

SENATE BILL NO. 442—COMMITTEE ON EDUCATION

MARCH 25, 2013

Referred to Committee on Education

SUMMARY—Eliminates certain mandates relating to schools.
(BDR 34-1078)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to education; eliminating various mandates relating to schools; revising provisions relating to the reporting of incidences of bullying, cyber-bullying, harassment and intimidation occurring at public schools; revising provisions governing the examinations of the height and weight of pupils enrolled in public schools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill deletes and repeals certain provisions relating to education and thereby
2 eliminates: (1) a requirement that the Superintendent of Public Instruction prescribe
3 a certain form of school register, prepare pamphlet copies of laws relating to
4 schools for various school officials and provide a certain memorandum to the board
5 of trustees of each school district and to the governing body of each charter school
6 (NRS 385.210); (2) a description of the duties of the board of trustees of a school
7 district and the governing body of a charter school in response to a memorandum
8 transmitted to it pursuant to NRS 385.210 (NRS 386.360, 386.552); (3) a
9 requirement, effective on July 1, 2013, that the boards of trustees of certain school
10 districts adopt a pilot program to provide a program of small learning communities
11 for middle school and junior high school pupils (NRS 388.171); (4) a requirement
12 that the board of trustees of each school district adopt a policy for each middle
13 school and junior high school in the district to provide a program of peer mentoring
14 (NRS 388.176); (5) a requirement that the board of trustees of each school district
15 adopt a policy for certain pupil-led conferences (NRS 388.181); (6) requirements
16 relating to small learning communities for ninth grade pupils in certain larger
17 schools (NRS 388.215); (7) certain requirements for a policy for peer mentoring in
18 public high schools (NRS 388.221); (8) a requirement that the board of trustees of
19 each school district and the governing body of each charter school submit the
20 results of a certain examination of achievement and proficiency of pupils to certain
21 persons and entities (NRS 389.560); (9) provisions relating to the establishment of
22 school attendance councils (NRS 392.129); (10) a reporting requirement relating to



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23 alternative schedules (Chapter 489, Statutes of Nevada 2003, p. 3219); and (11)
24 reporting requirements relating to the use of environmentally sensitive cleaning and
25 maintenance products within school districts. (Chapter 244, Statutes of Nevada
26 2009, p. 985)

27 Under existing law, the board of trustees of each school district is required to
28 review and compile reports for submission to the Department of Education relating
29 to the number of reported violations of provisions relating to bullying, cyber-
30 bullying, harassment and intimidation occurring at the public schools within the
31 school district and any actions taken by the public schools to reduce the number of
32 those violations. (NRS 388.1353) Also under existing law, the Superintendent of
33 Public Instruction is required to compile each report submitted by each school
34 district and submit the written compilation to the Attorney General. (NRS
35 388.1355) **Section 7** of this bill eliminates these reporting requirements, and
36 **sections 2.3 and 2.5** of this bill require the contents of those reports to be included
37 within the annual reports of accountability prepared by the State Board of
38 Education and the board of trustees of each school district. (NRS 385.3469,
39 385.347)

40 Under existing law, the board of trustees of each school district is required to
41 conduct examinations of the height and weight of a representative sample of pupils
42 enrolled in grades 4, 7 and 10. (NRS 392.420) This requirement is scheduled to
43 expire on June 30, 2015. (Chapter 285, Statutes of Nevada 2009, p. 1204) **Section**
44 **4.5** of this bill limits this requirement relating to the examinations of the height and
45 weight of pupils to a school district in a county whose population is 100,000 or
46 more (currently Clark and Washoe Counties).

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 2.3.** NRS 385.3469 is hereby amended to read as follows:

4 385.3469 1. The State Board shall prepare an annual report
5 of accountability that includes, without limitation:

6 (a) Information on the achievement of all pupils based upon the
7 results of the examinations administered pursuant to NRS 389.015
8 and 389.550, reported for each school district, including, without
9 limitation, each charter school in the district, and for this State as a
10 whole.

11 (b) Except as otherwise provided in subsection 2, pupil
12 achievement, reported separately by gender and reported separately
13 for the following groups of pupils:

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

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

18 (3) Pupils with disabilities;

19 (4) Pupils who are limited English proficient; and

20 (5) Pupils who are migratory children, as defined by the State
21 Board.



1 (c) A comparison of the achievement of pupils in each group
2 identified in paragraph (b) of subsection 1 of NRS 385.361 with the
3 annual measurable objectives of the State Board.

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

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

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

17 (g) Information on whether each school district has made
18 adequate yearly progress, including, without limitation, the name of
19 each school district, if any, designated as demonstrating need for
20 improvement pursuant to NRS 385.377 and the number of
21 consecutive years that the school district has carried that
22 designation.

