

SENATE BILL NO. 330—SENATOR HORSFORD

MARCH 16, 2009

Referred to Committee on Health and Education

SUMMARY—Enacts the Initiative for a World-Class Education in Nevada. (BDR 34-171)

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

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

AN ACT relating to education; making various changes regarding the Department of Education, the State Board of Education and various councils and commissions related to the system of public education in this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the Department of Education, consisting of the State
2 Board of Education, the State Board for Career and Technical Education and the
3 Superintendent of Public Instruction, and creates the Commission on Educational
4 Excellence, the Commission on Educational Technology and the Council to
5 Establish Academic Standards for Public Schools. (NRS 385.010, 385.3784,
6 388.790, 389.510) This bill repeals provisions creating the Commission on
7 Educational Excellence, the Commission on Educational Technology and the
8 Council to Establish Academic Standards for Public Schools. This bill also
9 transfers certain duties and responsibilities formerly assigned to those bodies to the
10 State Board of Education and the Department of Education.

11 **Section 8** of this bill revises the membership of the State Board of Education to
12 eliminate the 10 districts from which members are elected and provides for the
13 election of one member from each of the congressional districts (currently three)
14 and the appointment of one member by the Governor, one member by the Board of
15 Regents of the University of Nevada and two members by the Legislative
16 Commission. (NRS 385.021) **Section 8** also prescribes the requirements for the
17 members.

18 **Section 9** of this bill requires the State Board of Education to establish clear
19 and well-defined goals for the education of pupils in this State, the improvement of
20 the system of public education in this State and to meet other specific objectives
21 relating to education. (NRS 385.075)

22 **Section 5** of this bill requires the Department to adopt a model to measure and
23 track the achievement and progress of pupils in this State and prescribes the
24 requirements for that system.



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25 **Section 5.5** of this bill authorizes the board of trustees of a school district or the
26 governing body of a charter school to submit an application to the Department for
27 grants of money for certain educational programs and services, including, without
28 limitation, programs for peer mediation, programs for career and technical
29 education and programs for educational technology. To the extent money is
30 available, the Department may award grants of money to school districts and
31 charter schools whose applications are approved.

32 **Section 5.7** of this bill requires the establishment of a Statewide Advisory
33 Council for the Support of Youth to ensure that the youth in this State receive an
34 education which adequately prepares them for postsecondary education, a career
35 and other future accomplishments.

36 **Section 69.3** of this bill requires the interim study committee created pursuant
37 to Assembly Concurrent Resolution Number 2 of the 2009 Legislature, File No. 89,
38 to study certain issues relating to a program of performance pay for licensed
39 educational personnel and other school personnel.

40 **Section 70** of this bill requires the Legislative Commission to monitor the
41 progress and effectiveness of the changes and reformations required by this bill.

1 WHEREAS, The Nevada Constitution requires the Legislature to
2 provide for a system of public education in this State; and

3 WHEREAS, The pupils in this State are entitled to receive a
4 world-class education which will ensure year-to-year progress and
5 which will adequately prepare those pupils to enter postsecondary
6 education and the workforce; and

7 WHEREAS, By enacting the Initiative for a World-Class
8 Education in Nevada, the Legislature will ensure that each pupil
9 receives an education that prepares him for higher education, a
10 career and a lifetime of future success; and

11 WHEREAS, The Initiative for a World-Class Education in
12 Nevada provides for systematic change to the educational structure
13 of this State to facilitate progress toward attaining statewide goals
14 and meeting measurable objectives to ensure the future success of
15 the pupils enrolled in public schools in this State; and

16 WHEREAS, The future of this State is of the utmost importance
17 to the members of the 75th Session of the Nevada Legislature, and
18 educating pupils is vital to securing that future; now, therefore,
19

20 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
21 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
22

23 **Section 1.** Chapter 385 of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 2 to 5.7, inclusive, of this
25 act.

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

27 **Sec. 3.** *The Department shall:*

28 *1. Monitor the public schools and school districts in this State*
29 *to ensure compliance with all state and federal programs relating*



1 *to education, with a primary focus on academic and fiscal*
2 *accountability;*

3 *2. Review the budget submitted by each school district*
4 *pursuant to NRS 387.303 and the quarterly publication of*
5 *expenditures for each school district pursuant to NRS 387.320;*

6 *3. Review the budget of each charter school submitted*
7 *pursuant to NRS 386.600;*

8 *4. Review the annual report of accountability prepared*
9 *pursuant to NRS 385.3469;*

10 *5. Review the report of accountability prepared by each*
11 *school district pursuant to NRS 385.347, the accountability*
12 *information submitted by each university school for profoundly*
13 *gifted pupils pursuant to NRS 392A.073 and any other report of*
14 *data relating to the achievement of pupils; and*

15 *6. On or before July 1 of each year, submit to the Legislative*
16 *Committee on Education a report of the activities of the*
17 *Department and the results and findings of the monitoring and*
18 *reviews carried out pursuant to this section.*

19 **Sec. 4.** (Deleted by amendment.)

