9 387.123 1. The count of pupils for apportionment purposes  
10 includes all pupils who are enrolled in programs of instruction of the  
11 school district, including, without limitation, a program of distance  
12 education provided by the school district, pupils who reside in the  
13 county in which the school district is located and are enrolled in any  
14 charter school, including, without limitation, a program of distance  
15 education provided by a charter school, and pupils who are enrolled  
16 in a university school for profoundly gifted pupils located in the  
17 county, for:

18 (a) Pupils in the kindergarten department.

19 (b) Pupils in grades 1 to 12, inclusive.

20 (c) Pupils not included under paragraph (a) or (b) who are  
21 receiving special education pursuant to the provisions of NRS  
22 388.417 to 388.469, inclusive, and 388.5251 to 388.5267, inclusive.

23 (d) Pupils who reside in the county and are enrolled part-time in  
24 a program of distance education provided pursuant to NRS 388.820  
25 to 388.874, inclusive.

26 (e) Children detained in facilities for the detention of children,  
27 alternative programs and juvenile forestry camps receiving  
28 instruction pursuant to the provisions of NRS 388.550, 388.560 and  
29 388.570.

30 (f) Pupils who are enrolled in classes pursuant to subsection 1 of  
31 NRS 388A.471, pupils who are enrolled in classes pursuant to  
32 subsection 1 of NRS 388A.474 and pupils who are enrolled in  
33 classes pursuant to subsection 1 of NRS 388B.280 or any  
34 regulations adopted pursuant to NRS 388B.060 that authorize a  
35 child who is enrolled at a public school of a school district or a  
36 private school or a homeschooled child to participate in a class at an  
37 achievement charter school.

38 (g) Pupils who are enrolled in classes pursuant to subsection 1  
39 of NRS 392.074.

40 (h) Pupils who are enrolled in classes and taking courses  
41 necessary to receive a high school diploma, excluding those pupils  
42 who are included in paragraphs (d), (f) and (g).

43 2. The State Board shall establish uniform regulations for  
44 counting enrollment and calculating the average daily attendance of



1 pupils. ~~It~~ *Except as otherwise provided in this subsection, in*  
2 establishing such regulations for the public schools, the State Board:

3 (a) ~~Shall divide the school year into 10 school months, each~~  
4 ~~containing 20 or fewer school days, or its equivalent for those public~~  
5 ~~schools operating under an alternative schedule authorized pursuant~~  
6 ~~to NRS 388.090.~~

7 ~~(b)~~ May divide the pupils in grades 1 to 12, inclusive, into  
8 categories composed respectively of those enrolled in elementary  
9 schools and those enrolled in secondary schools.

10 ~~(c)~~ (b) Shall prohibit the counting of any pupil specified in  
11 subsection 1 more than once.

12 (c) *Except as otherwise provided in this paragraph, shall*  
13 *prohibit the counting of a pupil enrolled in grade 12 as a full-time*  
14 *pupil if the pupil is not prepared for college and career success, as*  
15 *defined by the Department. Such a pupil may be counted as a full-*  
16 *time pupil if he or she is enrolled in a minimum of six courses or*  
17 *the equivalent of six periods per day or the superintendent of the*  
18 *school district has approved enrollment in fewer courses for good*  
19 *cause.*

20 **Sec. 24.** NRS 388.157 is hereby amended to read as follows:

21 388.157 1. The board of trustees of each school district and  
22 the governing body of each charter school shall prepare a plan to  
23 improve the literacy of pupils enrolled in kindergarten and grades 1,  
24 2 and 3. Such a plan must include, without limitation:

25 (a) A program to provide intensive instruction to pupils who  
26 have been identified as deficient in the subject area of reading to  
27 ensure that those pupils achieve adequate proficiency in that subject  
28 area. Such a program must include, without limitation, regularly  
29 scheduled reading sessions in small groups and specific instruction  
30 on phonological and phonemic awareness, decoding skills and  
31 reading fluency;

32 (b) Procedures for assessing a pupil's proficiency in the subject  
33 area of reading using valid and reliable assessments that have been  
34 approved by the State Board by regulation:

35 (1) Within the first 30 days of school after the pupil enters  
36 kindergarten or upon enrollment in kindergarten if the pupil enrolls  
37 after that period; and

38 (2) During grades 1, 2 and 3;

39 (c) A program to improve the proficiency in reading of pupils  
40 who are ~~limited~~ English ~~proficient~~ learners; and

41 (d) Procedures for facilitating collaboration between learning  
42 strategists and classroom teachers.

43 2. The board of trustees of each school district or the governing  
44 body of a charter school, as applicable, shall:



1 (a) Submit its plan to the Department for approval on or before  
2 the date prescribed by the Department on a form prescribed by the  
3 Department; and

4 (b) Make such revisions to the plan as the Department  
5 determines are necessary.

6 **Sec. 25.** NRS 388.283 is hereby amended to read as follows:

7 388.283 1. "School service" means an Internet website,  
8 online service or mobile application that:

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

11 (b) Is used primarily for educational purposes; and

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

14 2. The term does not include:

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

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

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

22 (1) Been designated by a school district, the sponsor of a  
23 charter school, the governing body of a university school for  
24 profoundly gifted pupils or the Department as a school official  
25 pursuant to the Family Educational Rights and Privacy Act of 1974,  
26 20 U.S.C. § 1232g;

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

30 (3) Agreed to comply with and be subject to the provisions of  
31 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §  
32 1232g, relating to personally identifiable information;

33 (d) Any examinations administered pursuant to NRS 390.105  
34 ~~and 390.600~~ or the college and career readiness assessment  
35 administered pursuant to NRS 390.610; or

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

39 **Sec. 26.** NRS 388.405 is hereby amended to read as follows:

40 388.405 1. The Legislature finds and declares that:

41 (a) It is the public policy of this State to provide every child  
42 enrolled in a public school with high-quality instruction.

43 (b) Children who are ~~limited~~ English ~~proficient~~ *learners*  
44 benefit from instruction that is designed to address the academic and  
45 linguistic needs of those children.





1 (c) It is the intent of the Legislature that children who are  
2 ~~limited~~ English ~~proficient~~ *learners* be provided with services and  
3 instruction which is designed to address the academic needs of such  
4 children so that those children attain proficiency in the English  
5 language and improve their overall academic and linguistic  
6 achievement and proficiency.

7 2. The State Board shall:

8 (a) Adopt regulations prescribing criteria for a policy for the  
9 instruction to teach English to pupils who are ~~limited~~ English  
10 ~~proficient~~ *learners* which is developed by the board of trustees of  
11 each school district pursuant to NRS 388.407. The Superintendent  
12 of Public Instruction shall monitor each school district's compliance  
13 with the criteria prescribed by the State Board pursuant to this  
14 paragraph.

15 (b) Submit all evaluations required pursuant to 20 U.S.C. §§  
16 6801 et seq. and the regulations adopted pursuant thereto regarding  
17 the programs for pupils who are ~~limited~~ English ~~proficient~~  
18 *learners* carried out pursuant to that provision of federal law to the:

19 (1) Governor;

20 (2) Legislative Committee on Education;

21 (3) Director of the Legislative Counsel Bureau for transmittal  
22 to the Senate and Assembly Standing Committees on Education;  
23 and

24 (4) Board of trustees of each school district.

25 **Sec. 27.** NRS 388.407 is hereby amended to read as follows:

26 388.407 1. The board of trustees of each school district shall  
27 develop a policy for the instruction to teach English to pupils who  
28 are ~~limited~~ English ~~proficient~~ *learners*. The policy must be  
29 designed to provide pupils enrolled in each public school located in  
30 the school district who are ~~limited~~ English ~~proficient~~ *learners*  
31 with instruction that enables those pupils to attain proficiency in the  
32 English language and improve their overall academic achievement  
33 and proficiency.

34 2. The policy developed pursuant to subsection 1 must:

35 (a) Provide for the identification of pupils who are ~~limited~~  
36 English ~~proficient~~ *learners* through the use of an appropriate  
37 assessment;

38 (b) Provide for the periodic reassessment of each pupil who is  
39 classified as ~~limited~~ *an* English ~~proficient~~ *learner*;

40 (c) Be designed to eliminate any gaps in achievement, including,  
41 without limitation, in the core academic subjects and in high school  
42 graduation rates, between those pupils who are ~~limited~~ English  
43 ~~proficient~~ *learners* and pupils who are proficient in English;





1 (d) Provide opportunities for the parents or legal guardians of  
2 pupils who are ~~limited~~ English ~~proficient~~ *learners* to participate  
3 in the program; and

4 (e) Provide the parents and legal guardians of pupils who are  
5 ~~limited~~ English ~~proficient~~ *learners* with information regarding  
6 other programs that are designed to improve the language  
7 acquisition and academic achievement and proficiency of pupils  
8 who are ~~limited~~ English ~~proficient~~ *learners* and assist those  
9 parents and legal guardians in enrolling those pupils in such  
10 programs.

11 **Sec. 28.** NRS 388.409 is hereby amended to read as follows:

12 388.409 1. The English Mastery Council is hereby created.  
13 The English Mastery Council consists of the following 16 members:

14 (a) The Superintendent of Public Instruction, or his or her  
15 designee, who serves as an ex officio member of the English  
16 Mastery Council.

17 (b) Two members who have knowledge and expertise in  
18 language acquisition and who represent the Nevada System of  
19 Higher Education, appointed by the Chancellor of the Nevada  
20 System of Higher Education.

21 (c) Two members who are teachers at public schools in this  
22 State, hold a master's degree to teach English as a second language  
23 and have knowledge and expertise in providing instruction to pupils  
24 who are ~~limited~~ English ~~proficient~~ *learners*, appointed by the  
25 Governor from a list of nominees submitted by the Nevada State  
26 Education Association, or its successor organization. The Governor  
27 shall ensure that the members appointed pursuant to this paragraph  
28 represent the geographic and ethnic diversity of this State.

29 (d) Two members who are parents or legal guardians of pupils  
30 who are ~~limited~~ English ~~proficient~~ *learners*, one of whom is  
31 appointed by the Governor from a list of nominees submitted by the  
32 Speaker of the Assembly and one of whom is appointed by the  
33 Governor from a list of nominees submitted by the Majority Leader  
34 of the Senate. The Governor shall ensure that the members  
35 appointed pursuant to this paragraph represent the geographic and  
36 ethnic diversity of this State. The Nevada Parent Teacher  
37 Association shall submit a list of names of persons that the  
38 Association would recommend for inclusion on the list of nominees  
39 submitted by the Speaker of the Assembly and the Majority Leader  
40 of the Senate.

41 (e) Two members who are school-level administrators, one of  
42 whom is employed by a school district in a county whose population  
43 is 100,000 or more and one of whom is employed by a school  
44 district in a county whose population is less than 100,000, appointed



1 by the Governor from a list of nominees submitted by the Nevada  
2 Association of School Administrators.

3 (f) Two members who are school-district-level administrators,  
4 one of whom is employed by a school district in a county whose  
5 population is 100,000 or more and one of whom is employed by a  
6 school district in a county whose population is less than 100,000,  
7 appointed by the Governor from a list of nominees submitted by the  
8 Nevada Association of School Administrators.

9 (g) One member who is a member of a board of trustees of a  
10 school district, appointed by the Governor from a list of nominees  
11 submitted by the Nevada Association of School Boards.

12 (h) Two members who are representatives of the general public,  
13 private business and industry in this State or nonprofit organizations  
14 and who have been leaders in education reform related to pupils  
15 who are ~~limited~~ English ~~proficient~~ learners, appointed by the  
16 Governor.

17 (i) Two members with expertise in the development of public  
18 policy relating to the education of pupils who are ~~limited~~ English  
19 ~~proficient~~ learners, appointed by the Superintendent of Public  
20 Instruction upon the advice and recommendation of persons who  
21 have knowledge and expertise in providing instruction to pupils who  
22 are ~~limited~~ English ~~proficient~~ learners.

23 2. Each appointed member of the English Mastery Council  
24 serves a term of 2 years and may be reappointed to additional terms.

25 3. A vacancy on the English Mastery Council must be filled in  
26 the same manner as the original appointment.

27 4. The English Mastery Council shall, at its first meeting and  
28 annually thereafter, elect a Chair from among its members.

29 5. The English Mastery Council shall meet at least quarterly  
30 and may meet at other times upon the call of the Chair.

31 6. Members of the English Mastery Council serve without  
32 compensation, except that for each day or portion of a day during  
33 which a member of the Council attends a meeting of the Council or  
34 is otherwise engaged in the business of the Council, the member is  
35 entitled to receive the per diem allowances and travel expenses  
36 provided for state officers and employees generally.

37 7. A member of the English Mastery Council who is a public  
38 employee must be granted administrative leave from the member's  
39 duties to engage in the business of the Council without loss of his or  
40 her regular compensation. Such leave does not reduce the amount of  
41 the member's other accrued leave.

42 8. The English Mastery Council may apply for and accept gifts,  
43 grants, donations and contributions from any source for the purpose  
44 of carrying out its duties pursuant to NRS 388.411.



1 9. The Department shall provide administrative support to the  
2 English Mastery Council.

3 **Sec. 29.** NRS 388.411 is hereby amended to read as follows:

4 388.411 The English Mastery Council created by NRS 388.409  
5 shall:

6 1. Make recommendations to the State Board for the adoption  
7 of regulations concerning criteria for the policies to teach English to  
8 pupils who are ~~limited~~ English ~~proficient~~ *learners* that are  
9 developed by the board of trustees of each school district pursuant to  
10 NRS 388.407.

11 2. Review annually each policy to teach English to pupils who  
12 are ~~limited~~ English ~~proficient~~ *learners* that is developed by the  
13 board of trustees of each school district pursuant to NRS 388.407  
14 and make recommendations for improvement to the State Board and  
15 the applicable board of trustees.

16 3. Make recommendations to the Superintendent of Public  
17 Instruction, the Commission on Professional Standards in Education  
18 and the State Board for:

19 (a) The adoption of regulations pursuant to NRS 391.019  
20 concerning the requirements for an endorsement to teach English as  
21 a second language, including, without limitation, the teachers who  
22 should be required to obtain the endorsement; and

23 (b) After the adoption of the regulations pursuant to paragraph  
24 (a), any revisions to those regulations as deemed necessary by the  
25 Council.

26 4. Develop standards and criteria for a curriculum for pupils  
27 who are ~~limited~~ English ~~proficient~~ *learners* and submit those  
28 standards and criteria to the State Board for consideration.

29 5. Review any course of study offered by the Nevada System  
30 of Higher Education for training to teach English as a second  
31 language to determine if the course of study, including, without  
32 limitation, student teaching, is sufficiently rigorous to provide  
33 teachers with the tools necessary to improve the English proficiency  
34 and academic achievement and proficiency of pupils who are  
35 ~~limited~~ English ~~proficient~~ *learners*.

36 6. Make recommendations to the Board of Regents of the  
37 University of Nevada for the improvement of any course of study  
38 described in subsection 5 and submit a copy of those  
39 recommendations to the Governor and the State Board.

40 **Sec. 29.5.** NRS 388.593 is hereby amended to read as follows:

41 388.593 A school district, charter school and university school  
42 for profoundly gifted pupils that participates in the State Seal of  
43 Biliteracy Program established pursuant to NRS 388.591 must  
44 award a pupil, upon graduation from high school, a high school  
45 diploma with a State Seal of Biliteracy if the pupil:



1 1. Successfully completes all courses of study in English  
2 language arts that are required for graduation with at least a 2.0  
3 grade point average, on a 4.0 grading scale;

4 2. ~~Passes the end-of-course examinations in English language~~  
5 ~~arts required pursuant to NRS 390.600;~~

6 ~~3.4~~ Demonstrates proficiency in one or more languages other  
7 than English:

8 (a) By passing an advanced placement examination in a world  
9 language with a score of 3 or higher or passing an international  
10 baccalaureate examination in a world language with a score of 4 or  
11 higher; or

12 (b) By passing an examination in a world language, if the  
13 examination is approved by the board of trustees of a school district  
14 or the governing body of a charter school or university school for  
15 profoundly gifted pupils, as applicable; and

16 ~~4.4~~ 3. If the primary language of the pupil is not English,  
17 demonstrates proficiency in English on an assessment designated by  
18 the Department.

19 **Sec. 30.** NRS 388.874 is hereby amended to read as follows:

20 388.874 1. The State Board shall adopt regulations that  
21 prescribe:

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

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

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

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

36 (e) The requirements for assessing the achievement of pupils  
37 who are enrolled in a program of distance education, which must  
38 include, without limitation, the administration of the examinations  
39 required pursuant to NRS 390.105 and, if applicable for the grade  
40 levels of the pupils enrolled, the ~~administration of the examinations~~  
41 ~~pursuant to NRS 390.600 and the~~ college and career readiness  
42 assessment pursuant to NRS 390.610; and

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



\* A B 7 R 2 \*

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

4 **Sec. 31.** NRS 388A.045 is hereby amended to read as follows:

5 388A.045 A pupil is "at risk" if the pupil has an economic or  
6 academic disadvantage such that he or she requires special services  
7 and assistance to enable him or her to succeed in educational  
8 programs. The term includes, without limitation, pupils who are  
9 members of economically disadvantaged families, pupils who are  
10 ~~limited~~ English ~~proficient,~~ *learners*, pupils who are at risk of  
11 dropping out of high school and pupils who do not meet minimum  
12 standards of academic proficiency. The term does not include a  
13 pupil with a disability.

14 **Sec. 32.** NRS 388A.159 is hereby amended to read as follows:

15 388A.159 1. The State Public Charter School Authority is  
16 hereby deemed a local educational agency for the purpose of  
17 directing the proportionate share of any money available from  
18 federal and state categorical grant programs to charter schools which  
19 are sponsored by the State Public Charter School Authority or a  
20 college or university within the Nevada System of Higher Education  
21 that are eligible to receive such money. A college or university  
22 within the Nevada System of Higher Education that sponsors a  
23 charter school shall enter into an agreement with the State Public  
24 Charter School Authority for the provision of any necessary  
25 functions of a local educational authority. A charter school that  
26 receives money pursuant to such a grant program shall comply with  
27 any applicable reporting requirements to receive the grant.

28 2. As used in this section, "local educational agency" has the  
29 meaning ascribed to it in 20 U.S.C. § ~~7801(26)(A)-~~ *7801(30)(A)*.