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

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

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

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

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

42 (k) The total number of persons employed by each school
43 district in this State, including without limitation, each charter
44 school in the district. Each such person must be reported as either an
45 administrator, a teacher or other staff and must not be reported in



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

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

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

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

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

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

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

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

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

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

37 (1) The percentage of teachers who are:

38 (I) Providing instruction pursuant to NRS 391.125;

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

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



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

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

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

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

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

23 (5) For each elementary school:

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

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

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

42 (n) The total statewide expenditure per pupil. If this State has a
43 financial analysis program that is designed to track educational
44 expenditures and revenues to individual schools, the State Board
45 shall use that statewide program in complying with this paragraph.



1 If a statewide program is not available, the State Board shall use the
2 Department's own financial analysis program in complying with
3 this paragraph.

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

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

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

16 (2) Are enrolled in courses that are approved by the
17 Department as meeting the requirements for an adult standard
18 diploma.

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

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

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

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

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

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

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

42 (w) The transiency rate of pupils, reported for each school
43 district, including, without limitation, each charter school in the
44 district, and for this State as a whole. For the purposes of this
45 paragraph, a pupil is not a transient if the pupil is transferred to a



1 different school within the school district as a result of a change in
2 the zone of attendance by the board of trustees of the school district
3 pursuant to NRS 388.040.

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

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

10 (1) The amount and sources of money received for programs
11 of remedial study.

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

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

21 (aa) The technological facilities and equipment available for
22 educational purposes, reported for each school district, including,
23 without limitation, each charter school in the district, and for this
24 State as a whole.

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

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

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

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

32 (2) An adult diploma.

33 (3) An adjusted diploma.

34 (4) A certificate of attendance.

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

39 (dd) The number of habitual truants who are reported to a school
40 police officer or local law enforcement agency pursuant to
41 paragraph (a) of subsection 2 of NRS 392.144 and the number of
42 habitual truants who are referred to an advisory board to review
43 school attendance pursuant to paragraph (b) of subsection 2 of NRS
44 392.144, reported for each school district, including, without



1 limitation, each charter school in the district, and for this State as a
2 whole.

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

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

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

17 (ff) An identification of appropriations made by the Legislature
18 to improve the academic achievement of pupils and programs
19 approved by the Legislature to improve the academic achievement
20 of pupils.

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

24 (hh) For each school district, including, without limitation, each
25 charter school in the district and for this State as a whole,
26 information on pupils enrolled in career and technical education,
27 including, without limitation:

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

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

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

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

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

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



1 (ii) *For each school district, including, without limitation,*
2 *each charter school in the district, and for this State as a whole:*

3 (1) The number of ~~incidents~~ *reported violations of NRS*
4 *388.135 occurring at a school or otherwise involving a pupil*
5 *enrolled at a school;*

6 (2) *The number of incidents* resulting in suspension or
7 expulsion for bullying, cyber-bullying, harassment or intimidation ~~;~~
8 ~~reported for each school district, including, without limitation, each~~
9 ~~charter school in the district, and for the State as a whole.~~ *; and*

10 (3) *Any actions taken to reduce the number of incidences of*
11 *bullying, cyber-bullying, harassment and intimidation, including,*
12 *without limitation, training that was offered or other policies,*
13 *practices and programs that were implemented.*

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

21 3. The annual report of accountability must:

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

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

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

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

29 (a) Provide for public dissemination of the annual report of
30 accountability by posting a copy of the report on the Internet
31 website maintained by the Department; and

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

35 (1) Governor;

36 (2) Committee;

37 (3) Bureau;

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

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

40 (6) Governing body of each charter school.

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

45 6. As used in this section:



- 1 (a) "Bullying" has the meaning ascribed to it in NRS 388.122.
2 (b) "Cyber-bullying" has the meaning ascribed to it in
3 NRS 388.123.
4 (c) "Harassment" has the meaning ascribed to it in
5 NRS 388.125.
6 (d) "Highly qualified" has the meaning ascribed to it in 20
7 U.S.C. § 7801(23).
8 (e) "Intimidation" has the meaning ascribed to it in
9 NRS 388.129.
10 (f) "Paraprofessional" has the meaning ascribed to it in
11 NRS 391.008.

12 **Sec. 2.5.** NRS 385.347 is hereby amended to read as follows:

13 385.347 1. The board of trustees of each school district in
14 this State, in cooperation with associations recognized by the State
15 Board as representing licensed educational personnel in the district,
16 shall adopt a program providing for the accountability of the school
17 district to the residents of the district and to the State Board for the
18 quality of the schools and the educational achievement of the pupils
19 in the district, including, without limitation, pupils enrolled in
20 charter schools sponsored by the school district. The board of
21 trustees of each school district shall report the information required
22 by subsection 2 for each charter school sponsored by the school
23 district. The information for charter schools must be reported
24 separately.

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

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

29 (b) Pupil achievement for each school in the district and the
30 district as a whole, including, without limitation, each charter school
31 sponsored by the district. The board of trustees of the district shall
32 base its report on the results of the examinations administered
33 pursuant to NRS 389.015 and 389.550 and shall compare the results
34 of those examinations for the current school year with those of
35 previous school years. The report must include, for each school in
36 the district, including, without limitation, each charter school
37 sponsored by the district, and each grade in which the examinations
38 were administered:

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

40 (2) A record of attendance for the period in which the
41 examinations were administered, including an explanation of any
42 difference in the number of pupils who took the examinations and
43 the number of pupils who are enrolled in the school.