20 **Sec. 5.** *1. The Department shall adopt a model to measure*
21 *and track from year to year the achievement and progress made by*
22 *each pupil, each group of pupils identified in paragraph (b) of*
23 *subsection 1 of NRS 385.361, each public school, including,*
24 *without limitation, each charter school, each school district and*
25 *the State as a whole.*

26 *2. The Department shall identify the measures of progress for*
27 *inclusion in the model which must include, without limitation, the*
28 *results of pupils on the examinations administered pursuant to*
29 *NRS 389.550 and the results of pupils on the high school*
30 *proficiency examination administered pursuant to NRS 389.015.*
31 *The model must include other measures of progress identified by*
32 *the Department, including, without limitation, graduation and*
33 *attendance rates.*

34 *3. The model must be designed in a manner which allows the*
35 *Department to:*

36 *(a) Identify each program for which a grant of money is made*
37 *from the Account for Programs for Innovation and the Prevention*
38 *of Remediation or otherwise provided through the State and which*
39 *is being used by a public school; and*

40 *(b) Determine, through results of evaluations, the programs*
41 *which are used by public schools and which are making*
42 *improvements in the achievement and progress of pupils and the*
43 *programs which are used by public schools and which are not*
44 *making the same level of improvements.*



1 4. *The Department may contract with a qualified and*
2 *independent consultant to assist the Department in the*
3 *development and maintenance of the model.*

4 **Sec. 5.5. 1.** *The board of trustees of a school district, based*
5 *upon requests submitted by principals of the public schools located*
6 *within the school district, or the governing body of a charter*
7 *school may submit an application to the Department for a grant of*
8 *money from the money available for any of the programs or*
9 *assistance set forth in subsection 2. The application must be on a*
10 *form prescribed by the Department and include, without*
11 *limitation:*

12 *(a) A plan for the use of the money requested by the board of*
13 *trustees or the governing body, which must:*

14 *(1) Be designed to support the plan to improve the*
15 *achievement of pupils enrolled in the school district prepared by*
16 *the board of trustees pursuant to NRS 385.348, if applicable, as*
17 *well as the plan to improve the achievement of pupils prepared by*
18 *each individual school within the school district or the charter*
19 *school, as applicable, pursuant to NRS 385.357;*

20 *(2) Be based on practices and strategies that have proven*
21 *effective in improving the academic achievement and proficiency*
22 *of pupils; and*

23 *(3) Include one or more of the programs or assistance set*
24 *forth in subsection 2.*

25 *(b) The amount of money requested by the board of trustees or*
26 *governing body to carry out the educational programs or*
27 *assistance, as applicable, that the school district or charter school*
28 *intends to offer pursuant to this section.*

29 *(c) If a school district submitted the application, a prioritized*
30 *list of the schools and programs or assistance, as applicable, for*
31 *which the school district is requesting a grant of money and a*
32 *description of how the money will be used to support the plan to*
33 *improve the achievement of pupils prepared by each of those*
34 *schools.*

35 *(d) If the governing body of a charter school submitted the*
36 *application, a prioritized list of the programs or assistance, as*
37 *applicable, for which the governing body is requesting a grant of*
38 *money and a description of how the money will be used to support*
39 *the plan to improve the achievement of pupils prepared by the*
40 *charter school.*

41 **2.** *Money may be granted pursuant to this section for one or*
42 *more of the following:*

43 *(a) Programs that incorporate educational technology in*
44 *accordance with the plan established by the Department pursuant*
45 *to NRS 388.795;*