30 **Sec. 33.** NRS 388A.168 is hereby amended to read as follows:

31 388A.168 The State Public Charter School Authority shall  
32 adopt regulations that prescribe:

33 1. The process for submission to the State Public Charter  
34 School Authority of an application to form a charter school, and the  
35 contents of such an application;

36 2. The process for submission to the State Public Charter  
37 School Authority of an application to renew a charter contract, and  
38 the contents of such an application;

39 3. The process for submission to the State Public Charter  
40 School Authority of an amendment to a written charter or charter  
41 contract pursuant to NRS 388A.276 and the contents of the  
42 application; ~~and~~

43 4. The procedure for the investigation that the State Public  
44 Charter School Authority will conduct of an application to form a  
45 charter school, an application to renew a charter contract or an



1 application to request an amendment of a written charter or charter  
2 contract, and the criteria that the State Public Charter School  
3 Authority will use to evaluate such applications H ;

4 *5. The process for evaluating the overall performance of a*  
5 *teacher, which must include, without limitation, the criteria for*  
6 *determining whether the overall performance of a teacher is*  
7 *ineffective, minimally effective, effective or highly effective; and*

8 *6. The qualifications for employment as a paraprofessional*  
9 *by a charter school.*

10 **Sec. 34.** NRS 388A.366 is hereby amended to read as follows:  
11 388A.366 1. A charter school shall:

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

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

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

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

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

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

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

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

37 (g) Cooperate with the board of trustees of the school district in  
38 the administration of the examinations administered pursuant to  
39 NRS 390.105 and, if the charter school enrolls pupils at a high  
40 school grade level, the ~~end-of-course examinations administered~~  
41 ~~pursuant to NRS 390.600 and the~~ college and career readiness  
42 assessment administered pursuant to NRS 390.610 to the pupils who  
43 are enrolled in the charter school.

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



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

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

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

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

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

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

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

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

41 **Sec. 35.** NRS 388A.405 is hereby amended to read as follows:

42 388A.405 1. To the extent money is available from  
43 legislative appropriation or otherwise, a charter school may apply to  
44 the Department for money for facilities if:





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

3 (b) Each financial audit and each performance audit of the  
4 charter school required by the Department pursuant to NRS  
5 388A.105 or 388A.110 contains no major notations, corrections or  
6 errors concerning the charter school for at least 5 consecutive years;

7 (c) The charter school has met or exceeded the ~~{annual~~  
8 ~~measurable—objectives}~~ *school achievement targets* and  
9 performance targets established pursuant to the statewide system of  
10 accountability for public schools or has demonstrated improvement  
11 in the achievement of pupils enrolled in the charter school, as  
12 indicated by those ~~{annual—measurable—objectives}~~ *school*  
13 *achievement targets* and performance targets, for the majority of the  
14 years of its operation; and

15 (d) At least 75 percent of the pupils enrolled in grade 12 in the  
16 charter school in the immediately preceding school year have  
17 satisfied the criteria prescribed by the State Board pursuant to NRS  
18 390.600, if the charter school enrolls pupils at a high school grade  
19 level.

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

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

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

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





1       **Sec. 36.** NRS 388A.518 is hereby amended to read as follows:  
2       388A.518 1. Except as otherwise provided in this subsection,  
3 at least 70 percent of the teachers who provide instruction at a  
4 charter school must ~~{be highly qualified.}~~ *demonstrate experience*  
5 *and qualifications through licensure or subject matter expertise.* If  
6 a charter school is a vocational school, the charter school shall, to  
7 the extent practicable, ensure that at least 70 percent of the teachers  
8 who provide instruction at the school ~~{are highly qualified.}~~  
9 *demonstrate experience and qualifications through licensure or*  
10 *subject matter expertise,* but in no event may less than 50 percent of  
11 the teachers who provide instruction at the school ~~{be highly~~  
12 ~~qualified.}~~ *demonstrate experience and qualifications through*  
13 *licensure or subject matter expertise.*

14       2. If a charter school specializes in:

15       (a) Arts and humanities, physical education or health education,  
16 a teacher must ~~{be highly qualified}~~ *demonstrate experience and*  
17 *qualifications through licensure or subject matter expertise* to  
18 teach those courses of study.

19       (b) The construction industry or other building industry,  
20 teachers must ~~{be highly qualified}~~ *demonstrate experience and*  
21 *qualifications through licensure or subject matter expertise* to  
22 teach courses of study relating to the industry if those teachers are  
23 employed full-time.

24       (c) The construction industry or other building industry and the  
25 school offers courses of study in computer education, technology or  
26 business, teachers must ~~{be highly qualified}~~ *demonstrate*  
27 *experience and qualifications through licensure or subject matter*  
28 *expertise* to teach those courses of study if those teachers are  
29 employed full-time.

30       3. ~~{A person who is initially hired by the governing body of a~~  
31 ~~charter school on or after January 8, 2002, to teach in a program~~  
32 ~~supported with money from Title I must be highly qualified. For the~~  
33 ~~purposes of this subsection, a person is not "initially hired" if the~~  
34 ~~person has been employed as a teacher by another school district or~~  
35 ~~charter school in this State without an interruption in employment~~  
36 ~~before the date of hire by his or her current employer.~~

37 ~~—4.}~~ A teacher who is employed by a charter school, regardless  
38 of the date of hire, must ~~{, on or before July 1, 2006, be highly~~  
39 ~~qualified}~~ *demonstrate experience and qualifications through*  
40 *licensure or subject matter expertise* if the teacher teaches one or  
41 more of the following subjects:

- 42       (a) English language arts;
- 43       (b) Mathematics;
- 44       (c) Science;
- 45       (d) A foreign or world language;



- 1 (e) Civics or government;
- 2 (f) Economics;
- 3 (g) Geography;
- 4 (h) History; or
- 5 (i) The arts.

6 ~~§~~ 4. Except as otherwise provided in NRS 388A.515, a  
7 charter school may employ a person who ~~is not highly qualified~~  
8 *does not demonstrate experience and qualifications through*  
9 *licensure or subject matter expertise* to teach a course of study for  
10 which a teacher is not required to ~~be highly qualified~~ *demonstrate*  
11 *such experience and qualifications* if the person has:

12 (a) A degree, a license or a certificate in the field for which the  
13 person is employed to teach at the charter school; and

14 (b) At least 2 years of experience in that field.

15 ~~§~~ 5. A teacher who is employed by a charter school to teach  
16 special education or English as a second language must be licensed  
17 to teach special education or English as a second language, as  
18 applicable.

19 ~~§~~ 6. For purposes of this section, a teacher ~~is highly~~  
20 ~~qualified~~ *demonstrates experience and qualifications through*  
21 *licensure or subject matter expertise:*

22 (a) If *the teacher is* employed by a charter school that has not  
23 received, within the immediately preceding 2 consecutive school  
24 years, one of the three highest ratings of performance pursuant to  
25 the statewide system of accountability for public schools, or  
26 equivalent ratings in another state, as determined by the Department,  
27 ~~if~~ *and the :* ~~teacher~~

28 (1) ~~Meets the qualifications prescribed in 20 U.S.C. §~~  
29 ~~7801(23)(B) or (C), as applicable;~~ *Overall performance of the*  
30 *teacher has been reported as effective or highly effective, in*  
31 *accordance with the regulations adopted by the State Public*  
32 *Charter School Authority;* and

33 (2) ~~is~~ *Teacher is* licensed to teach pursuant to chapter 391  
34 of NRS.

35 (b) If *the teacher is* employed by a charter school that has  
36 received, within the immediately preceding 2 consecutive school  
37 years, one of the three highest ratings of performance pursuant to  
38 the statewide system of accountability for public schools, or  
39 equivalent ratings in another state, as determined by the Department,  
40 ~~if~~ *and the* ~~teacher meets the qualifications prescribed in 20 U.S.C.~~  
41 ~~§ 7801(23)(B) or (C), as applicable;~~ *overall performance of the*  
42 *teacher has been reported as effective or highly effective, in*  
43 *accordance with the regulations adopted by the State Public*  
44 *Charter School Authority,* regardless of whether the teacher is  
45 licensed to teach pursuant to chapter 391 of NRS.



1 ~~18.1~~ 7. If a charter school that has received within the  
2 immediately preceding 2 consecutive school years, one of the three  
3 highest ratings of performance pursuant to the statewide system of  
4 accountability for public schools, or equivalent ratings in another  
5 state, as determined by the Department, intends to employ persons  
6 to teach who are not licensed, the charter school shall within 3  
7 years:

8 (a) Obtain approval for and offer an alternative route to  
9 licensure pursuant to NRS 391.019; or

10 (b) Enter into an agreement with a qualified provider of an  
11 alternative route to licensure to provide the required education and  
12 training to unlicensed teachers who are employed by the school to  
13 teach such a course of study.

14 **Sec. 37.** NRS 388A.527 is hereby amended to read as follows:

15 388A.527 1. ~~1. A person who is initially hired as a~~  
16 ~~paraprofessional by a charter school after January 8, 2002, to work~~  
17 ~~in a program supported with Title I money must possess the~~  
18 ~~qualifications required by 20 U.S.C. § 6319(e).~~

19 ~~2. A person who is employed as a paraprofessional by a~~  
20 ~~charter school [ , regardless of the date of hire, ] to work in a program~~  
21 ~~supported with Title I money must possess [ , on or before January 8,~~  
22 ~~2006, ] the qualifications [ required by 20 U.S.C. § 6319(e).~~

23 ~~3. For the purposes of this section, a person is not "initially~~  
24 ~~hired" if the person has been employed as a paraprofessional by~~  
25 ~~another school district, achievement charter school or charter school~~  
26 ~~in this State without an interruption in employment before the date~~  
27 ~~of hire by his or her current employer.~~

28 ~~4. ] prescribed by the State Public Charter School Authority.~~

29 2. As used in this section, "paraprofessional" has the meaning  
30 ascribed to it in NRS 391.008.

31 **Sec. 38.** NRS 388B.240 is hereby amended to read as follows:

32 388B.240 1. Each achievement charter school is hereby  
33 deemed a local educational agency for the purpose of receiving any  
34 money available from federal and state categorical grant programs.  
35 An achievement charter school that receives money pursuant to such  
36 a grant program shall comply with any applicable reporting  
37 requirements to receive the grant.

38 2. If an achievement charter school is eligible to receive special  
39 education program units, the Department must pay the special  
40 education program units directly to the achievement charter school.

41 3. As used in this section, "local educational agency" has the  
42 meaning ascribed to it in 20 U.S.C. § ~~7801(26)(A).~~ 7801(30)(A).



1     **Sec. 39.** NRS 388B.270 is hereby amended to read as follows:

2     388B.270 1. To the extent money is available from  
3 legislative appropriation or otherwise, an achievement charter  
4 school may apply to the Department for money for facilities if:

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

8     (b) The Executive Director has determined that the finances of  
9 the achievement charter school are being managed in a prudent  
10 manner;

11    (c) The achievement charter school has met or exceeded the  
12 ~~annual measurable objectives~~ *school achievement targets* and  
13 performance targets established pursuant to the statewide system of  
14 accountability for public schools or has demonstrated improvement  
15 in the achievement of pupils enrolled in the achievement charter  
16 school, as indicated by those ~~annual measurable objectives~~ *school*  
17 *achievement targets* and performance targets, for the majority of the  
18 years of its operation;

19    (d) At least 75 percent of the pupils enrolled in grade 12 in the  
20 achievement charter school in the immediately preceding school  
21 year have satisfied the criteria prescribed by the State Board  
22 pursuant to NRS 390.600, if the achievement charter school enrolls  
23 pupils at a high school grade level; and

24    (e) The achievement charter school meets the requirements  
25 prescribed by regulation of the Department.

26    2. An achievement charter school that does not satisfy the  
27 requirements of subsection 1 shall submit a quarterly report of the  
28 financial status of the achievement charter school if requested by  
29 the Executive Director.

30     **Sec. 40.** NRS 388G.120 is hereby amended to read as follows:

31     388G.120 1. Each empowerment plan for a school must:

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

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

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

41     (d) Prescribe the manner by which the achievement of pupils  
42 will be measured and reported for the school, including, without  
43 limitation, the results of the pupils on the examinations administered  
44 pursuant to NRS 390.105 and, if applicable for the grade levels of  
45 the empowerment school, the ~~end-of-course examinations~~



1 ~~administered pursuant to NRS 390.600 and the~~ college and career  
2 readiness assessment administered pursuant to NRS 390.610;

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

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

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

13 (h) Indicate the intended ratio of pupils to teachers at the school,  
14 designated by grade level, which must comply with NRS 388.700 or  
15 388.720, as applicable;

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

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

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

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

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

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

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

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

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

36 3. An empowerment plan may:

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

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



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

4 (a) Charter school, the amount of the budget is the amount equal  
5 to the apportionments and allowances from the State Distributive  
6 School Account pursuant to NRS 387.121 to 387.1245, inclusive,  
7 and its proportionate share of any other money available from  
8 federal, state or local sources that the school or the pupils enrolled in  
9 the school are eligible to receive.

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

17 **Sec. 41.** NRS 388G.210 is hereby amended to read as follows:

18 388G.210 1. Except as otherwise provided pursuant to a  
19 waiver granted in accordance with NRS 388G.130 or 388G.140,  
20 each empowerment school, each person employed by an  
21 empowerment school and each pupil enrolled in an empowerment  
22 school shall comply with the applicable requirements of state law,  
23 including, without limitation, the standards of content and  
24 performance prescribed pursuant to NRS 389.520 and the  
25 examinations that are administered pursuant to NRS 390.105 ~~and~~  
26 ~~390.600~~ and the college and career readiness assessment  
27 administered pursuant to NRS 390.610.

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

33 **Sec. 41.2.** Chapter 390 of NRS is hereby amended by adding  
34 thereto the provisions set forth as sections 41.3, 41.5 and 41.7 of this  
35 act.

36 **Sec. 41.3. 1. *The State Board shall adopt regulations that***  
37 ***prescribe the:***

38 ***(a) Courses of study for which an end-of-course final must be***  
39 ***administered; and***

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



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

5       **Sec. 41.5.** *1. A pupil who satisfies the criteria established*  
6 *by the State Board by regulation may graduate with a college and*  
7 *career ready high school diploma. A college and career ready high*  
8 *school diploma confers all the same rights, privileges and benefits*  
9 *as a standard high school diploma.*

10       2. *The State Board shall adopt regulations that prescribe the*  
11 *criteria for a pupil to receive a college and career ready high*  
12 *school diploma, which must include, without limitation, a*  
13 *requirement that the pupil:*

14       (a) *Satisfy the criteria for receipt of a standard high school*  
15 *diploma prescribed by the State Board pursuant to NRS 390.600*  
16 *and any other criteria established by law; and*

17       (b) *Obtain an endorsement described in subsection 3.*

18       3. *The State Board shall adopt regulations prescribing the*  
19 *criteria for a pupil to obtain:*

20       (a) *A college-ready endorsement that reflects that the pupil has*  
21 *completed certain coursework or obtained experience that makes*  
22 *the pupil qualified for and prepared to succeed in college without*  
23 *the need for remediation.*

24       (b) *A career-ready endorsement that reflects that the pupil has*  
25 *completed certain coursework or obtained certain experience that*  
26 *makes the pupil qualified for and prepared to succeed in*  
27 *postsecondary job training or education in high-demand*  
28 *occupations.*

29       4. *The regulations adopted pursuant to subsection 3 must*  
30 *include, without limitation:*

31       (a) *The number of credits and courses of study that must*  
32 *be completed for each endorsement prescribed pursuant to*  
33 *subsection 3.*

34       (b) *Any assessment a pupil must pass for each endorsement*  
35 *prescribed pursuant to subsection 3.*

36       (c) *Any credential, certificate or certification a pupil must*  
37 *obtain for each endorsement prescribed pursuant to subsection 3.*

38       5. *Any assessment, credential, certificate or certification*  
39 *required for an endorsement must:*

40       (a) *Be established so that it is recognized and valued by*  
41 *industries and postsecondary educational institutions; and*

42       (b) *Require demonstration of a mastery of tasks aligned to the*  
43 *demands of industries and postsecondary educational institutions.*

44       6. *The State Board shall annually review and, if necessary,*  
45 *revise the regulations adopted pursuant to subsection 4.*





1       7. *To the extent that money is available for this purpose, the*  
2 *State Board shall adopt regulations to provide:*

3       (a) *Incentive grants to be awarded to public high schools for*  
4 *each pupil at the school who earns a college and career ready high*  
5 *school diploma.*

6       (b) *Reimbursement to a public high school or school district*  
7 *for any costs associated with the administration or provision of an*  
8 *assessment, credential, certificate or certification required for*  
9 *receipt of a college and career ready high school diploma.*

10       **Sec. 41.7.** *To the extent money is available, the Department*  
11 *shall conduct a public awareness campaign to inform pupils*  
12 *enrolled in public schools, the parents or guardian of pupils*  
13 *enrolled in public schools, persons involved in business and*  
14 *industry in this State and members of the general public of:*

15       1. *The types of diplomas a pupil may receive upon graduation*  
16 *from high school and the types of endorsements a pupil may*  
17 *receive on a diploma, if applicable; and*

18       2. *The criteria to earn each type of diploma and endorsement.*

19       **Sec. 42.** NRS 390.015 is hereby amended to read as follows:

20       390.015 The board of trustees of each school district shall  
21 maintain on its Internet website, and shall post in a timely manner,  
22 all pertinent information concerning the examinations and  
23 assessments available to children who reside in the school district,  
24 including, without limitation, the dates and times of, and contact  
25 information concerning, such examinations and assessments. The  
26 examinations and assessments posted must include, without  
27 limitation:

28       1. The college and career readiness assessment administered  
29 pursuant to NRS 390.610.

30       2. ~~The examinations required pursuant to NRS 390.600.~~

31 ~~—3—~~ All other college entrance examinations offered in this  
32 State, including, without limitation, the Scholastic Aptitude Test, the  
33 American College Test, the Preliminary Scholastic Aptitude Test  
34 and the National Merit Scholarship Qualifying Test.

35       **Sec. 43.** NRS 390.105 is hereby amended to read as follows:

36       390.105 1. The State Board shall, in consultation with the  
37 Council to Establish Academic Standards for Public Schools,  
38 prescribe examinations that comply with 20 U.S.C. § ~~6311(b)(3)~~  
39 ~~6311(b)(2)~~ and that measure the achievement and proficiency of  
40 pupils:

41       (a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content  
42 established by the Council for the subjects of English language arts  
43 and mathematics.