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

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

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

8 (III) Pupils with disabilities;

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

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

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

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

16 (6) Except as otherwise provided in this paragraph, the
17 percentage of pupils who were not tested, reported separately by
18 gender and reported separately for the groups identified in
19 subparagraph (3).

20 (7) The most recent 3-year trend in pupil achievement in
21 each subject area tested and each grade level tested pursuant to NRS
22 389.015 and 389.550, which may include information regarding the
23 trend in the achievement of pupils for more than 3 years, if such
24 information is available.

25 (8) Information that compares the results of pupils in the
26 school district, including, without limitation, pupils enrolled in
27 charter schools sponsored by the district, with the results of pupils
28 throughout this State. The information required by this subparagraph
29 must be provided in consultation with the Department to ensure the
30 accuracy of the comparison.

31 (9) For each school in the district, including, without
32 limitation, each charter school sponsored by the district, information
33 that compares the results of pupils in the school with the results of
34 pupils throughout the school district and throughout this State. The
35 information required by this subparagraph must be provided in
36 consultation with the Department to ensure the accuracy of the
37 comparison.

38 (10) Information on whether each school in the district,
39 including, without limitation, each charter school sponsored by the
40 district, has made progress based upon the model adopted by the
41 Department pursuant to NRS 385.3595.

42 ➤ A separate reporting for a group of pupils must not be made
43 pursuant to this paragraph if the number of pupils in that group is
44 insufficient to yield statistically reliable information or the results
45 would reveal personally identifiable information about an individual



1 pupil. The State Board shall prescribe the mechanism for
2 determining the minimum number of pupils that must be in a group
3 for that group to yield statistically reliable information.

4 (c) The ratio of pupils to teachers in kindergarten and at each
5 grade level for each elementary school in the district and the district
6 as a whole, including, without limitation, each charter school
7 sponsored by the district, and the average class size for each core
8 academic subject, as set forth in NRS 389.018, for each secondary
9 school in the district and the district as a whole, including, without
10 limitation, each charter school sponsored by the district.

11 (d) The total number of persons employed for each elementary
12 school, middle school or junior high school, and high school in the
13 district, including, without limitation, each charter school sponsored
14 by the district. Each such person must be reported as either an
15 administrator, a teacher or other staff and must not be reported in
16 more than one category. In addition to the total number of persons
17 employed by each school in each category, the report must include
18 the number of employees in each of the three categories for each
19 school expressed as a percentage of the total number of persons
20 employed by the school. As used in this paragraph:

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

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

27 (I) School counselors, school nurses and other employees
28 who spend at least 50 percent of their work year providing
29 emotional support, noninstructional guidance or medical support to
30 pupils;

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

33 (III) Persons classified by the board of trustees of the
34 school district as professional-technical employees, including,
35 without limitation, technical employees and employees on the
36 professional-technical pay scale.

37 (3) "Teacher" means a person licensed pursuant to chapter
38 391 of NRS who is classified by the board of trustees of the school
39 district:

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

42 (II) As instructional support staff, who does not hold a
43 supervisory position and who spends not more than 50 percent of
44 his or her work year providing instruction to pupils. Such



1 instructional support staff includes, without limitation, librarians
2 and persons who provide instructional support.

3 (e) The total number of persons employed by the school district,
4 including without limitation, each charter school sponsored by the
5 district. Each such person must be reported as either an
6 administrator, a teacher or other staff and must not be reported in
7 more than one category. In addition to the total number of persons
8 employed by the school district in each category, the report must
9 include the number of employees in each of the three categories
10 expressed as a percentage of the total number of persons employed
11 by the school district. As used in this paragraph, "administrator,"
12 "other staff" and "teacher" have the meanings ascribed to them in
13 paragraph (d).

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

18 (1) The percentage of teachers who are:

19 (I) Providing instruction pursuant to NRS 391.125;

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

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

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

29 (3) 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, in the aggregate and disaggregated by high-poverty
32 compared to low-poverty schools, which for the purposes of this
33 subparagraph means schools in the top quartile of poverty and the
34 bottom quartile of poverty in this State;

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

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

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



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

3 (5) For each elementary school:

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

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

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

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

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

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

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

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

32 (2) For each elementary school, middle school and junior
33 high school in the district, including, without limitation, each charter
34 school sponsored by the district that provides instruction to pupils
35 enrolled in a grade level other than high school, information that
36 compares the attendance of the pupils enrolled in the school with the
37 attendance of pupils throughout the district and throughout this
38 State. The information required by this subparagraph must be
39 provided in consultation with the Department to ensure the accuracy
40 of the comparison.

41 (j) The annual rate of pupils who drop out of school in grade 8
42 and a separate reporting of the annual rate of pupils who drop out of
43 school in grades 9 to 12, inclusive, for each such grade, for each
44 school in the district and for the district as a whole. The reporting
45 for pupils in grades 9 to 12, inclusive, excludes pupils who:



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

3 (2) Are enrolled in courses that are approved by the
4 Department as meeting the requirements for an adult standard
5 diploma.