- 1 (b) *Programs of peer mediation;*
2 (c) *The program used by the Geographic Alliance in Nevada;*
3 (d) *Programs for the certification of counselors offered in this*
4 *State or offered by a national certification agency;*
5 (e) *Assistance for the support teams established pursuant to*
6 *NRS 385.3721 for non-Title I schools, including, without*
7 *limitation, to pay for substitute teachers as necessary for the*
8 *teachers at the school who serve on the support team to carry out*
9 *the duties and responsibilities of the support team; and*
10 (f) *Programs of career and technical education.*
- 11 3. *To the extent that money is available from legislative*
12 *appropriation or otherwise for any program or assistance set forth*
13 *in subsection 2, the Department shall provide grants of money to*
14 *school districts and charter schools with approved applications*
15 *based upon the amount of money that is necessary to carry out the*
16 *educational programs or assistance, as set forth in the application*
17 *of the school district or charter school. If an insufficient amount*
18 *of money is available to pay for the total amount requested in each*
19 *application, the available money must be distributed in a fair and*
20 *equitable manner among the school districts and charter schools*
21 *with approved applications based upon the prioritized list*
22 *submitted by each school district and charter school pursuant to*
23 *subsection 1.*
- 24 4. *The board of trustees of a school district or the governing*
25 *body of a charter school that receives a grant of money pursuant*
26 *to this section shall not use the money:*
- 27 (a) *For the construction or maintenance of buildings or*
28 *facilities.*
- 29 (b) *To settle or arbitrate disputes or negotiate settlements*
30 *between an organization that represents licensed employees of the*
31 *school district or charter school and the school district or charter*
32 *school, as applicable.*
- 33 (c) *To adjust the schedules of salaries and benefits of the*
34 *employees of the school district or charter school, as applicable.*
- 35 5. *Money granted to a school district or charter school*
36 *pursuant to the provisions of this section may only be committed*
37 *for expenditure during the biennium in which it was granted, and*
38 *any unused funds must be returned to the Department by the*
39 *board of trustees or governing body on or before the deadline*
40 *determined by the Department.*
- 41 6. *The board of trustees of a school district and the governing*
42 *body of a charter school that receives a grant of money pursuant*
43 *to this section shall, on or before February 1 of each odd-*
44 *numbered year, submit a written report to the Department and to*
45 *the Director of the Legislative Counsel Bureau for transmission to*



1 *the next regular session of the Nevada Legislature. The report*
2 *must include, without limitation:*

3 (a) *The name of each school that received a grant pursuant to*
4 *this section and the amount of each grant;*

5 (b) *The programs and other assistance for which each school*
6 *expended the money; and*

7 (c) *An evaluation of the programs and other assistance for*
8 *which each school expended the money, including, without*
9 *limitation, the effectiveness of each program or assistance on the*
10 *academic achievement and proficiency of pupils enrolled in the*
11 *school.*

12 **Sec. 5.7. 1. *The nonprofit corporation formed pursuant to***
13 ***NRS 385.091, in consultation with the Department of Education***
14 ***and the Department of Employment, Training and Rehabilitation,***
15 ***shall establish a Statewide Advisory Council for the Support of***
16 ***Youth, composed of not less than six members.***

17 **2. *The nonprofit corporation shall appoint members to the***
18 ***Statewide Advisory Council who:***

19 (a) *Have knowledge and experience in education, youth*
20 *development or human resources; and*

21 (b) *To the extent practicable, represent:*

22 (1) *The Department of Employment, Training and*
23 *Rehabilitation;*

24 (2) *The Department of Education;*

25 (3) *The Department of Health and Human Services;*

26 (4) *The Office of the Attorney General;*

27 (5) *The Assembly;*

28 (6) *The Senate;*

29 (7) *The Governor's Workforce Investment Board of the*
30 *Department of Employment, Training and Rehabilitation;*

31 (8) *The Nevada System of Higher Education;*

32 (9) *An Indian tribe;*

33 (10) *The nonprofit corporation; and*

34 (11) *Any other person deemed necessary by the nonprofit*
35 *corporation.*

36 **3. *Each member of the Statewide Advisory Council serves at***
37 ***the pleasure of the nonprofit corporation.***

38 **4. *The Department of Education shall provide administrative***
39 ***support to the Statewide Advisory Council.***

40 **5. *Unless money is appropriated for that purpose, the***
41 ***members of the Statewide Advisory Council serve without***
42 ***compensation and shall not receive a per diem allowance or travel***
43 ***expenses.***

44 **6. *The Statewide Advisory Council shall:***



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1 (a) *Facilitate statewide efforts to ensure that each youth in this*
2 *State receives an education which adequately prepares the youth*
3 *for postsecondary education or training, adequately prepares the*
4 *youth for a career and ensures a lifetime of successful*
5 *accomplishments;*

6 (b) *Collaborate with organizations which serve youth to*
7 *provide advice and guidance to public agencies in this State to*
8 *ensure that youth are engaged in postsecondary education or*
9 *productive employment by 25 years of age; and*

10 (c) *Strengthen the coordination, communication and*
11 *collaboration among public agencies and organizations which*
12 *support at-risk youth in becoming successful adults.*

13 **Sec. 6.** NRS 385.010 is hereby amended to read as follows:

14 385.010 1. A Department of Education is hereby created.