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



1 (c) For grades 9, 10, 11 and 12, in the standards of content  
2 established by the Council for the subjects required to comply with  
3 20 U.S.C. § ~~6311(b)(3)~~ 6311(b)(2).

4 ➤ The examinations prescribed pursuant to this subsection must be  
5 written, developed, printed and scored by a nationally recognized  
6 testing company.

7 2. In addition to the examinations prescribed pursuant to  
8 subsection 1, the State Board shall, in consultation with the Council  
9 to Establish Academic Standards for Public Schools, prescribe a  
10 writing examination for grades 5 and 8.

11 3. The State Board shall prescribe:

12 (a) The minimum number of school days that must take place  
13 before the examinations prescribed by the State Board pursuant to  
14 subsection 1 may be administered to pupils; and

15 (b) The period during which the examinations prescribed by the  
16 State Board pursuant to subsection 1 must be administered.

17 4. The board of trustees of each school district and the  
18 governing body of each charter school shall administer the  
19 examinations prescribed by the State Board at such times as  
20 prescribed by the State Board pursuant to subsection 3. The  
21 examinations must be:

22 (a) Administered in each school in accordance with uniform  
23 procedures adopted by the State Board. The Department shall  
24 monitor the school districts and individual schools to ensure  
25 compliance with the uniform procedures.

26 (b) Administered in each school in accordance with the plan  
27 adopted pursuant to NRS 390.270 by the Department and with the  
28 plan adopted pursuant to NRS 390.275 by the board of trustees of  
29 the school district in which the examinations are administered. The  
30 Department shall monitor the compliance of school districts and  
31 individual schools with:

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

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

37 **Sec. 44.** NRS 390.255 is hereby amended to read as follows:

38 390.255 "Irregularity in testing administration" means the  
39 failure to administer an examination to pupils pursuant to NRS  
40 390.105 ~~for 390.600~~ or the college and career readiness assessment  
41 pursuant to NRS 390.610 in the manner intended by the person or  
42 entity that created the examination or assessment.

43 **Sec. 45.** NRS 390.260 is hereby amended to read as follows:

44 390.260 "Irregularity in testing security" means an act or  
45 omission that tends to corrupt or impair the security of an



1 examination administered to pupils pursuant to NRS 390.105 ~~for~~  
2 ~~390.600~~ or the college and career readiness assessment  
3 administered pursuant to NRS 390.610, including, without  
4 limitation:

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

7 2. The disclosure of questions or answers to questions on an  
8 examination or assessment in a manner not otherwise approved by  
9 law; and

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

12 **Sec. 46.** NRS 390.270 is hereby amended to read as follows:

13 390.270 1. The Department shall, by regulation or otherwise,  
14 adopt and enforce a plan setting forth procedures to ensure the  
15 security of examinations that are administered to pupils pursuant to  
16 NRS 390.105 ~~and 390.600~~ and the college and career readiness  
17 assessment administered pursuant to NRS 390.610.

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

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

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

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

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

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

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

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

44 (a) The State Board; and



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

3 **Sec. 47.** NRS 390.275 is hereby amended to read as follows:

4 390.275 1. The board of trustees of each school district shall,  
5 for each public school in the district, including, without limitation,  
6 charter schools, adopt and enforce a plan setting forth procedures to  
7 ensure the security of examinations and assessments.

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

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

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

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

18 (d) Procedures that specifically set forth the action that must be  
19 taken in response to a report of an irregularity in testing  
20 administration or testing security and the action that must be taken  
21 during an investigation of such an irregularity. For each action that  
22 is required, the procedures must identify, by category, the  
23 employees of the school district or charter school who are  
24 responsible for taking the action and for ensuring that the action is  
25 carried out successfully.

26 ↪ The procedures adopted pursuant to this subsection must be  
27 consistent, to the extent applicable, with the procedures adopted by  
28 the Department pursuant to NRS 390.270.

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

32 (a) The State Board; and

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

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



- 1 (a) Plan adopted pursuant to this section; and
- 2 (b) Action that may be taken against personnel and pupils for
- 3 violations of the plan or for other irregularities in testing
- 4 administration or testing security.

5 5. As used in this section:

6 (a) "Assessment" means the college and career readiness

7 assessment administered to pupils enrolled in grade 11 pursuant to

8 NRS 390.610.

9 (b) "Examination" means:

10 (1) The examinations that are administered to pupils pursuant

11 to NRS 390.105 ; ~~for 390.600;~~ and

12 (2) Any other examinations which measure the achievement

13 and proficiency of pupils and which are administered to pupils on a

14 district-wide basis.

15 (c) "Irregularity in testing administration" means the failure to

16 administer an examination or assessment in the manner intended by

17 the person or entity that created the examination or assessment.

18 (d) "Irregularity in testing security" means an act or omission

19 that tends to corrupt or impair the security of an examination or

20 assessment, including, without limitation:

21 (1) The failure to comply with security procedures adopted

22 pursuant to this section or NRS 390.270;

23 (2) The disclosure of questions or answers to questions on an

24 examination or assessment in a manner not otherwise approved by

25 law; and

26 (3) Other breaches in the security or confidentiality of the

27 questions or answers to questions on an examination or assessment.

28 **Sec. 48.** NRS 390.280 is hereby amended to read as follows:

29 390.280 1. If the Department:

30 (a) Has reason to believe that a violation of the plan adopted

31 pursuant to NRS 390.270 may have occurred;

32 (b) Has reason to believe that a violation of the plan adopted

33 pursuant to NRS 390.275 may have occurred with respect to an

34 examination that is administered pursuant to NRS 390.105 ~~for~~

35 ~~390.600~~ or the college and career readiness assessment

36 administered pursuant to NRS 390.610; or

37 (c) Receives a request pursuant to subparagraph (2) of paragraph

38 (b) of subsection 1 of NRS 390.285 to investigate a potential

39 violation of the plan adopted pursuant to NRS 390.275 with respect

40 to an examination that is administered pursuant to NRS 390.105 ~~for~~

41 ~~390.600~~ or the college and career readiness assessment

42 administered pursuant to NRS 390.610,

43 ➔ the Department shall investigate the matter as it deems

44 appropriate.



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

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

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

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

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

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

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

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

33 **Sec. 49.** NRS 390.285 is hereby amended to read as follows:

34 390.285 1. If a school official has reason to believe that a  
35 violation of the plan adopted pursuant to NRS 390.275 may have  
36 occurred, the school official shall immediately report the incident to  
37 the board of trustees of the school district. If the board of trustees of  
38 a school district has reason to believe that a violation of the plan  
39 adopted pursuant to NRS 390.275 may have occurred, the board of  
40 trustees shall:

41 (a) If the violation is with respect to an examination  
42 administered pursuant to NRS 390.105 ~~for 390.600~~ or the college  
43 and career readiness assessment administered pursuant to NRS  
44 390.610, immediately report the incident to the Department orally or



1 in writing followed by a comprehensive written report within 14  
2 school days after the incident occurred; and

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

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

9 (2) With respect to an examination that is administered  
10 pursuant to NRS 390.105 ~~for 390.600~~ or the college and career  
11 readiness assessment administered pursuant to NRS 390.610,  
12 requesting that the Department investigate the incident pursuant to  
13 NRS 390.280.

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

19 2. Except as otherwise provided in this subsection, if the board  
20 of trustees of a school district proceeds in accordance with  
21 subparagraph (1) of paragraph (b) of subsection 1, the board of  
22 trustees may issue a subpoena to compel the attendance or testimony  
23 of a witness or the production of any relevant materials, including,  
24 without limitation, books, papers, documents, records, photographs,  
25 recordings, reports and tangible objects. A board of trustees shall  
26 not issue a subpoena to compel the attendance or testimony of a  
27 witness or the production of materials unless the attendance,  
28 testimony or production sought to be compelled is related directly to  
29 a violation or an alleged violation of the plan adopted pursuant to  
30 NRS 390.275.

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

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

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

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

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

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





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

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

12 **Sec. 50.** NRS 390.300 is hereby amended to read as follows:

13 390.300 1. The Department shall establish a program of  
14 education and training regarding the administration and security of  
15 the examinations administered pursuant to NRS 390.105 ~~for~~  
16 ~~390.600~~ and the college and career readiness assessment  
17 administered pursuant to NRS 390.610. Upon approval of the  
18 Department, the board of trustees of a school district or the  
19 governing body of a charter school may establish an expanded  
20 program of education and training that includes additional education  
21 and training if the expanded program complies with the program  
22 established by the Department.

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

25 (a) All the teachers and other educational personnel who provide  
26 instruction to pupils enrolled in a grade level that is required to be  
27 tested pursuant to NRS 390.105, 390.600 or 390.610, and all other  
28 personnel who are involved with the administration of the  
29 examinations that are administered pursuant to NRS 390.105 ~~for~~  
30 ~~390.600~~ or the college and career readiness assessment  
31 administered pursuant to NRS 390.610, receive, on an annual basis,  
32 the program of education and training established by the Department  
33 or the expanded program, if applicable; and

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

37 **Sec. 51.** (Deleted by amendment.)

38 **Sec. 51.5.** NRS 390.360 is hereby amended to read as follows:

39 390.360 "Examination" means:

40 1. The examinations that are administered to pupils pursuant to  
41 NRS 390.105 ; ~~for 390.600;~~ and

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



1     **Sec. 52.** NRS 390.600 is hereby amended to read as follows:

2     390.600 1. A pupil with a disability who does not satisfy the  
3 requirements for receipt of a standard high school diploma may  
4 receive a diploma designated as an adjusted diploma if the pupil  
5 satisfies the requirements set forth in his or her individualized  
6 education program. As used in this subsection, "individualized  
7 education program" has the meaning ascribed to it in 20 U.S.C. §  
8 1414(d)(1)(A).

9     2. The State Board shall adopt regulations that prescribe the ~~f-~~  
10 ~~—(a) Criteria~~ *criteria* for a pupil to receive a standard high school  
11 diploma, which must include, without limitation, the requirement  
12 that:

13 ~~{(1) Commencing with the 2014-2015 school year and each~~  
14 ~~school year thereafter, a}~~

15     (a) A pupil enrolled in grade 11 take the college and career  
16 readiness assessment administered pursuant to NRS 390.610; *and*

17 ~~{(2)}~~ (b) Commencing with the ~~{2014-2015 school year}~~  
18 *graduating class of 2022* and each ~~{school year thereafter,}~~  
19 *graduating class thereafter*, a pupil ~~{enroll in the courses}~~  
20 *successfully complete a course* of study designed to prepare the  
21 pupil for graduation from high school and for readiness for college  
22 and career. ~~f- and~~

23 ~~—(3) Commencing with the 2014-2015 school year and each~~  
24 ~~school year thereafter, a pupil pass at least four end-of course~~  
25 ~~examinations prescribed pursuant to paragraph (b):~~

26 ~~—(b) Courses of study in which pupils must pass the end-of~~  
27 ~~course examinations required by subparagraph (3) of paragraph (a);~~  
28 ~~which must include, without limitation, the subject areas for which~~  
29 ~~the State Board has adopted the common core standards and which~~  
30 ~~may include any other courses of study prescribed by the State~~  
31 ~~Board.~~

32 ~~—(c) The maximum number of times, if any, that a pupil is~~  
33 ~~allowed to take the end-of course examinations if the pupil fails to~~  
34 ~~pass the examinations after the first administration.}~~

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

40     4. If a pupil does not satisfy the requirements prescribed by the  
41 State Board to receive a standard high school diploma, the pupil  
42 must not be issued a certificate of attendance or any other document  
43 indicating that the pupil attended high school but did not satisfy the  
44 requirements for such a diploma. The provisions of this subsection



1 do not apply to a pupil who receives an adjusted diploma pursuant  
2 to subsection 1.

3 **Sec. 53.** NRS 390.610 is hereby amended to read as follows:

4 390.610 1. The State Board shall select a college and career  
5 readiness assessment for administration ~~[, commencing with the~~  
6 ~~2014-2015 school year and each school year thereafter.]~~ to pupils  
7 who are enrolled in grade 11 in public high schools.

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

16 3. *The results of a pupil on the college and career readiness*  
17 *assessment:*

18 *(a) Must not be used in the determination of whether the pupil*  
19 *satisfies the requirements for receipt of standard high school*  
20 *diploma.*

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

24 4. The assessment selected pursuant to subsection 1 must be:

25 (a) Administered at the same time during the school year by the  
26 board of trustees of each school district to pupils enrolled in grade  
27 11 in all public high schools of the school district and by the  
28 governing body of each charter school that enrolls pupils in grade  
29 11, as prescribed by the State Board, and in accordance with  
30 uniform procedures adopted by the State Board. The Department  
31 shall monitor the compliance of the school districts and individual  
32 schools with the uniform procedures and report to the State Board  
33 any instance of noncompliance.

34 (b) Administered in accordance with the plan adopted by the  
35 Department pursuant to NRS 390.270 and with the plan adopted by  
36 the board of trustees of the school district in which the assessment is  
37 administered pursuant to NRS 390.275. The Department shall  
38 monitor the compliance of the school districts and individual  
39 schools with:

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

41 (2) The plan adopted by the board of trustees of the  
42 applicable school district, to the extent that the plan adopted by the  
43 board of trustees of the school district is consistent with the plan  
44 adopted by the Department,



1 ↪ and shall report to the State Board any instance of  
2 noncompliance.

3 ~~4.1~~ 5. The assessment selected pursuant to subsection 1 must:

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

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

13 ~~5.1~~ 6. *The State Board shall adopt regulations prescribing*  
14 *the manner in which the results of a college and career readiness*  
15 *assessment selected pursuant to subsection 1 must be used by a*  
16 *school district or charter school that operates as a high school to*  
17 *inform the instruction provided to pupils enrolled in grade 12,*  
18 *including, without limitation, to determine whether to provide*  
19 *remediation in areas of academic weakness and acceleration in*  
20 *areas of academic strength.*

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

26 **Sec. 54.** NRS 390.620 is hereby amended to read as follows:

27 390.620 1. The Department shall develop an informational  
28 pamphlet concerning the ~~end of course examinations required~~  
29 ~~pursuant to NRS 390.600 and the~~ college and career readiness  
30 assessment administered pursuant to NRS 390.610 for pupils who  
31 are enrolled in junior high, middle school and high school, and their  
32 parents and legal guardians. The pamphlet must include a written  
33 explanation of the:

34 (a) Importance of ~~passing the end of course examinations and~~  
35 ~~the importance of~~ taking the college and career readiness  
36 assessment;

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

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



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

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

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

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

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

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

24 5. On or before October 1, the:

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

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

33 **Sec. 55.** NRS 390.810 is hereby amended to read as follows:

34 390.810 1. The board of trustees of each school district and  
35 the governing body of each charter school shall ensure that each  
36 pupil who is ~~{limited}~~ *an* English ~~{proficient}~~ *learner* and is enrolled  
37 in the school district or charter school, as applicable, participates in  
38 the achievement and proficiency examinations administered  
39 pursuant to this chapter. The State Board shall prescribe reasonable  
40 modifications and accommodations that must be used in the  
41 administration of an examination to a pupil who is ~~{limited}~~ *an*  
42 English ~~{proficient}~~ *learner* and who is unable to take an  
43 examination under regular testing conditions. The results of each  
44 pupil who is ~~{limited}~~ *an* English ~~{proficient}~~ *learner* and who takes  
45 an examination with modifications and accommodations must be



1 reported and included within the determination of whether the  
2 school has met the ~~{annual measurable objectives}~~ *school*  
3 *achievement targets* and performance targets established pursuant to  
4 the statewide system of accountability for public schools.

5 2. The board of trustees of a school district and the governing  
6 body of a charter school shall administer to a pupil who is ~~limited~~  
7 ~~English proficient~~ *an English learner*:

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

11 (b) To the extent practicable, examinations in reading required  
12 by subsection 1 in the language most likely to yield accurate and  
13 reliable information on what the pupil knows if the pupil has  
14 attended public schools in the United States for less than 3  
15 consecutive years.

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

18 (1) Examinations in reading required by subsection 1 in the  
19 English language; or

20 (2) Examinations in reading required by subsection 1 in the  
21 language most likely to yield accurate and reliable information on  
22 what the pupil knows if the board of trustees or the governing body,  
23 as applicable, determines that the pupil has not reached a level of  
24 English proficiency sufficient to yield valid and reliable information  
25 on what the pupil knows. The board of trustees or the governing  
26 body of a charter school, as applicable, may grant exceptions for a  
27 particular pupil pursuant to this subparagraph, on a case-by-case  
28 basis, for a period not longer than 2 consecutive years.

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

32 3. The State Board shall prescribe an assessment of proficiency  
33 in the English language for pupils who are ~~limited~~ English  
34 ~~proficient~~ *learners* to measure oral language skills, comprehension  
35 skills, reading skills and writing skills. The board of trustees of each  
36 school district and the governing body of each charter school shall  
37 administer the assessment annually at the time prescribed by the  
38 State Board. A pupil who takes the assessment prescribed pursuant  
39 to this subsection is not exempt from the achievement and  
40 proficiency examinations administered pursuant to this chapter.

41 **Sec. 56.** NRS 390.820 is hereby amended to read as follows:

42 390.820 1. If a pupil with a disability is unable to take an  
43 examination administered pursuant to NRS 390.105 ~~for 390.600~~  
44 under regular testing conditions, the pupil may take the examination  
45 with modifications and accommodations that the pupil's



1 individualized education program team determines, in consultation  
2 with the Department and in accordance with the Individuals with  
3 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the ~~No~~  
4 ~~Child Left Behind Act of 2001,~~ *Every Student Succeeds Act of*  
5 *2015*, 20 U.S.C. §§ 6301 et seq., are necessary to measure the  
6 progress of the pupil. If modifications or accommodations are made  
7 in the administration of an examination for a pupil with a disability,  
8 the modifications or accommodations must be set forth in the  
9 pupil's individualized education program. The results of each pupil  
10 with a disability who takes an examination with modifications or  
11 accommodations must be reported and must be included in the  
12 determination of whether the school has met the ~~annual measurable~~  
13 ~~objectives~~ *school achievement targets* and performance targets  
14 established pursuant to the statewide system of accountability for  
15 public schools.