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

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

10 (l) Efforts made by the school district and by each school in the
11 district, including, without limitation, each charter school sponsored
12 by the district, to increase:

13 (1) Communication with the parents of pupils enrolled in the
14 district;

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

19 (3) The involvement of parents and the engagement of
20 families of pupils enrolled in the district in the education of their
21 children.

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

25 (n) Records of incidents involving the use or possession of
26 alcoholic beverages or controlled substances for each school in the
27 district, including, without limitation, each charter school sponsored
28 by the district.

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

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

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

39 (r) The transiency rate of pupils for each school in the district
40 and the district as a whole, including, without limitation, each
41 charter school sponsored by the district. For the purposes of this
42 paragraph, a pupil is not transient if the pupil is transferred to a
43 different school within the school district as a result of a change in
44 the zone of attendance by the board of trustees of the school district
45 pursuant to NRS 388.040.



- 1 (s) Each source of funding for the school district.
- 2 (t) A compilation of the programs of remedial study that are
3 purchased in whole or in part with money received from this State,
4 for each school in the district and the district as a whole, including,
5 without limitation, each charter school sponsored by the district. The
6 compilation must include:
- 7 (1) The amount and sources of money received for programs
8 of remedial study for each school in the district and the district as a
9 whole, including, without limitation, each charter school sponsored
10 by the district.
- 11 (2) An identification of each program of remedial study,
12 listed by subject area.
- 13 (u) For each high school in the district, including, without
14 limitation, each charter school sponsored by the district, the
15 percentage of pupils who graduated from that high school or charter
16 school in the immediately preceding year and enrolled in remedial
17 courses in reading, writing or mathematics at a university, state
18 college or community college within the Nevada System of Higher
19 Education.
- 20 (v) The technological facilities and equipment available at each
21 school, including, without limitation, each charter school sponsored
22 by the district, and the district's plan to incorporate educational
23 technology at each school.
- 24 (w) For each school in the district and the district as a whole,
25 including, without limitation, each charter school sponsored by the
26 district, the number and percentage of pupils who received:
- 27 (1) A standard high school diploma, reported separately for
28 pupils who received the diploma pursuant to:
- 29 (I) Paragraph (a) of subsection 1 of NRS 389.805; and
30 (II) Paragraph (b) of subsection 1 of NRS 389.805.
- 31 (2) An adult diploma.
- 32 (3) An adjusted diploma.
- 33 (4) A certificate of attendance.
- 34 (x) For each school in the district and the district as a whole,
35 including, without limitation, each charter school sponsored by the
36 district, the number and percentage of pupils who failed to pass the
37 high school proficiency examination.
- 38 (y) The number of habitual truants who are reported to a school
39 police officer or law enforcement agency pursuant to paragraph (a)
40 of subsection 2 of NRS 392.144 and the number of habitual truants
41 who are referred to an advisory board to review school attendance
42 pursuant to paragraph (b) of subsection 2 of NRS 392.144, for each
43 school in the district and for the district as a whole.
- 44 (z) The amount and sources of money received for the training
45 and professional development of teachers and other educational



1 personnel for each school in the district and for the district as a
2 whole, including, without limitation, each charter school sponsored
3 by the district.

4 (aa) Whether the school district has made adequate yearly
5 progress. If the school district has been designated as demonstrating
6 need for improvement pursuant to NRS 385.377, the report must
7 include a statement indicating the number of consecutive years the
8 school district has carried that designation.

9 (bb) Information on whether each public school in the district,
10 including, without limitation, each charter school sponsored by the
11 district, has made adequate yearly progress, including, without
12 limitation:

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

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

20 (cc) Information on the paraprofessionals employed by each
21 public school in the district, including, without limitation, each
22 charter school sponsored by the district. The information must
23 include:

24 (1) The number of paraprofessionals employed at the school;
25 and

26 (2) The number and percentage of all paraprofessionals who
27 do not satisfy the qualifications set forth in 20 U.S.C. § 6319(c). The
28 reporting requirements of this subparagraph apply to
29 paraprofessionals who are employed in positions supported with
30 Title I money and to paraprofessionals who are not employed in
31 positions supported with Title I money.

32 (dd) For each high school in the district, including, without
33 limitation, each charter school sponsored by the district that operates
34 as a high school, information that provides a comparison of the rate
35 of graduation of pupils enrolled in the high school with the rate of
36 graduation of pupils throughout the district and throughout this
37 State. The information required by this paragraph must be provided
38 in consultation with the Department to ensure the accuracy of the
39 comparison.

40 (ee) An identification of the appropriations made by the
41 Legislature that are available to the school district or the schools
42 within the district and programs approved by the Legislature to
43 improve the academic achievement of pupils.