15 2. The Department consists of the State Board of Education,
16 the State Board for Career and Technical Education and the *State*
17 Superintendent ~~[of Public Instruction.]~~ *for Education.*

18 3. The *State* Superintendent ~~[of Public Instruction]~~ *for*
19 *Education, who is the chief educational officer for the State,* is the
20 executive head of the Department.

21 **Sec. 7.** NRS 385.014 is hereby amended to read as follows:

22 385.014 When required, the Attorney General shall give his
23 opinion in writing and without fee to the State Board, the *State*
24 Superintendent ~~[of Public Instruction]~~ *for Education* and the
25 Commission on Professional Standards in Education on matters
26 relating to the powers and duties of the Department.

27 **Sec. 8.** NRS 385.021 is hereby amended to read as follows:

28 385.021 1. The State Board consists of ~~[10 members]~~ :

29 (a) *One member* elected by the registered voters within ~~[the~~
30 ~~districts]~~ *each congressional district* described in NRS ~~[385.0225 to~~
31 ~~385.0265.]~~ *304.060 to 304.120,* inclusive ~~[;]~~ ;

32 (b) *One member appointed by the Governor;*

33 (c) *Two members appointed by the Legislative Commission,*
34 *who must not be Legislators; and*

35 (d) *One nonvoting member appointed by the Board of Regents*
36 *of the University of Nevada.*

37 2. Each member of the State Board :

38 (a) *Elected pursuant to paragraph (a) of subsection 1* must be
39 a resident of the district from which that member is elected.

40 ~~[3. At the general election in 2002, and every 4 years~~
41 ~~thereafter, one member of the State Board must be elected for a term~~
42 ~~of 4 years from Districts Numbers 2, 5, 6 and 10.~~

43 ~~4. At the general election in 2004, and every 4 years thereafter,~~
44 ~~one member of the State Board must be elected for a term of 4 years~~
45 ~~from Districts Numbers 1, 3, 4, 7, 8 and 9.~~



1 ~~—5.]~~ (b) *Appointed pursuant to paragraph (b) or (c) of*
2 *subsection 1 must be a resident of this State and:*

3 (1) *Have experience in prekindergarten, elementary,*
4 *secondary or postsecondary education;*

5 (2) *Have experience in public policy or public*
6 *administration; or*

7 (3) *Be active in the business community or industry of this*
8 *State.*

9 *↳ To the extent practicable, those members must be appointed*
10 *from lists of nominations provided by associations and*
11 *organizations in this State which are concerned with issues*
12 *relating to public education, including, without limitation,*
13 *associations representing educational personnel.*

14 (c) *Appointed pursuant to paragraph (d) of subsection 1 must*
15 *have experience in postsecondary education and be a resident of*
16 *this State.*

17 3. *After the initial terms, each member serves a term of 4*
18 *years.*

19 4. If a vacancy occurs on the State Board ~~[]~~ *during the term of*
20 *a member who was:*

21 (a) *Elected pursuant to paragraph (a) of subsection 1, the*
22 *Governor shall appoint a member to fill the vacancy until the next*
23 *general election, at which election a member must be chosen for the*
24 *balance of the unexpired term. The appointee must be a resident of*
25 *the district where the vacancy occurs.*

26 (b) *Appointed pursuant to paragraph (b), (c) or (d) of*
27 *subsection 1, the vacancy must be filled in the manner of the*
28 *original appointment.*

29 ~~[6.]~~ 5. No member of the State Board may ~~[be elected to the~~
30 ~~office]~~ *serve* more than three ~~[times.]~~ *terms of office.*

31 **Sec. 9.** NRS 385.075 is hereby amended to read as follows:

32 385.075 The State Board shall ~~[establish policies]~~ :

33 1. *Establish policies* to govern the administration of all
34 functions of the State relating to *the* supervision, management and
35 control of public schools not conferred by law on some other
36 agency.