16 2. The State Board shall prescribe an alternate examination for  
17 administration to a pupil with a disability if the pupil's  
18 individualized education program team determines, in consultation  
19 with the Department, that the pupil cannot participate in all or a  
20 portion of an examination administered pursuant to NRS 390.105  
21 ~~for 390.600~~ even with modifications and accommodations.

22 3. The State Board shall prescribe, in accordance with the  
23 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et  
24 seq., and the ~~No Child Left Behind Act of 2001,~~ *Every Student*  
25 *Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq., the modifications  
26 and accommodations that must be used in the administration of an  
27 examination to a pupil with a disability who is unable to take the  
28 examination under regular testing conditions.

29 4. As used in this section:

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

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

34 **Sec. 56.5.** NRS 390.830 is hereby amended to read as follows:

35 390.830 1. The State Board shall:

36 (a) In accordance with guidelines established by the National  
37 Assessment Governing Board and National Center for Education  
38 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the  
39 regulations adopted pursuant thereto, adopt regulations requiring the  
40 schools of this State that are selected by the National Assessment  
41 Governing Board or the National Center for Education Statistics to  
42 participate in the examinations of the National Assessment of  
43 Educational Progress.

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

45 (1) Governor;





1 (2) Board of trustees of each school district of this State;  
2 (3) Legislative Committee on Education created pursuant to  
3 NRS 218E.605; and

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

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

9 (1) The results of pupils throughout this country who  
10 participated in the examinations of the National Assessment of  
11 Educational Progress; and

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

14 2. If the report required by subsection 1 indicates that the  
15 percentage of pupils enrolled in the public schools in this State who  
16 are proficient on the National Assessment of Educational Progress  
17 differs by more than 10 percent of the pupils who are proficient on  
18 the examinations administered pursuant to NRS 390.105 , ~~and the~~  
19 ~~examinations administered pursuant to NRS 390.600,]~~ the  
20 Department shall prepare a written report describing the  
21 discrepancy. The report must include, without limitation, a  
22 comparison and evaluation of:

23 (a) The standards of content and performance for English  
24 language arts and mathematics established pursuant to NRS 389.520  
25 with the standards for English language arts and mathematics that  
26 are tested on the National Assessment.

27 (b) The standards for proficiency established for the National  
28 Assessment with the standards for proficiency established for the  
29 examinations that are administered pursuant to NRS 390.105 . ~~and~~  
30 ~~the examinations administered pursuant to NRS 390.600.]~~

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

33 (a) Governor;

34 (b) Legislative Committee on Education;

35 (c) Legislative Bureau of Educational Accountability and  
36 Program Evaluation; and

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

38 4. The Council to Establish Academic Standards for Public  
39 Schools shall review and evaluate the report provided to the Council  
40 pursuant to subsection 3 to identify any discrepancies in the  
41 standards of content and performance established by the Council  
42 that require revision and a timeline for carrying out the revision, if  
43 necessary. The Council shall submit a written report of its review  
44 and evaluation to the Legislative Committee on Education and



1 Legislative Bureau of Educational Accountability and Program  
2 Evaluation.

3 **Sec. 57.** NRS 390.840 is hereby amended to read as follows:  
4 390.840 If the Department enters into a contract with a person  
5 or entity to score the results of an examination that is administered  
6 to pupils pursuant to NRS 390.105 ~~for 390.600~~ or the college and  
7 career readiness assessment administered pursuant to NRS 390.610,  
8 and the contract sets forth penalties or sanctions in the event that the  
9 person or entity fails to deliver the scored results to a school district  
10 or charter school on a timely basis, the Department shall ensure that  
11 any such penalties or sanctions are fully enforced.

12 **Sec. 58.** NRS 391.008 is hereby amended to read as follows:  
13 391.008 1. "Paraprofessional" means a person who is  
14 employed by and assigned by a school district or charter school to:  
15 (a) Provide one-on-one tutoring for a pupil;  
16 (b) Assist with the management of a classroom, including,  
17 without limitation, organizing instructional materials;  
18 (c) Provide assistance in a computer laboratory;  
19 (d) Conduct parental involvement activities in conjunction with  
20 one or more duties set forth in this subsection;  
21 (e) Provide support in a library or media center;  
22 (f) Except as otherwise provided in subsection 2, provide  
23 services as a translator; or  
24 (g) Provide instructional services to pupils under the direct  
25 supervision of a licensed teacher.

26 2. The term "paraprofessional" does not include a person who:  
27 (a) Is proficient in the English language and a language other  
28 than English and who provides services as a translator primarily to  
29 enhance the participation of children in programs that are financially  
30 supported pursuant to the ~~No Child Left Behind Act of 2001,~~  
31 *Every Student Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq.

32 (b) Solely conducts parental involvement activities.  
33 **Sec. 59.** NRS 391.094 is hereby amended to read as follows:  
34 391.094 The State Board shall prescribe by regulation at least  
35 one examination for those paraprofessionals who desire to satisfy  
36 the requirements ~~of 20 U.S.C. § 6319(e) by passing an examination~~  
37 ~~prescribed by this State.~~ *prescribed by the Department to comply*  
38 *with 20 U.S.C. § 6311(g)(2)(M).* The regulations must include the  
39 passing score required to demonstrate satisfaction of ~~the~~ *those*  
40 requirements. ~~of 20 U.S.C. § 6319(e).~~

41 **Sec. 60.** NRS 391.098 is hereby amended to read as follows:  
42 391.098 1. If a pupil enrolled in a Title I school or a school  
43 that is rated as underperforming pursuant to the statewide system of  
44 accountability for public schools:



1 (a) Is assigned to a teacher, as the pupil's regular classroom  
2 teacher, who is not ~~highly qualified;~~ *licensed to teach pursuant to*  
3 *chapter 391 of NRS or who does not hold an endorsement to teach*  
4 *in the subject area in which he or she is teaching;* or

5 (b) Has been taught for 4 consecutive weeks or more by a  
6 teacher who is not the pupil's regular classroom teacher and who is  
7 not ~~highly qualified;~~ *licensed to teach pursuant to chapter 391 of*  
8 *NRS or who does not hold an endorsement to teach in the subject*  
9 *area in which he or she is teaching,*

10 → the principal of the school or the administrative head of the  
11 charter school, as applicable, shall provide notice of that fact to the  
12 parent or legal guardian of the pupil.

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

17 ~~3.—As used in this section, “highly qualified” has the meaning~~  
18 ~~ascribed to it in 20 U.S.C. § 7801(23).]~~

19 **Sec. 61.** NRS 391.100 is hereby amended to read as follows:

20 391.100 1. The board of trustees of a school district may  
21 employ a superintendent of schools, teachers and all other necessary  
22 employees.

23 2. ~~[A person who is initially hired by the board of trustees of a~~  
24 ~~school district on or after January 8, 2002, to teach in a program~~  
25 ~~supported with money from Title I must possess the qualifications~~  
26 ~~required by 20 U.S.C. § 6319(a). For the purposes of this~~  
27 ~~subsection, a person is not “initially hired” if he or she has been~~  
28 ~~employed as a teacher by another school district or charter school in~~  
29 ~~this State without an interruption in employment before the date of~~  
30 ~~hire by the person's current employer.~~

31 ~~3.—A person who is employed as a teacher, regardless of the~~  
32 ~~date of hire, must possess, on or before July 1, 2006, the~~  
33 ~~qualifications required by 20 U.S.C. § 6319(a) if the person teaches:~~

- 34 ~~—(a) English language arts;~~
- 35 ~~—(b) Mathematics;~~
- 36 ~~—(c) Science;~~
- 37 ~~—(d) A foreign or world language;~~
- 38 ~~—(e) Civics or government;~~
- 39 ~~—(f) Economics;~~
- 40 ~~—(g) Geography;~~
- 41 ~~—(h) History; or~~
- 42 ~~—(i) The arts.~~

43 ~~4.]~~ The board of trustees of a school district:

44 (a) May employ teacher aides and other auxiliary,  
45 nonprofessional personnel to assist licensed personnel in the



1 instruction or supervision of children, either in the classroom or at  
2 any other place in the school or on the grounds thereof. ~~{A person  
3 who is initially hired as a paraprofessional by a school district on or  
4 after January 8, 2002, to work in a program supported with Title I  
5 money must possess the qualifications required by 20 U.S.C. §  
6 6319(e).}~~ A person who is employed as a paraprofessional by a  
7 school district ~~{, regardless of the date of hire,}~~ to work in a program  
8 supported with Title I money must possess ~~{, on or before January 8,  
9 2006, the qualifications required by 20 U.S.C. § 6319(e). For the  
10 purposes of this paragraph, a person is not "initially hired" if he or  
11 she has been employed as a paraprofessional by another school  
12 district or charter school in this State without an interruption in  
13 employment before the date of hire}~~ *the requirements prescribed* by  
14 the ~~{person's current employer.}~~ *State Board pursuant to*  
15 *NRS 391.094.*

16 (b) Shall establish policies governing the duties and  
17 performance of teacher aides.

18 **Sec. 62.** NRS 391.125 is hereby amended to read as follows:

19 391.125 1. If the board of trustees of a school district  
20 determines that a shortage of teachers exists within the school  
21 district in a particular subject area, the board of trustees may , *on or*  
22 *before September 1 of the school year for which such a*  
23 *determination is made,* submit a written request to the  
24 Superintendent of Public Instruction to employ persons who are  
25 licensed teachers but who do not hold an endorsement to teach in  
26 the subject area for which there is a shortage of teachers at a public  
27 school within the school district . ~~{that is not rated as  
28 underperforming pursuant to the statewide system of accountability  
29 for public schools.}~~ The Superintendent of Public Instruction may  
30 grant such a request if the Superintendent determines that a shortage  
31 of teachers exists in the subject area. If the Superintendent of Public  
32 Instruction grants a request pursuant to this subsection, a person  
33 who holds a license to teach but not an endorsement in the subject  
34 area for which the request was granted may be employed by the  
35 school district for not more than ~~{2}~~ **3** school years to teach in that  
36 subject area at a public school within the school district . ~~{that is not  
37 rated as underperforming pursuant to the statewide system of  
38 accountability for public schools.}~~

39 2. If the Superintendent of Public Instruction grants a request  
40 pursuant to subsection 1, the Superintendent shall submit a written  
41 report to the Commission *and the State Board* that includes the  
42 name of the school district for which the request was granted and  
43 the subject area for which the request was granted. Upon receipt of  
44 such a report, the Commission *and the State Board* shall consider



1 whether to adopt revisions to the requirements for an endorsement  
2 in that subject area to address the shortage of teachers.

3 **Sec. 63.** NRS 391.170 is hereby amended to read as follows:

4 391.170 1. Except as otherwise provided in subsection 2, a  
5 teacher or other employee for whom a license is required is not  
6 entitled to receive any portion of public money for schools as  
7 compensation for services rendered unless he or she:

8 (a) Is legally employed by the board of trustees of the school  
9 district or the governing body of the charter school in which he or  
10 she is teaching or performing other educational functions.

11 (b) Has a license authorizing him or her to teach or perform  
12 other educational functions at the level and, except as otherwise  
13 provided in NRS 391.125, in the field for which he or she is  
14 employed, issued in accordance with law and in full force at the  
15 time the services are rendered.

16 2. The provisions of subsection 1 do not prohibit the payment  
17 of public money to teachers or other employees who are employed  
18 by a charter school who are not required to ~~be highly qualified~~  
19 *demonstrate experience and qualifications through licensure or*  
20 *subject matter expertise* pursuant to the provisions of  
21 NRS 388A.518.

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

24 **Sec. 64.** NRS 391.273 is hereby amended to read as follows:

25 391.273 1. Except as otherwise provided in this section and  
26 except for persons who are supervised pursuant to NRS 391.096, the  
27 unlicensed personnel of a school district must be directly supervised  
28 by licensed personnel in all duties which are instructional in nature.  
29 To the extent practicable, the direct supervision must be such that  
30 the unlicensed personnel are in the immediate location of the  
31 licensed personnel and are readily available during such times when  
32 supervision is required.

33 2. Unlicensed personnel who are exempted pursuant to  
34 subsection 4, 5 or 6 must be under administrative supervision when  
35 performing any duties which are instructional in nature.

36 3. Unlicensed personnel may temporarily perform duties under  
37 administrative supervision which are not primarily instructional in  
38 nature.

39 4. Except as otherwise provided in subsection 7, upon  
40 application by a superintendent of schools, the Superintendent of  
41 Public Instruction may grant an exemption from the provisions of  
42 subsection 1 pursuant to subsection 5 or 6.

43 5. Except as otherwise provided in subsection 6, the  
44 Superintendent shall not grant an exemption from the provisions of  
45 subsection 1 unless:



1 (a) The duties are within the employee's special expertise or  
2 training;

3 (b) The duties relate to the humanities or an elective course of  
4 study, or are supplemental to the basic curriculum of a school;

5 (c) The performance of the duties does not result in the  
6 replacement of a licensed employee or prevent the employment of a  
7 licensed person willing to perform those duties;

8 (d) The secondary or combined school in which the duties will  
9 be performed has less than 100 pupils enrolled and is at least 30  
10 miles from a school in which the duties are performed by licensed  
11 personnel; and

12 (e) The unlicensed employee submits his or her fingerprints for  
13 an investigation pursuant to NRS 391.033.

14 6. Upon application by a superintendent of schools, the  
15 Superintendent of Public Instruction may grant an exemption from  
16 the provisions of subsection 1 if:

17 (a) The duties of the unlicensed employee relate to the  
18 supervision of pupils attending a course of distance education  
19 provided pursuant to NRS 388.820 to 388.874, inclusive, while the  
20 pupils are receiving instruction from a licensed employee remotely  
21 through any electronic means of communication; and

22 (b) The unlicensed employee submits his or her fingerprints for  
23 an investigation pursuant to NRS 391.033.

24 7. The exemption authorized by subsection 4, 5 or 6 does not  
25 apply to a paraprofessional if the ~~provisions of 20 U.S.C. § 6319~~  
26 ~~and the regulations adopted~~ *requirements prescribed by the State*  
27 *Board pursuant thereto to NRS 391.094* require the  
28 paraprofessional to be directly supervised by a licensed teacher.

29 8. The Superintendent of Public Instruction shall file a record  
30 of all exempt personnel with the clerk of the board of trustees of  
31 each local school district, and advise the clerk of any changes  
32 therein. The record must contain:

33 (a) The name of the exempt employee;

34 (b) The specific instructional duties the exempt employee may  
35 perform;

36 (c) Any terms or conditions of the exemption deemed  
37 appropriate by the Superintendent of Public Instruction; and

38 (d) The date the exemption expires or a statement that the  
39 exemption is valid as long as the employee remains in the same  
40 position at the same school.

41 9. The Superintendent of Public Instruction may adopt  
42 regulations prescribing the procedure to apply for an exemption  
43 pursuant to this section and the criteria for the granting of such  
44 exemptions.



1 10. Except in an emergency, it is unlawful for the board of  
2 trustees of a school district to allow a person employed as a  
3 teacher's aide to serve as a teacher unless the person is a legally  
4 qualified teacher licensed by the Superintendent of Public  
5 Instruction. As used in this subsection, "emergency" means an  
6 unforeseen circumstance which requires immediate action and  
7 includes the fact that a licensed teacher or substitute teacher is not  
8 immediately available.

9 11. If the Superintendent of Public Instruction determines that  
10 the board of trustees of a school district has violated the provisions  
11 of subsection 10, the Superintendent shall take such actions as are  
12 necessary to reduce the amount of money received by the district  
13 pursuant to NRS 387.124 by an amount equal to the product when  
14 the following numbers are multiplied together:

15 (a) The number of days on which the violation occurred;

16 (b) The number of pupils in the classroom taught by the  
17 teacher's aide; and

18 (c) The number of dollars of basic support apportioned to the  
19 district per pupil per day pursuant to NRS 387.1223.

20 12. Except as otherwise provided in this subsection, a person  
21 employed as a teacher's aide or paraprofessional may monitor pupils  
22 in a computer laboratory without being directly supervised by  
23 licensed personnel. The provisions of this subsection do not apply to  
24 a paraprofessional if the ~~provisions of 20 U.S.C. § 6319 and the~~  
25 ~~regulations adopted~~ *requirements prescribed by the State Board*  
26 pursuant ~~thereto~~ *to NRS 391.094* require the paraprofessional to be  
27 directly supervised by a licensed teacher.

28 13. The provisions of this section do not apply to unlicensed  
29 personnel who are employed by the governing body of a charter  
30 school, unless a paraprofessional employed by the governing body  
31 is required to be directly supervised by a licensed teacher pursuant  
32 to the ~~provisions of 20 U.S.C. § 6319 and the regulations adopted~~  
33 *requirements prescribed by the State Board* pursuant ~~thereto~~ *to*  
34 *NRS 391.094.*

35 **Sec. 65.** NRS 391.330 is hereby amended to read as follows:

36 391.330 The State Board may suspend or revoke the license of  
37 any teacher, administrator or other licensed employee, after notice  
38 and an opportunity for hearing have been provided pursuant to NRS  
39 391.322 and 391.323, for:

- 40 1. Immoral or unprofessional conduct.
- 41 2. Evident unfitness for service.
- 42 3. Physical or mental incapacity which renders the teacher,  
43 administrator or other licensed employee unfit for service.
- 44 4. Conviction of a felony or crime involving moral turpitude.





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

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

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

11 8. Breaches in the security or confidentiality of the questions  
12 and answers of the examinations that are administered pursuant to  
13 NRS 390.105 ~~for 390.600~~ and the college and career readiness  
14 assessment administered pursuant to NRS 390.610.

15 9. Intentional failure to observe and carry out the requirements  
16 of a plan to ensure the security of examinations and assessments  
17 adopted pursuant to NRS 390.270 or 390.275.

18 10. An intentional violation of NRS 388.497 or 388.499.

19 11. Knowingly and willfully failing to comply with the  
20 provisions of NRS 388.1351.

21 **Sec. 65.5.** NRS 391.460 is hereby amended to read as follows:

22 391.460 1. The Council shall:

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

32 (1) Evaluated using multiple, fair, timely, rigorous and valid  
33 methods, which includes evaluations based upon pupil achievement  
34 data as required by NRS 391.465;

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

38 (3) Provided with the means to share effective educational  
39 methods with other teachers and administrators throughout this  
40 State.