44 (ff) For each school in the district and the district as a whole,
45 including, without limitation, each charter school sponsored by the



1 district, information on pupils enrolled in career and technical
2 education, including, without limitation:

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

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

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

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

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

16 (6) The number and percentage of pupils who completed a
17 program of career and technical education and who did not receive a
18 high school diploma because the pupils failed to pass the high
19 school proficiency examination.

20 (gg) *For each school in the district and the district as a whole,*
21 *including, without limitation, each charter school sponsored by*
22 *the district:*

23 (1) *The number of reported violations of NRS 388.135*
24 *occurring at a school or otherwise involving a pupil enrolled at a*
25 *school;*

26 (2) The number of incidents resulting in suspension or
27 expulsion for bullying, cyber-bullying, harassment or intimidation ~~†~~
28 ~~for each school in the district and the district as a whole, including,~~
29 ~~without limitation, each charter school sponsored by the district.†~~ ;
30 *and*

31 (3) *Any actions taken to reduce the number of incidences of*
32 *bullying, cyber-bullying, harassment and intimidation, including,*
33 *without limitation, training that was offered or other policies,*
34 *practices and programs that were implemented.*

35 (hh) Such other information as is directed by the Superintendent
36 of Public Instruction.

37 3. The State Public Charter School Authority and each college
38 or university within the Nevada System of Higher Education that
39 sponsors a charter school shall, on or before September 30 of each
40 year, prepare an annual report of accountability of the charter
41 schools sponsored by the State Public Charter School Authority or
42 institution, as applicable, concerning the accountability information
43 prescribed by the Department pursuant to this section. The
44 Department, in consultation with the State Public Charter School
45 Authority and each college or university within the Nevada System



1 of Higher Education that sponsors a charter school, shall prescribe
2 by regulation the information that must be prepared by the State
3 Public Charter School Authority and institution, as applicable,
4 which must include, without limitation, the information contained in
5 paragraphs (a) to (hh), inclusive, of subsection 2, as applicable to
6 charter schools. The Department shall provide for public
7 dissemination of the annual report of accountability prepared
8 pursuant to this section in the manner set forth in 20 U.S.C. §
9 6311(h)(2)(E) by posting a copy of the report on the Internet website
10 maintained by the Department.

11 4. The records of attendance maintained by a school for
12 purposes of paragraph (k) of subsection 2 or maintained by a charter
13 school for purposes of the reporting required pursuant to subsection
14 3 must include the number of teachers who are in attendance at
15 school and the number of teachers who are absent from school. A
16 teacher shall be deemed in attendance if the teacher is excused from
17 being present in the classroom by the school in which the teacher is
18 employed for one of the following reasons:

19 (a) Acquisition of knowledge or skills relating to the
20 professional development of the teacher; or

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

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

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

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

30 6. The Superintendent of Public Instruction shall:

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

36 (b) Provide statistical information and technical assistance to the
37 school districts, the State Public Charter School Authority and each
38 college or university within the Nevada System of Higher Education
39 that sponsors a charter school to ensure that the reports provide
40 comparable information with respect to each school in each district,
41 each charter school and among the districts and charter schools
42 throughout this State.

43 (c) Consult with a representative of the:

44 (1) Nevada State Education Association;

45 (2) Nevada Association of School Boards;



- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Department of Administration;
- (6) Legislative Counsel Bureau; and
- (7) Charter School Association of Nevada,

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

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

8. On or before September 30 of each year:

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

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

9. On or before September 30 of each year:

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

- (1) Governor;
- (2) State Board;
- (3) Department;
- (4) Committee; and
- (5) Bureau.

(b) The board of trustees of each school district, the State Public Charter School Authority and each college or university within the Nevada System of Higher Education that sponsors a charter school shall provide for public dissemination of the annual report of



1 accountability prepared pursuant to subsection 2 or 3, as applicable,
2 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a
3 copy of the report on the Internet website maintained by the school
4 district, the State Public Charter School Authority or the institution,
5 if any. If a school district does not maintain a website, the district
6 shall otherwise provide for public dissemination of the annual report
7 by providing a copy of the report to the schools in the school
8 district, including, without limitation, each charter school sponsored
9 by the district, the residents of the district, and the parents and
10 guardians of pupils enrolled in schools in the district, including,
11 without limitation, each charter school sponsored by the district. If
12 the State Public Charter School Authority or the institution does not
13 maintain a website, the State Public Charter School Authority or the
14 institution, as applicable, shall otherwise provide for public
15 dissemination of the annual report by providing a copy of the report
16 to each charter school it sponsors and the parents and guardians of
17 pupils enrolled in each charter school it sponsors.

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

25 11. As used in this section:

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

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

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

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

33 (e) "Intimidation" has the meaning ascribed to it in
34 NRS 388.129.

35 (f) "Paraprofessional" has the meaning ascribed to it in
36 NRS 391.008.

37 **Sec. 3.** NRS 388.221 is hereby amended to read as follows:

38 388.221 1. The board of trustees of each school district may
39 adopt a policy for the public high schools in the district to provide a
40 program of teen mentoring, which may include a component of
41 adult mentoring, designed to:

42 (a) Increase pupil participation in school activities, community
43 activities and all levels of government; or



1 (b) Increase the ability of ninth grade pupils enrolled in high
2 school to successfully make the transition from middle school or
3 junior high school to high school,
4 ↪ or both.