37 2. *Establish clearly defined goals and benchmarks for*
38 *improving the achievement of pupils in this State, including,*
39 *without limitation, goals for:*

40 (a) *Improving proficiency results in core academic subject*
41 *areas;*

42 (b) *Increasing the number of pupils enrolled in middle schools*
43 *and junior high schools in this State who enter high school with*
44 *the skills necessary to succeed in high school;*



1 (c) *Improving the percentage of pupils who enroll in grade 9*
2 *in this State and who complete high school and obtain a standard*
3 *diploma upon completion;*

4 (d) *Improving the performance of pupils in this State on*
5 *standardized college entrance examinations;*

6 (e) *Increasing the percentage of pupils enrolled in high*
7 *schools in this State who enter postsecondary educational*
8 *institutions; and*

9 (f) *Reengaging disengaged youth who have dropped out of*
10 *high school or who are at risk of dropping out of high school,*
11 *including, without limitation, a mechanism for tracking and*
12 *maintaining communication with those youth who have dropped*
13 *out or who are at risk of doing so.*

14 3. *Establish a mechanism to measure the progress made*
15 *toward meeting statewide educational goals, including, without*
16 *limitation:*

17 (a) *Establishing measurable outcomes for the achievement of*
18 *school districts and charter schools;*

19 (b) *Developing a system to track progress toward those*
20 *measurable objectives, including data on the results of pupils on*
21 *the examinations administered pursuant to NRS 389.550 and the*
22 *high school proficiency examination; and*

23 (c) *Improving the capacity and maintenance of the automated*
24 *system of accountability information for Nevada established*
25 *pursuant to NRS 386.650.*

26 4. *Collaborate with the Department and the Nevada System of*
27 *Higher Education to:*

28 (a) *Align the academic standards and curriculum developed*
29 *for pupils enrolled in elementary and secondary education with*
30 *the academic standards and curriculum developed for students*
31 *enrolled in postsecondary educational institutions in this State;*
32 *and*

33 (b) *Provide professional development and training through the*
34 *Nevada System of Higher Education to assist the Department in*
35 *ensuring that educational personnel are properly trained and that*
36 *educational personnel are exposed to various classroom*
37 *methodologies.*

38 **Sec. 10.** NRS 385.110 is hereby amended to read as follows:

39 385.110 1. Except as otherwise provided in subsections 2 and
40 3, the State Board shall prescribe and cause to be enforced the
41 courses of study for the public schools of this State. The courses of
42 study prescribed and enforced by the State Board must comply with
43 the standards of content and performance established by the
44 ~~[Council to Establish Academic Standards for Public Schools]~~ **State**
45 **Board** pursuant to NRS 389.520.



1 2. For those courses of study prescribed by the State Board:
2 (a) High schools may have modified courses of study, subject to
3 the approval of the State Board; and

4 (b) Any high school offering courses normally accredited as
5 being beyond the level of the 12th grade shall, before offering such
6 courses, have them approved by the State Board.

7 3. A charter school is not required to offer the courses of study
8 prescribed by the State Board except for those courses of study
9 which are required for promotion to the next grade or graduation
10 from high school.

11 **Sec. 11.** (Deleted by amendment.)

12 **Sec. 12.** NRS 385.170 is hereby amended to read as follows:

13 385.170 The *State* Superintendent *for Education* shall not
14 pursue any other business or occupation or hold any other office of
15 profit. ~~[without the approval of the State Board of Education.]~~

16 **Sec. 13.** (Deleted by amendment.)

17 **Sec. 14.** (Deleted by amendment.)

18 **Sec. 15.** NRS 385.290 is hereby amended to read as follows:

19 385.290 1. The *State* Superintendent ~~[of Public Instruction]~~
20 *for Education* may appoint a Deputy Superintendent of
21 Instructional, Research and Evaluative Services who:

22 (a) Holds a master's degree in school administration or a related
23 subject from an accredited college or university.

24 (b) Has a minimum of 3 years of administrative experience
25 which includes:

- 26 (1) Supervision and evaluation of staff;
27 (2) Development and administration of budgets; and
28 (3) Development of curriculum.

29 2. The Deputy Superintendent of Instructional, Research and
30 Evaluative Services may perform any duty required of the *State*
31 Superintendent ~~[of Public Instruction]~~ *for Education* during the
32 absence of the *State* Superintendent and shall do such work as the
33 *State* Superintendent may direct under the laws of the State.

34 *3. No person may be appointed to the position of Deputy*
35 *Superintendent of Instructional, Research and Evaluative Services*
36 *unless he meets the qualifications set forth in subsection 1.*

37 **Sec. 16.** (Deleted by amendment.)

38 **Sec. 17.** (Deleted by amendment.)