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



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

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

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

15 (a) Data derived from the evaluations is used to create  
16 professional development programs that enhance the effectiveness  
17 of teachers and administrators; and

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

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

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

29 **Sec. 66.** NRS 391.465 is hereby amended to read as follows:

30 391.465 1. The State Board shall, based upon the  
31 recommendations of the Teachers and Leaders Council of Nevada  
32 submitted pursuant to NRS 391.460, adopt regulations establishing a  
33 statewide performance evaluation system which incorporates  
34 multiple measures of an employee's performance. Except as  
35 otherwise provided in subsection 4, the State Board shall prescribe  
36 the tools to be used by a school district for obtaining such measures.

37 2. The statewide performance evaluation system must:

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

- 40 (1) Highly effective;
- 41 (2) Effective;
- 42 (3) Minimally effective; or
- 43 (4) Ineffective.

44 (b) Include the criteria for making each designation identified in  
45 paragraph (a).



1 (c) Except as otherwise provided in subsections 2 and 3 of NRS  
2 391.695 and subsections 2 and 3 of NRS 391.715, require that pupil  
3 achievement data account for at least 40 percent of the evaluation.

4 (d) Except as otherwise provided in subsection 3, prescribe the  
5 pupil achievement data that must be used as part of the evaluation  
6 system pursuant to paragraph (c) which must require that:

7 (1) Pupil achievement data derived from statewide  
8 examinations and assessments must account for at least 20 percent  
9 of the evaluation of a teacher or administrator, as applicable; and

10 (2) Pupil achievement data derived from assessments  
11 approved by the board of trustees of a school district that employs  
12 the teacher or administrator, as applicable, must account for at least  
13 20 percent of the evaluation.

14 (e) Include an evaluation of whether the teacher, or  
15 administrator who provides primarily administrative services at the  
16 school level or administrator at the district level who provides direct  
17 supervision of the principal of a school, and who does not provide  
18 primarily direct instructional services to pupils, regardless of  
19 whether the probationary administrator is licensed as a teacher or  
20 administrator, including, without limitation, a principal and vice  
21 principal, employs practices and strategies to involve and engage the  
22 parents and families of pupils.

23 (f) Include a process for peer ~~evaluations~~ *observations* of  
24 teachers by qualified educational personnel which is designed to  
25 provide assistance to teachers in meeting the standards of effective  
26 teaching, and includes, without limitation, conducting observations,  
27 participating in conferences before and after observations of the  
28 teacher and providing information and resources to the teacher about  
29 strategies for effective teaching. The regulations must include the  
30 criteria for school districts to determine which educational personnel  
31 are qualified to conduct peer ~~reviews~~ *observations* pursuant to the  
32 process.

33 3. The State Board shall, by regulation, ~~designate~~ *establish*  
34 *the criteria for* the assessments that may be used by a school district  
35 to determine pupil achievement pursuant to subparagraph (2) of  
36 paragraph (d) of subsection 2. The board of trustees of a school  
37 district ~~may~~ *shall* select one or more ~~of the assessments~~  
38 ~~designated~~ *assessments that meet the criteria established* by the  
39 State Board ~~to determine pupil achievement, or the board of~~  
40 ~~trustees may apply to the Superintendent of Public Instruction for~~  
41 ~~approval to use a different assessment~~ to determine pupil  
42 achievement.

43 4. A school district may apply to the State Board to use a  
44 performance evaluation system and tools that are different than the  
45 evaluation system and tools prescribed pursuant to subsection 1. The



1 application must be in the form prescribed by the State Board and  
2 must include, without limitation, a description of the evaluation  
3 system and tools proposed to be used by the school district. The  
4 State Board may approve the use of the proposed evaluation system  
5 and tools if it determines that the proposed evaluation system and  
6 tools apply standards and indicators that are equivalent to those  
7 prescribed by the State Board.

8 **Sec. 66.5.** NRS 391.470 is hereby amended to read as follows:

9 391.470 On or before August 1 of each year, the board of  
10 trustees of each school district shall submit a report to the State  
11 Board and the Teachers and Leaders Council of Nevada created by  
12 NRS 391.455 concerning the implementation and effectiveness of  
13 the process for peer ~~evaluations~~ *observations* of teachers set forth  
14 in the regulations adopted by the State Board pursuant to paragraph  
15 (f) of subsection 2 of NRS 391.465, including, without limitation,  
16 any recommendations for revisions to the process of peer  
17 ~~evaluations~~ *observations*.

18 **Sec. 67.** NRS 391.685 is hereby amended to read as follows:

19 391.685 1. A probationary teacher must receive one  
20 evaluation during each school year of his or her probationary  
21 employment. The evaluation must be based in part upon at least  
22 three scheduled ~~observations~~ *observation cycles* of the teacher  
23 during the first school year of his or her probationary period as  
24 follows:

25 (a) The first scheduled observation *cycle* must occur within 40  
26 days after the first day of instruction of the school year;

27 (b) The second scheduled observation *cycle* must occur after 40  
28 days but within 80 days after the first day of instruction of the  
29 school year; and

30 (c) The third scheduled observation *cycle* must occur after 80  
31 days but within 120 days after the first day of instruction of the  
32 school year.

33 2. If a probationary teacher receives an evaluation designating  
34 his or her overall performance as effective or highly effective:

35 (a) During the first school year of his or her probationary period,  
36 the evaluation during the second school year of the probationary  
37 period must be based in part upon at least two scheduled  
38 ~~observations~~ *observation cycles* of the teacher which must occur  
39 within the times specified in paragraphs (b) and (c) of subsection 1.

40 (b) During the first and second school years of his or her  
41 probationary period, the evaluation during the third school year of  
42 the probationary period must be based in part upon at least one  
43 scheduled observation *cycle* of the teacher which must occur within  
44 120 days after the first day of instruction of the school year.



1 3. If a probationary teacher receives an evaluation designating  
2 his or her overall performance as minimally effective or ineffective  
3 during the first or second school year of the probationary period, the  
4 probationary teacher must receive one evaluation during the  
5 immediately succeeding school year which is based in part upon  
6 three ~~observations~~ *observation cycles* which must occur in  
7 accordance with the observation schedule set forth in subsection 1.

8 **Sec. 67.5.** NRS 391.690 is hereby amended to read as follows:

9 391.690 1. If a postprobationary teacher receives an  
10 evaluation designating his or her overall performance as minimally  
11 effective or ineffective, the postprobationary teacher must receive  
12 one evaluation in the immediately succeeding school year which is  
13 based in part upon three ~~observations~~ *observation cycles* which  
14 must occur in accordance with the observation schedule set forth in  
15 subsection 1 of NRS 391.685. If a postprobationary teacher receives  
16 evidence from the first two ~~observations~~ *observation cycles* during  
17 the school year indicating that, unless his or her performance  
18 improves, his or her overall performance may be rated as minimally  
19 effective or ineffective on the evaluation, the postprobationary  
20 teacher may request that the third observation *cycle* be conducted by  
21 another administrator. If a postprobationary teacher requests that his  
22 or her third observation *cycle* be conducted by another  
23 administrator, that administrator must be:

24 (a) Employed by the school district or, if the school district has  
25 five or fewer administrators, employed by another school district in  
26 this State; and

27 (b) Selected by the postprobationary teacher from a list of three  
28 candidates submitted by the superintendent.

29 2. If a postprobationary teacher receives an evaluation  
30 designating his or her overall performance as effective or highly  
31 effective, the postprobationary teacher must receive one evaluation  
32 in the immediately succeeding school year. The evaluation must be  
33 based in part upon at least one scheduled observation *cycle* which  
34 must occur within 120 days after the first day of instruction of the  
35 school year.

36 **Sec. 68.** NRS 391.705 is hereby amended to read as follows:

37 391.705 1. A probationary administrator must receive one  
38 evaluation during each school year of his or her probationary  
39 employment. The evaluation must be based in part upon at least  
40 three scheduled ~~observations~~ *observation cycles* of the  
41 probationary administrator during the first school year of his or her  
42 probationary period which must occur as follows:

43 (a) The first scheduled observation *cycle* must occur within 40  
44 days after the first day of instruction of the school year;



1 (b) The second scheduled observation *cycle* must occur after 40  
2 days but within 80 days after the first day of instruction of the  
3 school year; and

4 (c) The third scheduled observation *cycle* must occur after 80  
5 days but within 120 days after the first day of instruction of the  
6 school year.

7 2. If a probationary administrator receives an evaluation  
8 designating his or her overall performance as effective or highly  
9 effective:

10 (a) During the first school year of his or her probationary period,  
11 the evaluation during the second school year of the probationary  
12 period must be based in part upon at least two scheduled  
13 ~~{observations}~~ *observation cycles* of the administrator which must  
14 occur within the times specified in paragraphs (b) and (c) of  
15 subsection 1.

16 (b) During the first and second school year of his or her  
17 probationary period, the evaluation during the third school year of  
18 the probationary period must be based in part upon at least one  
19 scheduled observation *cycle* of the administrator which must occur  
20 within 120 days after the first day of instruction of the school year.

21 3. If a probationary administrator receives an evaluation  
22 designating his or her overall performance as minimally effective or  
23 ineffective during the first or second school year of the probationary  
24 period, the probationary administrator must receive one evaluation  
25 during the immediately succeeding school year which is based in  
26 part upon three ~~{observations}~~ *observation cycles* which must  
27 occur in accordance with the observation schedule set forth in  
28 subsection 1.

29 4. Each probationary administrator is subject to the provisions  
30 of NRS 391.725 and 391.820.

31 **Sec. 68.5.** NRS 391.710 is hereby amended to read as follows:

32 391.710 1. If a postprobationary administrator receives an  
33 evaluation designating his or her overall performance as minimally  
34 effective or ineffective, the postprobationary administrator must  
35 receive one evaluation in the immediately succeeding school year  
36 which is based in part upon three ~~{observations}~~ *observation cycles*  
37 which must occur in accordance with the observation schedule set  
38 forth in subsection 1 of NRS 391.705. If a postprobationary  
39 administrator receives evidence from the first two ~~{observations}~~  
40 *observation cycles* indicating that, unless his or her performance  
41 improves, his or her overall performance may be rated as minimally  
42 effective or ineffective on the evaluation, the postprobationary  
43 administrator may request that the third observation *cycle* be  
44 conducted by another administrator. If a postprobationary



1 administrator requests that his or her third observation *cycle* be  
2 conducted by another administrator, that administrator must be:

3 (a) Employed by the school district or, if the school district has  
4 five or fewer administrators, employed by another school district in  
5 this State; and

6 (b) Selected by the postprobationary administrator from a list of  
7 three candidates submitted by the superintendent.

8 2. If a postprobationary administrator receives an evaluation  
9 designating his or her overall performance as effective or highly  
10 effective, the postprobationary administrator must receive one  
11 evaluation in the immediately succeeding school year. The  
12 evaluation must be based in part upon at least one scheduled  
13 observation *cycle* which must occur within 120 days after the first  
14 day of instruction of the school year.

15 **Sec. 69.** NRS 391.725 is hereby amended to read as follows:

16 391.725 1. If a written evaluation of a probationary teacher,  
17 or a probationary administrator who provides primarily  
18 administrative services at the school level and who does not provide  
19 primarily direct instructional services to pupils, regardless of  
20 whether the probationary administrator is licensed as a teacher or  
21 administrator, including, without limitation, a principal and vice  
22 principal, designates the overall performance of the teacher or  
23 administrator as “minimally effective” or “ineffective”:

24 (a) The written evaluation must include the following statement:  
25 “Please be advised that, pursuant to Nevada law, your contract may  
26 not be renewed for the next school year. If you receive a ‘minimally  
27 effective’ or ‘ineffective’ evaluation ~~on the first or second~~  
28 ~~evaluation, or both evaluations for this school year,~~ and are  
29 *reemployed for a second or third year of your probationary period,*  
30 you may request that ~~the third~~ *your next* evaluation be conducted  
31 by another administrator. You may also request, to the administrator  
32 who conducted the evaluation, reasonable assistance in improving  
33 your performance based upon the recommendations reported in the  
34 evaluation for which you request assistance, and upon such request,  
35 a reasonable effort will be made to assist you in improving your  
36 performance.”

37 (b) The probationary teacher or probationary administrator, as  
38 applicable, must acknowledge in writing that he or she has received  
39 and understands the statement described in paragraph (a).

40 2. If a probationary teacher or probationary administrator to  
41 which subsection 1 applies requests that his or her next evaluation  
42 be conducted by another administrator in accordance with the notice  
43 required by subsection 1, the administrator conducting the  
44 evaluation must be:





1 (a) Employed by the school district or, if the school district has  
2 five or fewer administrators, employed by another school district in  
3 this State; and

4 (b) Selected by the probationary teacher or probationary  
5 administrator, as applicable, from a list of three candidates  
6 submitted by the superintendent.

7 3. If a probationary teacher or probationary administrator to  
8 which subsection 1 applies requests assistance in improving  
9 performance reported in his or her evaluation, the administrator who  
10 conducted the evaluation shall ensure that a reasonable effort is  
11 made to assist the probationary teacher or probationary  
12 administrator in improving his or her performance.

13 **Sec. 70.** NRS 391.750 is hereby amended to read as follows:

14 391.750 1. A teacher may be suspended, dismissed or not  
15 reemployed and an administrator may be demoted, suspended,  
16 dismissed or not reemployed for the following reasons:

17 (a) Inefficiency;

18 (b) Immorality;

19 (c) Unprofessional conduct;

20 (d) Insubordination;

21 (e) Neglect of duty;

22 (f) Physical or mental incapacity;

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

25 (h) Conviction of a felony or of a crime involving moral  
26 turpitude;

27 (i) Inadequate performance;

28 (j) Evident unfitness for service;

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

31 (l) Failure to show normal improvement and evidence of  
32 professional training and growth;

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

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

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

41 (p) Dishonesty;

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

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



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

3 (t) Gross misconduct; or

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

6 2. If a teacher or administrator is found, through an  
7 investigation of a testing irregularity, to have willfully breached the  
8 security or confidentiality of the questions and answers of the  
9 examinations that are administered pursuant to NRS 390.105 ~~for~~  
10 ~~390.600~~ or the college and career readiness assessment  
11 administered pursuant to NRS 390.610, the board of trustees of a  
12 school district, governing body of a charter school or governing  
13 body of a university school for profoundly gifted pupils, as  
14 applicable, shall:

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

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

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

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

28 **Sec. 71.** NRS 391A.125 is hereby amended to read as follows:

29 391A.125 1. Based upon the priorities of programs  
30 prescribed by the State Board pursuant to subsection 4 of NRS  
31 391A.505 and the assessment of needs for training within the region  
32 and priorities of training adopted by the governing body pursuant to  
33 NRS 391A.175, each regional training program shall provide:

34 (a) Training for teachers and other licensed educational  
35 personnel in the:

36 (1) Standards established by the Council to Establish  
37 Academic Standards for Public Schools pursuant to NRS 389.520;

38 (2) Curriculum and instruction required for the standards  
39 adopted by the State Board;

40 (3) Curriculum and instruction recommended by the  
41 Teachers and Leaders Council of Nevada; and

42 (4) Culturally relevant pedagogy, taking into account cultural  
43 diversity and demographic differences throughout this State.

44 (b) Through the Nevada Early Literacy Intervention Program  
45 established for the regional training program, training for teachers



1 who teach kindergarten and grades 1, 2 or 3 on methods to teach  
2 fundamental reading skills, including, without limitation:

- 3 (1) Phonemic awareness;
- 4 (2) Phonics;
- 5 (3) Vocabulary;
- 6 (4) Fluency;
- 7 (5) Comprehension; and
- 8 (6) Motivation.

9 (c) Training for administrators who conduct the evaluations  
10 required pursuant to NRS 391.685, 391.690, 391.705 and 391.710  
11 relating to the manner in which such evaluations are conducted.  
12 Such training must be developed in consultation with the Teachers  
13 and Leaders Council of Nevada created by NRS 391.455.

14 (d) Training for teachers, administrators and other licensed  
15 educational personnel relating to correcting deficiencies and  
16 addressing recommendations for improvement in performance that  
17 are identified in the evaluations conducted pursuant to NRS  
18 391.685, 391.690, 391.705 or 391.710.

19 (e) At least one of the following types of training:

20 (1) Training for teachers and school administrators in the  
21 assessment and measurement of pupil achievement and the effective  
22 methods to analyze the test results and scores of pupils to improve  
23 the achievement and proficiency of pupils.

24 (2) Training for teachers in specific content areas to enable  
25 the teachers to provide a higher level of instruction in their  
26 respective fields of teaching. Such training must include instruction  
27 in effective methods to teach in a content area provided by teachers  
28 who are considered masters in that content area.

29 (3) In addition to the training provided pursuant to paragraph  
30 (b), training for teachers in the methods to teach basic skills to  
31 pupils, such as providing instruction in reading with the use of  
32 phonics and providing instruction in basic skills of mathematics  
33 computation.

34 (f) In accordance with the program established by the Statewide  
35 Council pursuant to paragraph (b) of subsection 2 of NRS 391A.135  
36 training for:

37 (1) Teachers on how to engage parents and families,  
38 including, without limitation, disengaged families, in the education  
39 of their children and to build the capacity of parents and families to  
40 support the learning and academic achievement of their children.

41 (2) Training for teachers and paraprofessionals on working  
42 with parent liaisons in public schools to carry out strategies and  
43 practices for effective parental involvement and family engagement.

44 2. The training required pursuant to subsection 1 must:



1 (a) Include the activities set forth in 20 U.S.C. § ~~7801(34),~~  
2 **7801(42)**, as deemed appropriate by the governing body for the type  
3 of training offered.

4 (b) Include appropriate procedures to ensure follow-up training  
5 for teachers and administrators who have received training through  
6 the program.

7 (c) Incorporate training that addresses the educational needs of:

8 (1) Pupils with disabilities who participate in programs of  
9 special education; and

10 (2) Pupils who are ~~limited~~ English ~~proficient~~ **learners**.

11 3. The governing body of each regional training program shall  
12 prepare and maintain a list that identifies programs for the  
13 professional development of teachers and administrators that  
14 successfully incorporate:

15 (a) The standards of content and performance established by the  
16 Council to Establish Academic Standards for Public Schools  
17 pursuant to NRS 389.520;

18 (b) Fundamental reading skills; and

19 (c) Other training listed in subsection 1.

20 ➔ The governing body shall provide a copy of the list on an annual  
21 basis to school districts for dissemination to teachers and  
22 administrators.