5 2. ~~Any such policy must include, without limitation:~~

6 ~~(a) Guidelines for establishing:~~

7 ~~(1) Eligibility requirements for pupils who participate in the~~
8 ~~program as mentors or mentees, including, without limitation, any~~
9 ~~minimum grade level for pupils who serve as mentors and any~~
10 ~~minimum grade point average that must be maintained by pupils~~
11 ~~who serve as mentors. The guidelines may not require a pupil who~~
12 ~~participates in the program to maintain a grade point average that is~~
13 ~~higher than the grade point average required for a pupil to~~
14 ~~participate in sports at the high school the pupil attends.~~

15 ~~(2) Training requirements for pupils who serve as mentors.~~

16 ~~(3) Incentives for pupils who serve as mentors.~~

17 ~~(b) A requirement that each public high school which~~
18 ~~establishes a program for teen mentoring must also establish a~~
19 ~~committee to select each pupil mentor who participates in the~~
20 ~~program. The policy must provide that the committee may select a~~
21 ~~pupil who does not meet the general eligibility requirements for~~
22 ~~mentors if the members of the committee determine that the pupil is~~
23 ~~otherwise qualified to serve as a mentor.~~

24 ~~(c) Any other provisions that the board of trustees deems~~
25 ~~appropriate.~~

26 ~~3.†~~ If the board of trustees of a school district has adopted a
27 policy pursuant to subsection 1, the principal of each public high
28 school in the district may:

29 (a) Carry out a program of teen mentoring in accordance
30 with the policy prescribed by the board of trustees pursuant to
31 subsection 1;

32 (b) Adopt other policies for the program of teen mentoring that
33 are consistent with this section and the policy prescribed by the
34 board of trustees pursuant to subsection 1; and

35 (c) On a date prescribed by the board of trustees, submit an
36 annual report to the board of trustees and the Legislature that sets
37 forth a summary of:

38 (1) The specific activities of the program of teen mentoring;
39 and

40 (2) The effectiveness of the program in increasing pupil
41 participation in school activities, community activities and all levels
42 of government or in increasing the ability of ninth grade pupils to
43 successfully make the transition from middle school or junior high
44 school to high school, as applicable to the type of program in effect
45 at the school.



1 ~~14~~ 3. If the board of trustees of a school district has not
2 adopted a policy pursuant to subsection 1, the principal of a public
3 high school in the district may carry out a program of teen
4 mentoring and take any action described in paragraph (b) or (c) of
5 subsection ~~13~~ 2 if:

6 (a) The principal submits to the board of trustees for its approval
7 a plan for such a program of teen mentoring that is consistent with
8 the provisions of this section; and

9 (b) The board of trustees approves the plan.

10 ~~15~~ 4. A plan submitted to a board of trustees of a school
11 district pursuant to subsection ~~14~~ 3 shall be deemed approved if the
12 board of trustees does not act upon the plan within 60 days after the
13 date on which the board of trustees receives the plan.

14 ~~16~~ 5. The board of trustees of each school district and each
15 public high school may apply for and accept gifts, grants and
16 donations from any source for the support of the board of trustees or
17 a public high school in carrying out a program of teen mentoring
18 pursuant to the provisions of this section. Any money received
19 pursuant to this subsection may be used only for purposes of
20 carrying out a program of teen mentoring pursuant to the provisions
21 of this section.

22 ~~17~~ 6. This section does not preclude a board of trustees of a
23 school district or a public high school from continuing any other
24 similar program of teen mentoring that exists on May 22, 2009.

25 **Sec. 4.** NRS 392.127 is hereby amended to read as follows:

26 392.127 The board of trustees of each school district shall
27 provide administrative support to ~~1~~
28 ~~1. Each~~ *each* advisory board to review school attendance
29 created in its county pursuant to NRS 392.126.

30 ~~2. If applicable, each school attendance council established~~
31 ~~pursuant to NRS 392.129.~~

32 **Sec. 4.5.** NRS 392.420 is hereby amended to read as follows:

33 392.420 1. In each school at which a school nurse is
34 responsible for providing nursing services, the school nurse shall
35 plan for and carry out, or supervise qualified health personnel in
36 carrying out, a separate and careful observation and examination of
37 every child who is regularly enrolled in a grade specified by the
38 board of trustees or superintendent of schools of the school district
39 in accordance with this subsection to determine whether the child
40 has scoliosis, any visual or auditory problem, or any gross physical
41 defect. The grades in which the observations and examinations must
42 be carried out are as follows:

43 (a) For visual and auditory problems:

44 (1) Before the completion of the first year of initial
45 enrollment in elementary school;



1 (2) In at least one additional grade of the elementary schools;
2 and

3 (3) In one grade of the middle or junior high schools and one
4 grade of the high schools; and

5 (b) For scoliosis, in at least one grade of schools below the high
6 schools.