39 **Sec. 18.** NRS 385.315 is hereby amended to read as follows:

40 385.315 In addition to his other duties, the Deputy
41 Superintendent for Administrative and Fiscal Services, under the
42 direction of the *State* Superintendent ~~[of Public Instruction,]~~ *for*
43 *Education*, shall:

44 1. Investigate any claim against any school fund or separate
45 account established under NRS 354.603 whenever a written protest



1 against the drawing of a warrant, check or order in payment of the
2 claim is filed with the county auditor. If, upon investigation, the
3 Deputy Superintendent finds that any such claim is unearned, illegal
4 or unreasonably excessive, he shall notify the county auditor and the
5 clerk of the board of trustees who drew the order for the claim,
6 stating the reasons in writing why the order is unearned, illegal or
7 excessive. If so notified, the county auditor shall not draw his
8 warrant in payment of the claim nor shall the board of trustees draw
9 a check or order in payment of the claim from a separate account
10 established under NRS 354.603. If the Deputy Superintendent finds
11 that any protested claim is legal and actually due the claimant, he
12 shall authorize the county auditor or the board of trustees to draw
13 his warrant or its check or order on an account established under
14 NRS 354.603 for the claim, and the county auditor or the board of
15 trustees shall immediately draw his warrant or its check or order in
16 payment of the claim.

17 2. Inspect *and, if he determines necessary, audit* the record
18 books and accounts of boards of trustees, and enforce the uniform
19 method of keeping the financial records and accounts of school
20 districts.

21 3. Inspect *and, if he determines necessary, audit* the school
22 fund accounts of the county auditors of the several counties, and
23 report the condition of the funds of any school district to the board
24 of trustees thereof.

25 4. Inspect *and, if he determines necessary, audit* the separate
26 accounts established by boards of trustees under NRS 354.603, and
27 report the condition of the accounts to the respective boards of
28 county commissioners and county treasurers.

29 **Sec. 19.** (Deleted by amendment.)

30 **Sec. 20.** NRS 385.330 is hereby amended to read as follows:

31 385.330 1. Professional staff and other personnel appointed
32 by the *State* Superintendent ~~{of Public Instruction}~~ *for Education*
33 shall perform such duties as are assigned by the *State*
34 Superintendent.

35 2. The *State* Superintendent ~~{of Public Instruction,}~~ *for*
36 *Education*, under the policies of the State Board, shall locate the
37 offices of professional staff and other personnel ~~{where}~~ :

38 (a) *Where* the needs of the education program can best be
39 served ~~{}~~ ; and

40 (b) *To reflect the geographic diversity of this State.*

41 **Sec. 21.** NRS 385.34691 is hereby amended to read as
42 follows:

43 385.34691 1. The State Board shall prepare a plan to improve
44 the achievement of pupils enrolled in the public schools in this
45 State. The plan:



- 1 (a) Must be prepared in consultation with:
2 (1) Employees of the Department;
3 (2) At least one employee of a school district in a county
4 whose population is 100,000 or more, appointed by the Nevada
5 Association of School Boards;
6 (3) At least one employee of a school district in a county
7 whose population is less than 100,000, appointed by the Nevada
8 Association of School Boards; ~~and~~
9 (4) At least one representative of the Statewide Council for
10 the Coordination of the Regional Training Programs created by NRS
11 391.516, appointed by the Council; and
12 *(5) A representative from the Nevada Youth Legislature*
13 *created by NRS 385.515, appointed by the Chairman of the*
14 *Forum.*
15 (b) May be prepared in consultation with:
16 (1) Representatives of ~~institutions of higher education;~~ *the*
17 *colleges of education in the Nevada System of Higher Education;*
18 (2) Representatives of regional educational laboratories;
19 (3) Representatives of outside consultant groups;
20 (4) Representatives of the regional training programs for the
21 professional development of teachers and administrators created by
22 NRS 391.512;
23 (5) The Bureau; and
24 (6) Other persons who the State Board determines are
25 appropriate.
26 2. A plan to improve the achievement of pupils enrolled in
27 public schools in this State must include:
28 (a) A review and analysis of the data upon which the report
29 required pursuant to NRS 385.3469 is based and a review and
30 analysis of any data that is more recent than the data upon which the
31 report is based.
32 (b) The identification of any problems or factors common
33 among the school districts or charter schools in this State, as
34 revealed by the review and analysis.
35 (c) Strategies based upon scientifically based research, as
36 defined in 20 U.S.C. § 7801(37), that will strengthen the core
37 academic subjects, as set forth in NRS 389.018.
38 (d) Strategies to improve the academic achievement of pupils
39 enrolled in public schools in this State, including, without limitation,
40 strategies to:
41 (1) Instruct pupils who are not achieving to their fullest
42 potential, including, without limitation:
43 (I) The curriculum appropriate to improve achievement;



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

4 (III) An identification of the instruction and curriculum
5 that is specifically designed to improve the achievement and
6 proficiency of pupils in each group identified in paragraph (b) of
7 subsection 1 of NRS 385.361;

8 (2) Increase the rate of attendance of pupils, *improve the*
9 *percentage of pupils who graduate with a high school diploma* and
10 reduce the number of pupils who drop out of school;

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

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

14 (5) 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) and to
17 address the specific needs of the pupils enrolled in public schools in
18 this State, as deemed appropriate by the State Board.