23 4. A regional training program may include model classrooms  
24 that demonstrate the use of educational technology for teaching and  
25 learning.

26 5. A regional training program may contract with the board of  
27 trustees of a school district that is served by the regional training  
28 program as set forth in NRS 391A.120 to provide professional  
29 development to the teachers and administrators employed by the  
30 school district that is in addition to the training required by this  
31 section. Any training provided pursuant to this subsection must  
32 include the activities set forth in 20 U.S.C. § ~~7801(34),~~ **7801(42)**,  
33 as deemed appropriate by the governing body for the type of  
34 training offered.

35 6. To the extent money is available from legislative  
36 appropriation or otherwise, a regional training program may provide  
37 training to paraprofessionals.

38 7. As used in this section, "paraprofessional" has the meaning  
39 ascribed to it in NRS 391.008.

40 **Sec. 72.** NRS 391A.135 is hereby amended to read as follows:

41 391A.135 1. The Statewide Council shall meet not less than  
42 four times per year.

43 2. The Statewide Council shall:

44 (a) Adopt uniform standards for use by the governing body of  
45 each regional training program in the review and approval by the



1 governing body of the training to be provided by the regional  
2 training program pursuant to NRS 391A.125 and 391A.175. The  
3 standards must ensure that the training provided by the regional  
4 training programs includes activities set forth in 20 U.S.C. §  
5 ~~7801(34)~~, 7801(42), as appropriate for the type of training offered,  
6 is of high quality and is effective in addressing the training  
7 programs specified in subsection 1 of NRS 391A.125.

8 (b) In cooperation with the Office of Parental Involvement and  
9 Family Engagement created by NRS 385.630, establish a statewide  
10 program for teachers and administrators concerning effective  
11 parental involvement and family engagement which includes:

12 (1) Training for teachers on how to engage parents and  
13 families, including, without limitation, disengaged families, in the  
14 education of their children and to build the capacity of parents and  
15 families to support the learning and academic achievement of their  
16 children.

17 (2) Training for teachers and paraprofessionals on working  
18 with parent liaisons in public schools to carry out strategies and  
19 practices for effective parental involvement and family engagement.

20 (c) Coordinate the dissemination of information to school  
21 districts, administrators and teachers concerning the training,  
22 programs and services provided by the regional training programs.

23 (d) Disseminate information to the regional training programs  
24 concerning innovative and effective methods to provide professional  
25 development.

26 (e) Conduct long-range planning concerning the professional  
27 development needs of teachers and administrators employed in this  
28 state.

29 (f) Adopt uniform procedures and criteria for use by the  
30 governing body of each regional training program to report the  
31 evaluation conducted pursuant to NRS 391A.190.

32 (g) Review and recommend any necessary revisions to the  
33 5-year plan prepared by the governing body of each regional  
34 training program pursuant to NRS 391A.175.

35 (h) Review and recommend any necessary revisions to the  
36 annual report prepared by the governing body of each regional  
37 training program pursuant to NRS 391A.190.

38 (i) Ensure that the governing body of each regional training  
39 program considers the plans to improve the achievement of pupils  
40 prepared pursuant to NRS 385A.650 for the public schools within  
41 the primary jurisdiction of the regional training program and the  
42 plan to improve the achievement of pupils prepared by the State  
43 Board pursuant to NRS 385.111 and is guided by those plans in the  
44 provision of professional development for teachers and  
45 administrators.



1 (j) Coordinate with the Office of Parental Involvement and  
2 Family Engagement in carrying out the duties of the Office.

3 3. The Statewide Council may:

4 (a) Accept gifts and grants from any source for use by the  
5 Statewide Council in carrying out its duties pursuant to this section  
6 and accept gifts and grants from any source on behalf of one or  
7 more regional training programs to assist with the training provided  
8 pursuant to NRS 391A.125; and

9 (b) Comply with applicable federal laws and regulations  
10 governing the provision of federal grants to assist the Statewide  
11 Council in carrying out its duties pursuant to this section and  
12 comply with applicable federal laws and regulations governing the  
13 provision of federal grants to assist with the training provided  
14 pursuant to NRS 391A.125, including, without limitation, providing  
15 money from the budget of the Statewide Council to match the  
16 money received from a federal grant.

17 4. As used in this section, “paraprofessional” has the meaning  
18 ascribed to it in NRS 391.008.

19 **Sec. 73.** NRS 391A.370 is hereby amended to read as follows:

20 391A.370 The board of trustees of each school district and the  
21 governing body of each charter school shall ensure that the teachers  
22 and administrators employed by the school district or charter school  
23 have access to high-quality, ongoing professional development  
24 training. The professional development training must include,  
25 without limitation, training concerning:

26 1. The academic standards adopted by the State Board,  
27 including, without limitation, the academic standards for science.

28 2. The academic standards and curriculum in English language  
29 development and literacy.

30 3. The curriculum and instruction required for courses of study  
31 in:

32 (a) Science, technology, engineering and mathematics.

33 (b) English language development and literacy.

34 4. The cultural competency required to meet the social,  
35 emotional and academic needs of certain categories of pupils  
36 enrolled in the school, including, without limitation, pupils who are  
37 at risk, pupils who are ~~limited~~ English ~~proficient~~ learners,  
38 pupils with disabilities and gifted and talented pupils.

39 **Sec. 74.** NRS 391A.400 is hereby amended to read as follows:

40 391A.400 1. There is hereby created the Grant Fund for  
41 Incentives for Licensed Educational Personnel to be administered by  
42 the Department. The Department may accept gifts and grants from  
43 any source for deposit in the Grant Fund.

44 2. The board of trustees of each school district shall establish a  
45 program of incentive pay for licensed teachers, school



1 psychologists, school librarians, school counselors and  
2 administrators employed at the school level which must be designed  
3 to attract and retain those employees. The program must be  
4 negotiated pursuant to chapter 288 of NRS, insofar as the provisions  
5 of that chapter apply to those employees, and must include, without  
6 limitation, the attraction and retention of:

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

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

17 3. A program of incentive pay established by a school district  
18 must specify the type of financial incentives offered to the licensed  
19 educational personnel. Money available for the program must not be  
20 used to negotiate the salaries of individual employees who  
21 participate in the program.

22 4. If the board of trustees of a school district wishes to receive  
23 a grant of money from the Grant Fund, the board of trustees shall  
24 submit to the Department an application on a form prescribed by the  
25 Department. The application must include a description of the  
26 program of incentive pay established by the school district.

27 5. The Superintendent of Public Instruction shall compile a list  
28 of the financial incentives recommended by each school district that  
29 submitted an application. On or before December 1 of each year, the  
30 Superintendent shall submit the list to the Interim Finance  
31 Committee for its approval of the recommended incentives.

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

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





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

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

9 (b) The transiency rate of pupils;

10 (c) The percentage of pupils who are ~~limited~~ English  
11 ~~proficient~~ learners;

12 (d) The percentage of pupils who have individualized education  
13 programs; and

14 (e) The percentage of pupils who drop out of high school before  
15 graduation.

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

24 (a) Governor;

25 (b) State Board;

26 (c) Interim Finance Committee;

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

30 (e) Legislative Committee on Education.

31 **Sec. 75.** NRS 392.457 is hereby amended to read as follows:

32 392.457 1. The State Board shall, in consultation with the  
33 boards of trustees of school districts, educational personnel, local  
34 associations and organizations of parents whose children are  
35 enrolled in public schools throughout this State and individual  
36 parents and legal guardians whose children are enrolled in public  
37 schools throughout this State, adopt a policy to encourage effective  
38 involvement and engagement by parents and families in support of  
39 their children and the education of their children. The policy  
40 adopted by the State Board must be considered when the Board:

41 (a) Consults with the boards of trustees of school districts in the  
42 adoption of policies pursuant to subsection 3; and

43 (b) Interacts with school districts, public schools, educational  
44 personnel, parents, legal guardians and families of pupils, and



1 members of the general public in carrying out its duties pursuant to  
2 this title.

3 2. The policy adopted by the State Board pursuant to  
4 subsection 1 must include the following elements and goals:

5 (a) Promotion of an atmosphere for parents and families to visit  
6 the school that their children attend and feel welcome, valued and  
7 connected to the staff of the school, other parents and families and  
8 to the education of their children.

9 (b) Promotion of regular, two-way, meaningful communication  
10 between parents, families and schools relating to learning by pupils.

11 (c) Collaboration among parents, families and schools to support  
12 learning by pupils and healthy development of pupils at home and  
13 school.

14 (d) Empowerment of parents and families to advocate for their  
15 children and the children of other parents and families to ensure that  
16 all pupils are treated fairly and have access to learning opportunities  
17 that support pupil achievement.

18 (e) Promotion of an equal partnership between parents, families  
19 and schools in making decisions that affect children, parents and  
20 families and in informing, influencing and creating school policies,  
21 practices and programs.

22 (f) Collaboration of parents, families and schools with the  
23 community to connect pupils, parents, families and schools with  
24 learning opportunities, community services and civic participation.

25 3. The board of trustees of each school district shall, in  
26 consultation with the State Board, educational personnel, local  
27 associations and organizations of parents whose children are  
28 enrolled in public schools of the school district and individual  
29 parents and legal guardians whose children are enrolled in public  
30 schools of the school district, adopt policies to encourage effective  
31 involvement and engagement by parents and families in support of  
32 their children and the education of their children. The policies  
33 adopted pursuant to this subsection must:

34 (a) Be consistent, to the extent applicable, with the policy  
35 adopted by the State Board pursuant to subsection 1;

36 (b) Include the elements and goals specified in subsection 2; and

37 (c) Comply with the parental involvement policy required by the  
38 federal ~~["No Child Left Behind Act of 2001,"]~~ *Every Student*  
39 *Succeeds Act of 2015*, as set forth in 20 U.S.C. § 6318.

40 4. The State Board and the board of trustees of each school  
41 district shall, at least once each year, review and amend their  
42 respective policies as necessary.

43 **Sec. 76.** NRS 392.4575 is hereby amended to read as follows:

44 392.4575 1. The Department shall prescribe a form for  
45 educational involvement accords to be used by all public schools in



1 this State. The educational involvement accord must comply with  
2 the policy:

3 (a) For parental involvement required by the federal ~~No Child~~  
4 ~~Left Behind Act of 2001,~~ *Every Student Succeeds Act of 2015*, as  
5 set forth in 20 U.S.C. § 6318.

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

8 2. Each educational involvement accord must include, without  
9 limitation:

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

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

14 (2) Reviewing and checking the pupil's homework; and

15 (3) Contributing 5 hours of time each school year, including,  
16 without limitation, by attending school-related activities, parent-  
17 teacher association meetings, parent-teacher conferences,  
18 volunteering at the school and chaperoning school-sponsored  
19 activities.

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

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

24 (2) Using all school equipment and property appropriately  
25 and safely;

26 (3) Following the directions of any adult member of the staff  
27 of the school;

28 (4) Completing and submitting homework in a timely  
29 manner; and

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

31 (c) The responsibilities of a public school and the  
32 administrators, teachers and other personnel employed at a school,  
33 including, without limitation:

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

36 (2) Maximizing the educational and social experience of  
37 each pupil;

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

40 (4) Making staff available to the parents and legal guardians  
41 of pupils to discuss the concerns of parents and legal guardians  
42 regarding the pupils.

43 3. Each educational involvement accord must be accompanied  
44 by, without limitation:



- 1 (a) Information describing how the parent or legal guardian may  
2 contact the pupil's teacher and the principal of the school in which  
3 the pupil is enrolled;
- 4 (b) The curriculum of the course or standards for the grade in  
5 which the pupil is enrolled, as applicable, including, without  
6 limitation, a calendar that indicates the dates of major examinations  
7 and the due dates of significant projects, if those dates are known by  
8 the teacher at the time that the information is distributed;
- 9 (c) The homework and grading policies of the pupil's teacher or  
10 school;
- 11 (d) Directions for finding resource materials for the course or  
12 grade in which the pupil is enrolled, as applicable;
- 13 (e) Suggestions for parents and legal guardians to assist pupils in  
14 their schoolwork at home;
- 15 (f) The dates of scheduled conferences between teachers or  
16 administrators and the parents or legal guardians of the pupil;
- 17 (g) The manner in which reports of the pupil's progress will be  
18 delivered to the parent or legal guardian and how a parent or legal  
19 guardian may request a report of progress;
- 20 (h) The classroom rules and policies;
- 21 (i) The dress code of the school, if any;
- 22 (j) The availability of assistance to parents who have limited  
23 proficiency in the English language;
- 24 (k) Information describing the availability of free and reduced-  
25 price meals, including, without limitation, information regarding  
26 school breakfast, school lunch and summer meal programs;
- 27 (l) Opportunities for parents and legal guardians to become  
28 involved in the education of their children and to volunteer for the  
29 school or class; and
- 30 (m) The code of honor relating to cheating prescribed pursuant  
31 to NRS 392.461.

32 4. The board of trustees of each school district shall adopt a  
33 policy providing for the development and distribution of the  
34 educational involvement accord. The policy adopted by a board of  
35 trustees must require each classroom teacher to:

- 36 (a) Distribute the educational involvement accord to the parent  
37 or legal guardian of each pupil in the teacher's class at the beginning  
38 of each school year or upon a pupil's enrollment in the class, as  
39 applicable; and
- 40 (b) Provide the parent or legal guardian with a reasonable  
41 opportunity to sign the educational involvement accord.

42 5. Except as otherwise provided in this subsection, the board of  
43 trustees of each school district shall ensure that the form prescribed  
44 by the Department is used for the educational involvement accord of  
45 each public school in the school district. The board of trustees of a



1 school district may authorize the use of an expanded form that  
2 contains additions to the form prescribed by the Department if the  
3 basic information contained in the expanded form complies with the  
4 form prescribed by the Department.

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

8 **Sec. 77.** NRS 392.750 is hereby amended to read as follows:

9 392.750 If a pupil enrolled at a public elementary school in  
10 kindergarten or grade 1, 2 or 3 exhibits a deficiency in the subject  
11 area of reading based upon state or local assessments and the  
12 observations of the pupil's teacher, the principal of the school must  
13 provide written notice of the deficiency to the parent or legal  
14 guardian of the pupil within 30 days after the date on which the  
15 deficiency is discovered. The written notice must, without  
16 limitation:

17 1. Identify the educational programs and services that the pupil  
18 will receive to improve the pupil's proficiency in the subject area of  
19 reading, including, without limitation, the programs and services  
20 included in the plan to improve the literacy of pupils enrolled in  
21 kindergarten and grades 1, 2 and 3 that has been approved by the  
22 Department pursuant to NRS 388.157;

23 2. Describe, explain and, if appropriate, demonstrate the  
24 strategies which the parent or legal guardian may use at home to  
25 help improve the proficiency of the pupil in the subject area of  
26 reading;

27 3. Include information regarding the English literacy  
28 development of a pupil who is ~~limited~~ *an* English ~~proficient~~  
29 *learner*; and

30 4. Describe, explain and, if appropriate, demonstrate the  
31 strategies which the parent or legal guardian may use at home to  
32 help improve the English literacy of a pupil who is ~~limited~~ *an*  
33 English ~~proficient~~ *learner*.

34 **Sec. 78.** NRS 392.760 is hereby amended to read as follows:

35 392.760 1. Except as otherwise provided in this section, a  
36 pupil enrolled in grade 3 must be retained in grade 3 rather than  
37 promoted to grade 4 if the pupil does not obtain a score in the  
38 subject area of reading on the criterion-referenced examination  
39 administered pursuant to NRS 390.105 that meets the passing score  
40 prescribed by the State Board pursuant to subsection 7.

41 2. The superintendent of schools of a school district or the  
42 governing body of a charter school, as applicable, may authorize the  
43 promotion of a pupil to grade 4 who would otherwise be retained in  
44 grade 3 only if the superintendent or governing body, as applicable,  
45 approves a good-cause exemption for the pupil upon a determination



1 by the principal of the school pursuant to subsection 4 that the pupil  
2 is eligible for such an exemption.

3 3. A good-cause exemption must be approved for a pupil who  
4 previously was retained in grade 3. Any other pupil is eligible for a  
5 good-cause exemption if the pupil:

6 (a) Demonstrates an acceptable level of proficiency in reading  
7 on an alternative standardized reading assessment approved by the  
8 State Board;

9 (b) Demonstrates, through a portfolio of the pupil's work,  
10 proficiency in reading at grade level, as evidenced by demonstration  
11 of mastery of the academic standards in reading beyond the  
12 retention level;

13 (c) Is ~~limited~~ an English ~~proficient~~ learner and has received  
14 less than 2 years of instruction in a program of instruction that  
15 teaches English as a second language;

16 (d) Received intensive remediation in the subject area of reading  
17 for 2 or more years but still demonstrates a deficiency in reading  
18 and was previously retained in kindergarten or grade 1 or 2 for a  
19 total of 2 years;

20 (e) Is a pupil with a disability and his or her individualized  
21 education program indicates that the pupil's participation in the  
22 criterion-referenced examinations administered pursuant to NRS  
23 390.105 is not appropriate; or

24 (f) Is a pupil with a disability and:

25 (1) He or she participates in the criterion-referenced  
26 examinations administered pursuant to NRS 390.105;

27 (2) His or her individualized education program or plan  
28 developed in accordance with section 504 of the Rehabilitation Act  
29 of 1973, 29 U.S.C. § 794, documents that the pupil has received  
30 intensive remediation in reading for more than 2 years, but he or she  
31 still demonstrates a deficiency in reading; and

32 (3) He or she was previously retained in kindergarten or  
33 grade 1, 2 or 3.

34 4. The principal of a school in which a pupil who may be  
35 retained in grade 3 pursuant to subsection 1 is enrolled shall  
36 consider the factors set forth in subsection 3 and determine whether  
37 the pupil is eligible for a good-cause exemption. In making the  
38 determination, the principal must consider documentation provided  
39 by the pupil's teacher indicating whether the promotion of the pupil  
40 is appropriate based upon the record of the pupil. Such  
41 documentation must only consist of the existing plan for monitoring  
42 the progress of the pupil, the pupil's individualized education  
43 program, if applicable, and the pupil's plan in accordance with  
44 section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, if  
45 applicable. If the principal determines that promotion of the pupil to



1 grade 4 is appropriate, the principal must submit a written  
2 recommendation to the superintendent of schools of the school  
3 district or to the governing body of the charter school, as applicable.  
4 The superintendent of schools or the governing body of the charter  
5 school, as applicable, shall approve or deny the recommendation of  
6 the principal and provide written notice of the approval or denial to  
7 the principal.