7 ↪ Any person other than a school nurse, including, without
8 limitation, a person employed at a school to provide basic first aid
9 and health services to pupils, who performs an observation or
10 examination pursuant to this subsection must be trained by a school
11 nurse to conduct the observation or examination.

12 2. In addition to the requirements of subsection 1, *the board of*
13 *trustees of* each school district *in a county whose population is*
14 *100,000 or more* shall conduct examinations of the height and
15 weight of a representative sample of pupils enrolled in grades 4, 7
16 and 10 in the schools within the school district. In addition to those
17 grade levels, *such* a school district may conduct examinations of the
18 height and weight of a representative sample of pupils enrolled in
19 other grade levels within the school district. The Health Division of
20 the Department of Health and Human Services shall define
21 "representative sample" in collaboration with ~~the~~ *each* school
22 ~~districts~~ *district in a county whose population is 100,000 or more*
23 for purposes of this subsection.

24 3. If any child is attending school in a grade above one of the
25 specified grades and has not previously received such an
26 observation and examination, the child must be included in the
27 current schedule for observation and examination. Any child who is
28 newly enrolled in the district must be examined for any medical
29 condition for which children in a lower grade are examined.

30 4. A special examination for a possible visual or auditory
31 problem must be provided for any child who:

32 (a) Is enrolled in a special program;

33 (b) Is repeating a grade;

34 (c) Has failed an examination for a visual or auditory problem
35 during the previous school year; or

36 (d) Shows in any other way that the child may have such a
37 problem.

38 5. The school authorities shall notify the parent or guardian of
39 any child who is found or believed to have scoliosis, any visual or
40 auditory problem, or any gross physical defect, and shall
41 recommend that appropriate medical attention be secured to correct
42 it.

43 6. In any school district in which state, county or district public
44 health services are available or conveniently obtainable, those
45 services may be used to meet the responsibilities assigned under the



1 provisions of this section. The board of trustees of the school district
2 may employ qualified personnel to perform them. Any nursing
3 services provided by such qualified personnel must be performed in
4 compliance with chapter 632 of NRS.

5 7. The board of trustees of a school district may adopt a policy
6 which encourages the school district and schools within the school
7 district to collaborate with:

8 (a) Qualified health care providers within the community to
9 perform, or assist in the performance of, the services required by
10 this section; and

11 (b) Postsecondary educational institutions for qualified students
12 enrolled in such an institution in a health-related program to
13 perform, or assist in the performance of, the services required by
14 this section.

15 8. The school authorities shall provide notice to the parent or
16 guardian of a child before performing on the child the examinations
17 required by this section. The notice must inform the parent or
18 guardian of the right to exempt the child from all or part of the
19 examinations. Any child must be exempted from an examination if
20 the child's parent or guardian files with the teacher a written
21 statement objecting to the examination.

22 9. Except as otherwise provided in this subsection, each school
23 nurse or a designee of a school nurse, including, without limitation,
24 a person employed at a school to provide basic first aid and health
25 services to pupils, shall report the results of the examinations
26 conducted pursuant to this section in each school at which he or she
27 is responsible for providing services to the State Health Officer in
28 the format prescribed by the State Health Officer. If a school district
29 *in a county whose population is 100,000 or more* conducts
30 examinations of the height and weight of a representative sample of
31 pupils enrolled in grade levels other than the grade levels required
32 by subsection 2, the results of those examinations must not be
33 included in the report submitted to the State Health Officer. Each
34 such report must exclude any identifying information relating to a
35 particular child. The State Health Officer shall compile all such
36 information the Officer receives to monitor the health status of
37 children and shall retain the information.

38 **Sec. 5.** (Deleted by amendment.)

39 **Sec. 6.** Section 38 of chapter 509, Statutes of Nevada 2011, at
40 page 3504, is hereby amended to read as follows:

41 Sec. 38. 1. This section and section 36.7 of this act
42 become effective upon passage and approval.

43 2. Sections 1 to 21, inclusive, 21.5 to 36.5, inclusive,
44 and 37 of this act become effective on July 1, 2011.



~~3. Section 21.3 of this act becomes effective on July 1, 2011, for the purpose of adopting the pilot program required by that section and on July 1, 2013, for all other purposes.~~

Sec. 7. 1. NRS 385.210, 386.360, 386.552, 388.1353, 388.1355, 388.171, 388.176, 388.181, 388.215, 389.560 and 392.129 are hereby repealed.

2. Section 7 of chapter 489, Statutes of Nevada 2003, at page 3219 is hereby repealed.

3. Section 6 of chapter 244, Statutes of Nevada 2009, at page 985 is hereby repealed.

4. Section 21.3 of chapter 509, Statutes of Nevada 2011, at page 3499 is hereby repealed.

Sec. 8. This act becomes effective on July 1, 2013.

**LEADLINES OF REPEALED SECTIONS OF NRS AND
TEXT OF REPEALED SECTIONS OF STATUTES OF NEVADA**

385.210 Form of school register; dissemination of information regarding statutes and regulations relating to schools; memorandum to school districts and charter schools; preparation and publication of Department bulletin.