19 (e) 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 (1) *The availability of programs of career and technical*
24 *education in public schools in this State;*

25 (2) The requirements for admission to an institution of
26 ~~higher~~ *postsecondary* education and the opportunities for financial
27 aid;

28 ~~(2)~~ (3) The availability of Governor Guinn Millennium
29 Scholarships pursuant to NRS 396.911 to 396.938, inclusive; and

30 ~~(3)~~ (4) The need for a pupil to make informed decisions
31 about his curriculum in middle school, junior high school and high
32 school in preparation for success after graduation.

33 (f) An identification ~~[, by category,]~~ of the employees of the
34 Department who are responsible for ensuring that each provision of
35 the plan is carried out effectively ~~[,]~~, *including, without limitation,*
36 *a description of the duties of those employees relating to the*
37 *achievement of pupils and the support of the success of pupils in*
38 *the classroom.*

39 (g) ~~For~~ *A timeline for carrying out the plan, including*
40 *benchmarks that indicate the rate of improvement which must be*
41 *attained annually and, for* each provision of the plan, a timeline for
42 carrying out that provision, including, without limitation, a timeline
43 for monitoring whether the provision is carried out effectively.

44 (h) For each provision of the plan, measurable criteria for
45 determining whether the provision has contributed toward



1 improving the academic achievement of pupils, increasing the rate
2 of attendance of pupils, *improving the rate of pupils who graduate*
3 *with a high school diploma* and reducing the number of pupils who
4 drop out of school.

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

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

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

22 *(l) Strategies to increase the percentage of classes that are*
23 *taught by highly qualified teachers in high-poverty schools.*

24 3. The State Board shall:

25 (a) Review the plan prepared pursuant to this section annually to
26 evaluate the effectiveness of the plan; ~~and~~

27 (b) *Examine the timeline for implementing the plan and the*
28 *timeline for implementing each provision of the plan to determine*
29 *whether the annual benchmarks have been attained;*

30 (c) Based upon the evaluation of the plan, make revisions, as
31 necessary, to ensure that ~~the~~ :

32 *(1) The benchmarks set forth in the plan are being attained*
33 *in a timely manner; and*

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

36 4. On or before December 15 of each year, the State Board
37 shall submit the plan or the revised plan, as applicable, to the:

38 (a) Governor;

39 (b) Committee;

40 (c) Bureau;

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

42 ~~(e) Council to Establish Academic Standards for Public Schools~~
43 ~~created by NRS 389.510;~~

44 ~~(f)~~ Board of trustees of each school district; and

45 ~~(g)~~ (f) Governing body of each charter school.



1 **5. On or before February 1 of each odd-numbered year, the**
2 **State Board shall submit the plan or the revised plan, as**
3 **applicable, to the Director of the Legislative Counsel Bureau for**
4 **transmission to the next regular session of the Legislature.**

5 **Sec. 21.1.** NRS 385.3782 is hereby amended to read as
6 follows:

7 385.3782 **As used in NRS 385.3782 to 385.379, inclusive,**
8 “Account” means the Account for Programs for Innovation and the
9 Prevention of Remediation created by NRS 385.379.

10 **Sec. 21.3.** NRS 385.3785 is hereby amended to read as
11 follows:

12 385.3785 1. The **[Commission] State Board** shall:

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

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

18 (2) The plan to improve the achievement of pupils prepared
19 by the board of trustees of each school district pursuant to
20 NRS 385.348;

21 (3) The plan to improve the achievement of pupils prepared
22 by the principal of each school pursuant to NRS 385.357, which
23 may include a program of innovation; and

24 (4) Any other information that the **[Commission] State**
25 **Board** considers relevant to the development of the program of
26 educational excellence.

27 (b) Identify programs, practices and strategies that have proven
28 effective in improving the academic achievement and proficiency of
29 pupils.