8 5. A principal who determines that a pupil is eligible for a  
9 good-cause exemption shall notify the parent or legal guardian of  
10 the pupil whether the superintendent of schools of the school district  
11 or the governing body of the charter school, as applicable, approves  
12 the good-cause exemption.

13 6. The principal of a school in which a pupil for whom a good-  
14 cause exemption is approved and who is promoted to grade 4 must  
15 ensure that the pupil continues to receive intensive instruction in the  
16 subject area of reading. Such instruction must include, without  
17 limitation, strategies based upon ~~scientifically based~~ *evidence-*  
18 *based* research that will improve proficiency in the subject area of  
19 reading.

20 7. The State Board shall prescribe by regulation:

21 (a) The score which a pupil enrolled in grade 3 must obtain in  
22 the subject area of reading on the criterion-referenced examination  
23 administered pursuant to NRS 390.105 to be promoted to grade 4  
24 without a good-cause exemption; and

25 (b) An alternate examination for administration to pupils  
26 enrolled in grade 3 who do not obtain the passing score in the  
27 subject area of reading on the criterion-referenced examination  
28 administered pursuant to NRS 390.105 and the passing score such a  
29 pupil must obtain on the alternate examination to be promoted to  
30 grade 4 without a good-cause exemption.

31 8. As used in this section, "individualized education program"  
32 has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

33 **Sec. 79.** NRS 392.765 is hereby amended to read as follows:

34 392.765 1. If a pupil will be retained in grade 3 pursuant to  
35 NRS 392.760, the principal of the school must:

36 (a) Provide written notice to the parent or legal guardian of the  
37 pupil that the pupil will be retained in grade 3. The written notice  
38 must include, without limitation, a description of the intensive  
39 instructional services in the subject area of reading that the pupil  
40 will receive to improve the proficiency of the pupil in that subject  
41 area.

42 (b) Develop a plan to monitor the progress of the pupil in the  
43 subject area of reading.





1 (c) Require the teacher of the pupil to develop a portfolio of the  
2 pupil's work in the subject area of reading, which must be updated  
3 as necessary to reflect progress made by the pupil.

4 (d) Ensure that the pupil receives intensive instructional services  
5 in the subject area of reading that are designed to improve the  
6 pupil's proficiency in the subject area of reading, including, without  
7 limitation:

8 (1) Programs and services included in the plan to improve  
9 the literacy of pupils enrolled in kindergarten and grades 1, 2 and 3  
10 approved by the Department pursuant to NRS 388.157;

11 (2) Instruction for at least 90 minutes each school day based  
12 upon ~~scientifically-based~~ *evidence-based research concerning*  
13 reading instruction ; ~~research~~ and

14 (3) Intensive instructional services prescribed by the board of  
15 trustees of the school district pursuant to subsection 2, as determined  
16 appropriate for the pupil.

17 2. The board of trustees of each school district or the governing  
18 body of a charter school, as applicable, shall:

19 (a) Review and evaluate the plans for monitoring the progress of  
20 pupils developed pursuant to subsection 1.

21 (b) Prescribe the intensive instructional services in the subject  
22 area of reading which the principal of a school must implement as  
23 determined appropriate for a pupil who is retained in grade 3  
24 pursuant to NRS 392.760, which may include, without limitation:

25 (1) Instruction that is provided in small groups;

26 (2) Instruction provided in classes with reduced pupil-teacher  
27 ratios;

28 (3) A timeline for frequently monitoring the progress of the  
29 pupil;

30 (4) Tutoring and mentoring;

31 (5) Classes which are designed to increase the ability of  
32 pupils to transition from grade 3 to grade 4;

33 (6) Instruction provided through an extended school day,  
34 school week or school year;

35 (7) Programs to improve a pupil's proficiency in reading  
36 which are offered during the summer; or

37 (8) Any combination of the services set forth in  
38 subparagraphs (1) to (7), inclusive.

39 3. Except as otherwise provided in subsection 4, the intensive  
40 instructional services in the subject area of reading required by this  
41 section must be provided to the pupil by a teacher:

42 (a) Who is different than the teacher who provided instructional  
43 services to the pupil during the immediately preceding school year;  
44 and



1 (b) Who has been determined to be highly effective, as  
2 demonstrated by pupil performance data and performance  
3 evaluations.

4 4. The intensive instructional services in the subject area of  
5 reading required by this section may be provided to the pupil by the  
6 same teacher who provided instructional services to the pupil during  
7 the immediately preceding school year if a different teacher who  
8 meets the requirements of paragraph (b) of subsection 3 is not  
9 reasonably available and the pupil:

10 (a) Has an individualized education program; or

11 (b) Is enrolled in a school district in a county whose population  
12 is less than 100,000.

13 5. The board of trustees of each school district and the  
14 governing body of a charter school, as applicable, shall develop a  
15 policy by which the principal of a school may promote a pupil who  
16 is retained in grade 3 pursuant to NRS 392.760 to grade 4 at any  
17 time during the school year if the pupil demonstrates adequate  
18 proficiency in the subject area of reading. The policy must include  
19 the specific criteria a pupil must satisfy to be eligible for promotion,  
20 including, without limitation, a reasonable expectation that the  
21 pupil's progress will allow him or her to sufficiently master the  
22 requirements for a fourth-grade reading level. If a pupil is promoted  
23 after November 1 of a school year, he or she must demonstrate  
24 proficiency in reading at a level prescribed by the State Board.

25 6. If a principal of a school determines that a pupil is not  
26 academically ready for promotion to grade 4 after being retained in  
27 grade 3 and the pupil received intensive instructional services  
28 pursuant to this section, the school district in which the pupil is  
29 enrolled must allow the parent or legal guardian of the pupil to  
30 decide, in consultation with the principal of the school, whether to  
31 place the pupil in a transitional instructional setting which is  
32 designed to produce learning gains sufficient for the pupil to meet  
33 the performance standards required for grade 4 while continuing to  
34 receive remediation in the subject area of reading.

35 7. As used in this section, "individualized education program"  
36 has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

37 **Sec. 80.** NRS 392.770 is hereby amended to read as follows:

38 392.770 In addition to the intensive instructional services  
39 provided to a pupil who is retained in grade 3 pursuant to NRS  
40 392.760, the principal of the school must offer the parent or legal  
41 guardian of the pupil at least one of the following instructional  
42 options:

43 1. Supplemental tutoring which is based upon ~~scientifically~~  
44 ~~based~~ *evidence-based* research concerning reading instruction;



1 2. Providing the parent or legal guardian with a plan for  
2 reading with the pupil at home and participating in any workshops  
3 that may be available in the school district to assist the parent or  
4 legal guardian with reading with his or her child at home, as set  
5 forth in an agreement with the parent or legal guardian; or

6 3. Providing the pupil with a mentor or tutor who has received  
7 specialized training in teaching pupils how to read.

8 **Sec. 81.** Section 1 of the Zoom Schools Act, being chapter  
9 335, Statutes of Nevada 2015, at page 1870, is hereby amended to  
10 read as follows:

11 Section 1. 1. The Board of Trustees of the Clark  
12 County School District and the Board of Trustees of the  
13 Washoe County School District shall identify the elementary  
14 schools within the School District to operate as Zoom  
15 elementary schools based upon which elementary schools  
16 within the School District:

17 (a) Have the highest percentage of pupils who are limited  
18 English proficient or eligible for designation as limited  
19 English proficient; and

20 (b) Are the lowest performing academically.

21 2. The Board of Trustees of the Clark County School  
22 District and the Board of Trustees of the Washoe County  
23 School District shall distribute the money appropriated by the  
24 2015 Legislature to the Account for Programs for Innovation  
25 and the Prevention of Remediation created by NRS 387.1247  
26 for each Zoom elementary school of those school districts to:

27 (a) Provide prekindergarten programs free of charge;

28 (b) Expand full-day kindergarten classes;

29 (c) Operate reading skills centers;

30 (d) Provide, free of charge, a summer academy or an  
31 intersession academy for those schools that do not operate on  
32 a traditional school calendar, including, without limitation,  
33 the provision of transportation to attend the summer academy  
34 or intersession academy;

35 (e) Provide professional development for teachers and  
36 other licensed educational personnel regarding effective  
37 instructional practices and strategies for children who are  
38 limited English proficient;

39 (f) Offer recruitment and retention incentives for the  
40 teachers and other licensed educational personnel who  
41 provide any of the programs and services set forth in this  
42 subsection from the list of incentives prescribed by the State  
43 Board of Education pursuant to subsection 12; and

44 (g) Engage and involve parents and families of children  
45 who are limited English proficient, including, without



1 limitation, increasing effective, culturally appropriate  
2 communication with and outreach to parents and families to  
3 support the academic achievement of those children.

4 3. A Zoom elementary school that receives money  
5 pursuant to subsection 2 shall offer each of the programs and  
6 services prescribed in paragraphs (a) to (g), inclusive, of that  
7 subsection so that the Zoom elementary school may offer a  
8 comprehensive package of programs and services for pupils  
9 who are limited English proficient. A Zoom elementary  
10 school shall not use the money for any other purpose or use  
11 more than 2 percent of the money for the purposes described  
12 in paragraphs (e), (f) and (g) of subsection 2.

13 4. A reading skills center operated by a Zoom  
14 elementary school must provide:

15 (a) Support at the Zoom elementary school in the  
16 assessment of reading and literacy problems and language  
17 acquisition barriers for pupils; and

18 (b) Instructional intervention to enable pupils to  
19 overcome such problems and barriers by the completion of  
20 grade 3.

21 5. The Board of Trustees of the Clark County School  
22 District shall identify at least three middle schools, junior  
23 high schools or high schools within the school district to  
24 operate as Zoom middle schools, junior high schools or high  
25 schools. The Board of Trustees of the Washoe County School  
26 District shall identify at least one middle school, junior high  
27 school or high school within the school district to operate as a  
28 Zoom middle school, junior high school or high school. Each  
29 such board of trustees shall identify those schools based upon  
30 which middle schools, junior high schools and high schools  
31 within the school district:

32 (a) Have the highest percentage of pupils who are limited  
33 English proficient; and

34 (b) Are the lowest performing academically.

35 6. The Clark County School District and the Washoe  
36 County School District shall distribute the money  
37 appropriated by the 2015 Legislature to the Account for  
38 Programs for Innovation and the Prevention of Remediation  
39 for each Zoom middle school, junior high school and high  
40 school of those school districts to carry out one or more of the  
41 following:

42 (a) Reduce class sizes for pupils who are limited English  
43 proficient and provide English language literacy based  
44 classes;



1 (b) Provide direct instructional intervention to each pupil  
2 who is limited English proficient using the data available  
3 from applicable assessments of that pupil;

4 (c) Provide for an extended school day;

5 (d) Provide, free of charge, a summer academy or an  
6 intersession academy for those schools that do not operate on  
7 a traditional school calendar, including, without limitation,  
8 the provision of transportation to attend the summer academy  
9 or intersession academy;

10 (e) Provide professional development for teachers and  
11 other licensed educational personnel regarding effective  
12 instructional practices and strategies for pupils who are  
13 limited English proficient;

14 (f) Offer recruitment and retention incentives for teachers  
15 and other licensed educational personnel who provide any of  
16 the programs and services set forth in this subsection from the  
17 list of incentives prescribed by the State Board of Education  
18 pursuant to subsection 12;

19 (g) Engage and involve parents and families of pupils  
20 who are limited English proficient, including, without  
21 limitation, increasing effective, culturally appropriate  
22 communication with and outreach to parents and families to  
23 support the academic achievement of those pupils; and

24 (h) Provide other evidence-based programs and services  
25 that are approved by the Department of Education and that  
26 are designed to meet the specific needs of pupils enrolled in  
27 the school who are limited English proficient.

28 ➤ The Clark County School District and the Washoe County  
29 School District shall not use more than 2 percent of the  
30 money for the purposes described in paragraphs (e), (f) and  
31 (g).

32 7. On or before August 1, 2015, the Clark County  
33 School District and the Washoe County School District shall  
34 each provide a report to the Department of Education which  
35 includes the:

36 (a) Zoom elementary schools identified by the School  
37 District pursuant to subsection 1 and the plan of each such  
38 school for carrying out the programs and services prescribed  
39 by paragraphs (a) to (g), inclusive, of subsection 2; and

40 (b) Zoom middle schools, junior high schools and high  
41 schools identified by the School District pursuant to  
42 subsection 5 and the plan of each school for carrying out the  
43 programs and services described in paragraphs (a) to (h),  
44 inclusive, of subsection 6.



1           8. From the money appropriated by the 2015 Legislature  
2 to the Account for Programs for Innovation and the  
3 Prevention of Remediation for Zoom schools or charter  
4 schools or school districts other than the Clark County School  
5 District or Washoe County School District, the Department  
6 of Education shall provide grants of money to the sponsors of  
7 such charter schools and the school districts. The sponsor of  
8 such a charter school and the board of trustees of such a  
9 school district may submit an application to the Department  
10 on a form prescribed by the Department that includes, without  
11 limitation:

12           (a) The number of pupils in the school district or charter  
13 school, as applicable, who are limited English proficient or  
14 eligible for designation as limited English proficient; and

15           (b) A description of the programs and services the school  
16 district or charter school, as applicable, will provide with a  
17 grant of money, which may include, without limitation:

18           (1) The creation or expansion of high-quality,  
19 developmentally appropriate prekindergarten programs, free  
20 of charge, that will increase enrollment of children who are  
21 limited English proficient;

22           (2) The acquisition and implementation of empirically  
23 proven assessment tools to determine the reading level of  
24 pupils who are limited English proficient and technology-  
25 based tools, such as software, designed to support the  
26 learning of pupils who are limited English proficient;

27           (3) Professional development for teachers and other  
28 educational personnel regarding effective instructional  
29 practices and strategies for children who are limited English  
30 proficient;

31           (4) The provision of programs and services for pupils  
32 who are limited English proficient, free of charge, before and  
33 after school, during the summer or intersession for those  
34 schools that do not operate on a traditional school calendar,  
35 including, without limitation, the provision of transportation  
36 to attend the summer academy or intersession academy;

37           (5) Engaging and involving parents and families of  
38 children who are limited English proficient, including,  
39 without limitation, increasing effective, culturally appropriate  
40 communication with and outreach to parents and families to  
41 support the academic achievement of those children;

42           (6) Offering recruitment and retention incentives for  
43 the teachers and other licensed educational personnel who  
44 provide any of the programs and services set forth in this



1 subsection from the list of incentives prescribed by the State  
2 Board of Education pursuant to subsection 12; and

3 (7) Provide other evidence-based programs and  
4 services that are approved by the Department and that are  
5 designed to meet the specific needs of pupils enrolled in the  
6 school who are limited English proficient.

7 9. The Department of Education shall award grants of  
8 money to school districts and the sponsors of charter schools  
9 that submit applications pursuant to subsection 8 based upon  
10 the number of pupils enrolled in each such school district or  
11 charter school, as applicable, who are limited English  
12 proficient or eligible for designation as limited English  
13 proficient, and not on a competitive basis.

14 10. A school district and a sponsor of a charter school  
15 that receives a grant of money pursuant to subsection 8:

16 (a) Shall not use more than 2 percent of the money for the  
17 purposes described in subparagraphs (3), (5) and (6) of  
18 paragraph (b) of subsection 8.

19 (b) Shall provide a report to the Department in the form  
20 prescribed by the Department with the information required  
21 for the Department's report pursuant to subsection 15.

22 11. On or before August 17, 2015, the Department of  
23 Education shall submit a report to the State Board of  
24 Education and the Director of the Legislative Counsel Bureau  
25 for transmittal to the Interim Finance Committee which  
26 includes:

27 (a) The information reported by the Clark County School  
28 District and the Washoe County School District pursuant to  
29 subsection 7; and

30 (b) The school districts and charter schools for which a  
31 grant of money is approved pursuant to subsection 9 and the  
32 plan of each such school district and charter school for  
33 carrying out programs and services with the grant money,  
34 including, without limitation, any programs and services  
35 described in subparagraphs (1) to (7), inclusive, of paragraph  
36 (b) of subsection 8.

37 12. The State Board of Education shall prescribe:

38 (a) A list of recruitment and retention incentives for the  
39 school districts and the sponsors of charter schools that  
40 receive a distribution of money pursuant to this section to  
41 offer to teachers and other licensed educational personnel  
42 pursuant to paragraph (f) of subsection 2, paragraph (f) of  
43 subsection 6 and subparagraph (6) of paragraph (b) of  
44 subsection 8; and





1 (b) Criteria and procedures to notify a school district or a  
2 charter school that receives money pursuant to this section if  
3 the school district or charter school is not implementing the  
4 programs and services for which the money was received in  
5 accordance with the applicable requirements of this section or  
6 in accordance with the performance levels prescribed by the  
7 State Board pursuant to subsection 13, including, without  
8 limitation, a plan of corrective action for the school district or  
9 charter school to follow to meet the requirements of this  
10 section or the performance levels.

11 13. The State Board of Education shall prescribe  
12 statewide performance levels and outcome indicators to  
13 measure the effectiveness of the programs and services for  
14 which money is received by the school districts and charter  
15 schools pursuant to this section. The performance levels must  
16 establish minimum expected levels of performance on a  
17 yearly basis based upon the performance results of children  
18 who participate in the programs and services. The outcome  
19 indicators must be designed to track short-term and long-term  
20 impacts on the progress of children who participate in the  
21 programs and services, including, without limitation:

22 (a) The number of children who participated;

23 (b) The extent to which the children who participated  
24 improved their English language proficiency and literacy  
25 levels compared to other children who are limited English  
26 proficient or eligible for such a designation who did not  
27 participate in the programs and services; and

28 (c) To the extent that a valid comparison may be  
29 established, a comparison of the academic achievement and  
30 growth in the subject areas of English language arts and  
31 mathematics of children who participated in the programs  
32 and services to other children who are limited English  
33 proficient or eligible for such a designation who did not  
34 participate in the programs and services.

35 14. The Department of Education shall contract for an  
36 independent evaluation of the effectiveness of the programs  
37 and services offered by each Zoom elementary school  
38 pursuant to subsection 2, each Zoom middle school, junior  
39 high school and high school pursuant to subsection 6 and the  
40 programs and services offered by the other school districts  
41 and the charter schools pursuant to subsection 8.