386.360 Preparation of plan for implementation of statutes; transmittal of information concerning statutes to parents and teachers; rules.

386.552 Preparation of plan for implementation of statutes; written notice to parents and teachers concerning statutes and plan for implementation.

388.1353 Principal required to submit report of violations for each semester to school district; review and compilation of reports by school district; submission of compilation to Department.

388.1355 Compilation of reports by Superintendent of Public Instruction; submission of written compilation to Attorney General.

388.171 Pilot program for small learning communities required in certain schools.

388.176 Adoption of policy for peer mentoring.

388.181 Adoption of policy for pupil-led conferences.

388.215 Program of small learning communities required for ninth grade pupils enrolled in larger schools.

389.560 Reporting of results of examinations; reconciliation of number of pupils taking examinations.



392.129 Establishment of school attendance councils; membership; duties; annual report.

Section 7 of chapter 489, Statutes of Nevada 2003:

Sec. 7. 1. If the board of trustees of a school district provides a program of instruction based upon an alternative schedule pursuant to subsection 2 of section 2 of this act, the board of trustees shall, on or before December 31, 2004, submit a written report to the Superintendent of Public Instruction. The report must include:

- (a) A description of the alternative schedule; and
- (b) An evaluation of the effect of the alternative schedule on the pupils, parents and legal guardians and community.

2. The Superintendent of Public Instruction shall:

- (a) Compile the reports, if any, submitted pursuant to subsection 1; and
- (b) On or before February 1, 2005, submit a written report of the compilation to the Director of the Legislative Counsel Bureau for transmission to the 73rd Session of the Nevada Legislature.

Section 6 of chapter 244, Statutes of Nevada 2009:

Sec. 6. 1. On or before January 1, 2011, the board of trustees of each school district shall prepare and submit to the Department of Education a written report regarding the implementation of the use of environmentally sensitive cleaning and maintenance products for use in the cleaning of all floor surfaces in the public schools within the school district. The report must include, without limitation:

- (a) A description of the cleaning and maintenance products that were replaced, if any;
- (b) A description of the environmentally sensitive cleaning and maintenance products that are used in the public schools within the school district;
- (c) A description of any requests for a waiver that the school district submitted to the Department and the status of the request; and
- (d) An evaluation of the effectiveness of the use of environmentally sensitive cleaning and maintenance products on the health and safety of the pupils and school personnel in the school district.

2. On or before February 1, 2011, the Department of Education shall submit a written report to the Director of the Legislative Counsel Bureau for transmission to the 76th Session of the Nevada Legislature regarding the



implementation of the use of environmentally sensitive cleaning and maintenance products in the cleaning of all floor surfaces in the public schools within the school districts in this State. The report must include, without limitation:

(a) A compilation of the reports submitted by each school district pursuant to subsection 1; and

(b) A description of the requests for a waiver submitted by school districts to the Department pursuant to section 3 of this act, including, without limitation:

(1) The number of waivers that were granted by the Department and the justification for each waiver; and

(2) The number of waivers that were denied by the Department and the reasons for each denial.

Section 21.3 of chapter 509, Statutes of Nevada 2011:

Sec. 21.3. NRS 388.215 is hereby amended to read as follows:

388.215 1. The board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more, including pupils enrolled in ninth grade, shall adopt a ~~policy for each of those high schools~~ *pilot program* to provide a program of small learning communities. The ~~policy~~ *pilot program must be implemented in at least 50 percent of the high schools in the school district with an enrollment of 1,200 pupils or more and* must require:

(a) Where practicable, the designation of a separate area geographically within the high school where the pupils enrolled in ninth grade attend classes;

(b) The collection and maintenance of information relating to pupils enrolled in ninth grade, including, without limitation, credits earned, attendance, truancy and indicators that a pupil may be at risk of dropping out of high school;

(c) Based upon the information collected pursuant to paragraph (b), the timely identification of any special needs of a pupil enrolled in ninth grade, including, without limitation, any need for programs of remedial study for a particular subject area and appropriate counseling;

(d) Methods to increase the involvement of parents and legal guardians of pupils enrolled in ninth grade in the education of their children; and

(e) The assignment of:

(1) Guidance counselors;

(2) At least one licensed school administrator; and



- (3) Appropriate adult mentors,
↳ specifically for the pupils enrolled in ninth grade.
2. The principal of ~~each~~ **a** high school in which 1,200 pupils or more are enrolled, including pupils enrolled in ninth grade, ***and which the board of trustees of the school district has designated to participate in the pilot program adopted pursuant to subsection 1*** shall:
- (a) Carry out a program of small learning communities in accordance with the ~~[policy prescribed by the board of trustees pursuant to subsection 1.]~~ ***pilot program***; and
- (b) Submit an annual report, on a date prescribed by the board of trustees, that sets forth the specific strategies, programs and methods that are used to focus on the pupils enrolled in ninth grade at the school.