42 15. The Clark County School District, the Washoe  
43 County School District and the Department of Education shall  
44 each prepare an annual report that includes, without  
45 limitation:



1 (a) An identification of the schools that received money  
2 from the School District or a grant of money from the  
3 Department, as applicable.

4 (b) How much money each such school received.

5 (c) A description of the programs or services for which  
6 the money was used by each such school.

7 (d) The number of children who participated in a program  
8 or received services.

9 (e) The average per-child expenditure per program or  
10 service that was funded.

11 (f) For the report prepared by the School Districts, an  
12 evaluation of the effectiveness of such programs and services,  
13 including, without limitation, data regarding the academic  
14 and linguistic achievement and proficiency of children who  
15 participated in the programs or received services.

16 (g) Any recommendations for legislation, including,  
17 without limitation:

18 (1) For the continuation or expansion of programs and  
19 services that are identified as effective in improving the  
20 academic and linguistic achievement and proficiency of  
21 children who are limited English proficient.

22 (2) A plan for transitioning the funding for providing  
23 the programs and services set forth in this section to pupils  
24 who are limited English proficient from categorical funding  
25 to a weighted per pupil formula within the Nevada Plan.

26 (h) For the report prepared by the Department, in addition  
27 to the information reported for paragraphs (a) to (e),  
28 inclusive, and paragraph (g):

29 (1) The results of the independent evaluation required  
30 by subsection 14 of the effectiveness of the programs and  
31 services, including, without limitation, data regarding the  
32 academic and linguistic achievement and proficiency of  
33 children who participated in a program or received a service;

34 (2) Whether a school district or charter school was  
35 notified that it was not implementing the programs and  
36 services for which it received money pursuant to this section  
37 in accordance with the applicable requirements of this section  
38 or in accordance with the performance levels prescribed by  
39 the State Board of Education pursuant to subsection 13 and  
40 the status of such a school district or charter school, if any, in  
41 complying with a plan for corrective action; and

42 (3) Whether each school district or charter school that  
43 received money pursuant to this section met the performance  
44 levels prescribed by the State Board of Education pursuant to  
45 subsection 13.



1           16. The annual report prepared by the Clark County  
2 School District and the Washoe County School District  
3 pursuant to subsection 15 must be submitted to the  
4 Department of Education on or before June 1, 2016, and  
5 January 16, 2017, respectively. The Department shall submit  
6 the information reported by those school districts and the  
7 information prepared by the Department pursuant to  
8 subsection 15:

9           (a) On or before June 15, 2016, to the State Board of  
10 Education and the Legislative Committee on Education.

11           (b) On or before February 1, 2017, to the State Board of  
12 Education and the Director of the Legislative Counsel Bureau  
13 for transmittal to the 79th Session of the Nevada Legislature.

14           17. The Department of Education may require a Zoom  
15 school or other public school that receives money pursuant to  
16 this section to provide a report to the Department on:

17           (a) The number of vacancies, if any, in full-time licensed  
18 educational personnel at the school;

19           (b) The number of probationary employees, if any,  
20 employed at the school;

21           (c) The number, if any, of persons who are employed at  
22 the school as substitute teachers for 20 consecutive days or  
23 more in the same classroom or assignment and designated as  
24 long-term substitute teachers; and

25           (d) Any other information relating to the personnel at the  
26 school as requested by the Department.

27           18. The money appropriated by the 2015 Legislature to  
28 the Account for Programs for Innovation and the Prevention  
29 of Remediation for Zoom schools:

30           (a) Must be accounted for separately from any other  
31 money received by school districts or charter schools of this  
32 State and used only for the purposes specified in this section.

33           (b) May not be used to settle or arbitrate disputes between  
34 a recognized organization representing employees of a school  
35 district and the school district, or to settle any negotiations.

36           (c) May not be used to adjust the district-wide schedules  
37 of salaries and benefits of the employees of a school district.

38           19. Upon request of the Legislative Commission, the  
39 Clark County School District and the Washoe County School  
40 District shall make available to the Legislative Auditor any of  
41 the books, accounts, claims, reports, vouchers or other  
42 records of information, confidential or otherwise, regardless  
43 of their form or location, that the Legislative Auditor deems  
44 necessary to conduct an audit of the use of the money  
45 distributed by the 2015 Legislature to the Account for



1 Programs for Innovation and the Prevention of Remediation  
2 for Zoom schools.

3 20. As used in this section:

4 (a) "Limited English proficient" has the meaning ascribed  
5 to it in ~~NRS 385.007~~ *20 U.S.C. § 7801(25), as that section*  
6 *existed on July 1, 2015.*

7 (b) "Probationary employee" has the meaning ascribed to  
8 it in NRS 391.650.

9 **Sec. 82.** Section 2 of the Victory Schools Act, being chapter  
10 389, Statutes of Nevada 2015, at page 2199, is hereby amended to  
11 read as follows:

12 Sec. 2. 1. The Department of Education shall  
13 designate a public school as a Victory school if, relative to  
14 other public schools, including charter schools, that are  
15 located in the school district in which the school is also  
16 located:

17 (a) A high percentage of pupils enrolled in the school live  
18 in households that have household incomes that are less than  
19 the federally designated level signifying poverty, based on the  
20 most recent data compiled by the Bureau of the Census of the  
21 United States Department of Commerce; and

22 (b) The school received one of the two lowest possible  
23 ratings indicating underperformance of a public school, as  
24 determined by the Department pursuant to the statewide  
25 system of accountability for public schools, for the  
26 immediately preceding school year.

27 2. The Department shall designate each Victory school  
28 for the 2015-2016 Fiscal Year on or before June 1, 2015.

29 3. The Department shall transfer money from the  
30 Account for Programs for Innovation and the Prevention of  
31 Remediation created by NRS 387.1247 to each school district  
32 in which a Victory school is designated and each sponsor of a  
33 charter school that is designated as a Victory school on a per  
34 pupil basis. The amount distributed per pupil must be  
35 determined by dividing the amount of money appropriated to  
36 the Account by the 2015 Legislature for Victory schools by  
37 the total number of pupils who are enrolled in Victory schools  
38 statewide. After receiving money from the Account pursuant  
39 to this subsection:

40 (a) A school district shall distribute the money to each  
41 Victory school in the school district on a per pupil basis.

42 (b) A sponsor of a charter school shall distribute the  
43 money to each Victory school that it sponsors on a per pupil  
44 basis.



1           4. The board of trustees of each school district in which  
2 a Victory school is located and the governing body of each  
3 charter school that is designated as a Victory school shall, as  
4 soon as practicable after the school is designated as a Victory  
5 school, conduct an assessment of the needs of pupils that  
6 attend the school. The assessment must include soliciting  
7 input from the community served by the Victory school and  
8 identify any barriers to improving pupil achievement and  
9 school performance and strategies to meet the needs of pupils  
10 at the school.

11           5. Except as otherwise provided in subsection 7, on or  
12 before August 15, 2015, the board of trustees of each school  
13 district in which a Victory school is designated for the 2015-  
14 2016 Fiscal Year and the governing body of each charter  
15 school that is designated as a Victory school for the 2015-  
16 2016 Fiscal Year shall submit to the Department a  
17 comprehensive plan for meeting the educational needs of  
18 pupils enrolled in each Victory school. The board of trustees  
19 of each school district in which a Victory school is designated  
20 and the governing body of each charter school that is  
21 designated as a Victory school shall select at least one person  
22 who is familiar with the public schools in the school district  
23 or with the charter school, respectively, to assist with the  
24 development of the plan. The plan must:

25           (a) Include appropriate means to determine the  
26 effectiveness of the plan;

27           (b) Be based on the assessment of the needs of the pupils  
28 who attend the school conducted pursuant to subsection 4;

29           (c) Analyze available data concerning pupil achievement  
30 and school performance, including, without limitation, data  
31 collected and maintained in the statewide system of  
32 accountability for public schools and other pupil achievement  
33 data collected and maintained by the school district or charter  
34 school;

35           (d) Include a description of the criteria used to select  
36 entities to provide programs and services to pupils enrolled in  
37 the Victory school;

38           (e) Include a description of the manner in which the  
39 school district or governing body will collaborate with  
40 selected entities so that academic programs and services and  
41 nonacademic programs and services, including, without  
42 limitation, transportation services, may be offered without  
43 charge to support pupils and their families within the region  
44 in which the school is located;



1 (f) Take into account the number and types of pupils who  
2 attend the school and the locations where such pupils reside;

3 (g) Provide for the coordination of the existing or planned  
4 engagement of other persons who provide services in the  
5 region in which the school is located;

6 (h) Coordinate all funding available to each school that is  
7 subject to the plan;

8 (i) Provide for the coordination of all available resources  
9 to each school that is subject to the plan, including, without  
10 limitation, instructional materials and textbooks;

11 (j) Identify, for each school or group of schools subject to  
12 the plan, which of the measures described in subsection 8 will  
13 be implemented; and

14 (k) Identify the person or persons selected pursuant to this  
15 subsection who assisted with the development of the plan.

16 6. The Department shall review each plan submitted  
17 pursuant to subsection 5 to determine whether, or the extent  
18 to which, the plan complies with the requirements of this  
19 section and either approve or request revisions to the plan.

20 7. If the board of trustees of a school district in which a  
21 Victory school is designated or the governing body of a  
22 charter school that is designated as a Victory school does not  
23 submit a comprehensive plan for meeting the educational  
24 needs of pupils enrolled in each Victory school on or before  
25 August 15, 2015, as required pursuant to subsection 5, the  
26 board of trustees of the school district or the governing body  
27 of the charter school, as applicable, may submit to the  
28 Department a letter of intent to meet the educational needs of  
29 pupils enrolled in each Victory school. The letter must  
30 include, without limitation:

31 (a) An initial assessment of the needs of the pupils  
32 who attend the school which is conducted pursuant to  
33 subsection 4;

34 (b) An analysis of available data concerning pupil  
35 achievement and school performance, including, without  
36 limitation, data collected and maintained in the statewide  
37 system of accountability for public schools and data collected  
38 and maintained by the school district or charter school; and

39 (c) A summary of activities that the board of trustees or  
40 governing body, as applicable, will take to ensure completion  
41 of the comprehensive plan required pursuant to subsection 5  
42 by not later than September 15, 2015.

43 8. A Victory school shall use the majority of the money  
44 distributed pursuant to subsection 3 to provide one or more of  
45 the following:



1 (a) A prekindergarten program free of charge, if such a  
2 program is not paid for by another grant.

3 (b) An expansion of full-day kindergarten classes, if such  
4 classes have not otherwise been paid for through legislative  
5 appropriation.

6 (c) A summer academy or other instruction for pupils free  
7 of charge at times during the year when school is not in  
8 session.

9 (d) Additional instruction or other learning opportunities  
10 free of charge at times of day when school is not in session.

11 (e) Professional development for teachers and other  
12 educational personnel concerning instructional practices and  
13 strategies that have proven to be an effective means to  
14 increase pupil achievement in populations of pupils similar to  
15 those served by the school.

16 (f) Incentives for hiring and retaining teachers and other  
17 licensed educational personnel who provide any of the  
18 programs or services set forth in this subsection from the list  
19 prescribed by the State Board of Education pursuant to  
20 subsection 14.

21 (g) Employment of paraprofessionals, other educational  
22 personnel and other persons who provide any of the programs  
23 or services set forth in this subsection.

24 (h) Reading skills centers.

25 9. A Victory school may use any money distributed  
26 pursuant to subsection 3 that is not used for the purposes  
27 described in subsection 8 to:

28 (a) Provide evidence-based social, psychological or health  
29 care services to pupils and their families, including, without  
30 limitation, wrap-around services;

31 (b) Provide programs and services designed to engage  
32 parents and families;

33 (c) Provide programs to improve school climate and  
34 culture;

35 (d) Provide evidence-based programs and services  
36 specifically designed to meet the needs of pupils who attend  
37 the school, as determined using the assessment conducted  
38 pursuant to subsection 4; or

39 (e) Any combination thereof.

40 10. A Victory school shall not use any money distributed  
41 pursuant to subsection 3 for a purpose not described in  
42 subsection 8 or 9.

43 11. Any programs offered at a Victory school pursuant  
44 to subsection 8 or 9 must:



1 (a) Be designed to meet the needs of pupils at the school,  
2 as determined using the assessment conducted pursuant to  
3 subsection 4 and to improve pupil achievement and school  
4 performance, as determined using the measures prescribed by  
5 the State Board of Education; and

6 (b) Be based on scientific research concerning effective  
7 practices to increase the achievement of pupils who live in  
8 poverty.

9 12. Each plan to improve the achievement of pupils  
10 enrolled in a Victory school that is prepared by the principal  
11 of the school pursuant to NRS 385A.650 must describe how  
12 the school will use the money distributed pursuant to  
13 subsection 3 to meet the needs of pupils who attend the  
14 school, as determined using the assessment described in  
15 subsection 4 and the requirements of this section.

16 13. The Department shall contract with an independent  
17 evaluator to evaluate the effectiveness of programs and  
18 services provided pursuant to this section. The evaluation  
19 must include, without limitation, consideration of the  
20 achievement of pupils who have participated in such  
21 programs and received such services. When complete, the  
22 evaluation must be provided contemporaneously to the  
23 Department and the Legislative Committee on Education.

24 14. The State Board of Education shall prescribe a list of  
25 recruitment and retention incentives that are available to the  
26 school districts and sponsors of charter schools that receive a  
27 distribution of money pursuant to this section to offer to  
28 teachers and other licensed educational personnel.

29 15. The State Board shall require a Victory school to  
30 take corrective action if pupil achievement and school  
31 performance at the school are unsatisfactory, as determined  
32 by the State Board. If unsatisfactory pupil achievement and  
33 school performance continue, the State Board may direct the  
34 Department to withhold any additional money that would  
35 otherwise be distributed pursuant to this section.

36 16. On or before November 30, 2016, and November 30,  
37 2017, the board of trustees of each school district in which a  
38 Victory school is designated and the governing body of each  
39 charter school that is designated as a Victory school shall  
40 submit to the Department and to the Legislative Committee  
41 on Education a report, which must include, without  
42 limitation:

43 (a) An identification of schools to which money was  
44 distributed pursuant to subsection 3 for the previous fiscal  
45 year;





- 1 (b) The amount of money distributed to each such school;
- 2 (c) A description of the programs or services for which
- 3 the money was used;
- 4 (d) The number of pupils who participated in such
- 5 programs or received such services;
- 6 (e) The average expenditure per pupil for each program or
- 7 service that was funded; and
- 8 (f) Recommendations concerning the manner in which the
- 9 average expenditure per pupil reported pursuant to paragraph
- 10 (e) may be used to determine formulas for allocating money
- 11 from the State Distributive School Account in the State
- 12 General Fund.

13 17. The Legislative Committee on Education shall

14 consider the evaluations of the independent evaluator

15 received pursuant to subsection 13 and the reports received

16 pursuant to subsection 16 and advise the State Board

17 regarding any action the Committee determines appropriate

18 for the State Board to take based upon that information. The

19 Committee shall also make any recommendations it deems

20 appropriate concerning Victory schools to the next regular

21 session of the Legislature which may include, without

22 limitation, recommendations for legislation.

23 18. The money distributed pursuant to subsection 3:

24 (a) Must be accounted for separately from any other

25 money received by Victory schools and used only for the

26 purposes specified in this section;

27 (b) May not be used to settle or arbitrate disputes between

28 a recognized organization representing employees of a school

29 district or the governing body of a charter school and the

30 school district or governing body or to settle any negotiations;

31 and

32 (c) May not be used to adjust the district-wide schedules

33 of salaries and benefits of the employees of a school district.

34 19. Upon request of the Legislative Commission, a

35 Victory school to which money is distributed pursuant to

36 subsection 3 shall make available to the Legislative Auditor

37 any of the books, accounts, claims, reports, vouchers or other

38 records of information, confidential or otherwise, regardless

39 of their form or location, that the Legislative Auditor deems

40 necessary to conduct an audit of the use of such money.

41 20. As used in this section:

42 (a) "Community" includes any person or governmental

43 entity who resides or has a significant presence in the

44 geographic area in which a school is located or who interacts

45 with pupils and personnel at a school, and may include,



1 without limitation, parents, businesses, nonprofit  
2 organizations, faith-based organizations, community groups,  
3 teachers, administrators and governmental entities.

4 (b) "Evidence-based programs and services" means  
5 practices, interventions and services that have been proven,  
6 through scientifically based research, as defined in 20 U.S.C.  
7 § 7801(37), *as that section existed on June 8, 2015*, to be  
8 effective in improving outcomes for pupils when  
9 implemented with fidelity.

10 (c) "Victory school" means a school that is so designated  
11 by the Department pursuant to subsection 1.

12 (d) "Wrap-around services" means supplemental services  
13 provided to a pupil with special needs or the family of such a  
14 pupil that are not otherwise covered by any federal or state  
15 program of assistance.

16 **Sec. 83.** NRS 385A.660 is hereby repealed.

17 **Sec. 84.** 1. This section and sections 1 to 77, inclusive, 81,  
18 82 and 83 of this act become effective on July 1, 2017.

19 2. Sections 28 and 29 of this act expire by limitation on  
20 June 30, 2019.

21 3. Sections 78, 79 and 80 of this act become effective on  
22 July 1, 2019.

---

---

**TEXT OF REPEALED SECTION**

---

---

**385A.660 Process for approval of plan.**

1. If a Title I school is rated as underperforming pursuant to the statewide system of accountability for public schools, the superintendent of schools of the school district or the governing body, as applicable, shall carry out a process for peer review of the plan to improve the achievement of the pupils enrolled in the school prepared pursuant to NRS 385A.650 or the revised plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days after receipt of the plan, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan, as applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto and the requirements of NRS 385A.650. The superintendent of schools of the school district or the governing body, as applicable, may condition approval of the plan or the revised plan, as applicable, in the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and



the regulations adopted pursuant thereto. The State Board shall prescribe the requirements for the process of peer review, including, without limitation, the qualifications of persons who may serve as peer reviewers.

2. If a school is rated as meeting the annual measurable objectives and performance targets established pursuant to the statewide system of accountability for public schools, or if a school that is not a Title I school is rated as underperforming pursuant to the statewide accountability system for public schools, not later than 45 days after receipt of the plan or the revised plan, as applicable, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan if it meets the requirements of NRS 385A.650.