30 (c) Develop a concise application and simple procedures for the
31 submission of applications by public schools and consortiums of
32 public schools, including, without limitation, charter schools, for
33 participation in a program of educational excellence and for grants
34 of money from the Account. Grants of money must be made for
35 programs designed for the achievement of pupils that are linked to
36 the plan to improve the achievement of pupils or for innovative
37 programs, or both. The **[Commission] State Board** shall not award a
38 grant of money from the Account for a program to provide full-day
39 kindergarten. All public schools and consortiums of public schools,
40 including, without limitation, charter schools, are eligible to submit
41 such an application, regardless of whether the schools have made
42 adequate yearly progress or failed to make adequate yearly progress.
43 A public school or a consortium of public schools selected for
44 participation may be approved by the **[Commission] State Board** for
45 participation for a period not to exceed 2 years, but may reapply.



1 (d) Prescribe a long-range timeline for the review, approval and
2 evaluation of applications received from public schools and
3 consortiums of public schools that desire to participate in the
4 program.

5 (e) Establish guidelines for the review, evaluation and approval
6 of applications for grants of money from the Account, including,
7 without limitation, consideration of the list of priorities of public
8 schools provided by the Department pursuant to subsection 5. To
9 ensure consistency in the review, evaluation and approval of
10 applications, if the guidelines authorize the review and evaluation of
11 applications by less than the entire membership of the
12 ~~[Commission,]~~ *State Board or by an advisory committee appointed*
13 *pursuant to subsection 9*, money must not be allocated from the
14 Account for a grant until the entire membership of
15 the ~~[Commission]~~ *State Board* has reviewed and approved the
16 application for the grant.

17 (f) Prescribe accountability measures to be carried out by a
18 public school that participates in the program if that public school
19 does not meet the annual measurable objectives established by the
20 State Board pursuant to NRS 385.361, including, without limitation:

21 (1) The specific levels of achievement expected of schools
22 that participate; and

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

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

31 (h) Allocate money to public schools and consortiums of public
32 schools from the Account. Allocations must be distributed not later
33 than August 15 of each year.

34 (i) Establish criteria for public schools and consortiums of
35 public schools that participate in the program and receive an
36 allocation of money from the Account to evaluate the effectiveness
37 of the allocation in improving the achievement of pupils, including,
38 without limitation, a detailed analysis of:

39 (1) The achievement of pupils enrolled at each school that
40 received money from the allocation based upon measurable criteria
41 identified in the plan to improve the achievement of pupils for the
42 school prepared pursuant to NRS 385.357;

43 (2) If applicable, the effectiveness of the program of
44 innovation on the achievement of pupils and the overall
45 effectiveness for pupils and staff;



1 (3) The implementation of the applicable plans for
2 improvement, including, without limitation, an analysis of whether
3 the school is meeting the measurable objectives identified in the
4 plan; and

5 (4) The attainment of measurable progress on the annual list
6 of adequate yearly progress of school districts and schools.

7 2. To the extent money is available, the **[Commission] State**
8 **Board** shall make allocations of money to public schools and
9 consortiums of public schools for effective programs for grades 7
10 through 12 that are designed to improve the achievement of pupils
11 and effective programs of innovation for pupils. In making such
12 allocations, the **[Commission] State Board** shall comply with the
13 requirements of subsection 1.

14 3. The **[Commission] State Board** shall ensure, to the extent
15 practicable, that grants of money provided pursuant to this section
16 reflect the economic and geographic diversity of this State.

17 4. If a public school or consortium that receives money
18 pursuant to subsection 1 or 2:

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

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

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

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

31 5. On or before July 1 of each year, the Department shall
32 provide a list of priorities of public schools that indicates:

33 (a) The adequate yearly progress status of schools in the
34 immediately preceding year; **[and]**

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

39 **(c) The status of the public schools in achieving the goals and**
40 **measurable outcomes prescribed by the State Board pursuant to**
41 **NRS 385.075,**

42 ➔ for consideration by the **[Commission] State Board** in its
43 development of procedures for the applications.

44 6. A public school, including, without limitation, a charter
45 school, or a consortium of public schools may request assistance



1 from the school district in which the school is located in preparing
2 an application for a grant of money pursuant to this section. A
3 school district shall assist each public school or consortium of
4 public schools that requests assistance pursuant to this subsection to
5 ensure that the application of the school:

6 (a) Is based directly upon the plan to improve the achievement
7 of pupils prepared for the school pursuant to NRS 385.357;

8 (b) Is developed in accordance with the criteria established by
9 the ~~{Commission;}~~ *State Board*; and

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

12 ➔ A school district may make recommendations to the individual
13 schools and consortiums of public schools. Such schools and
14 consortiums of public schools are not required to follow the
15 recommendations of a school district.

16 7. In carrying out the requirements of this section, the
17 ~~{Commission}~~ *State Board* shall review and consider the programs
18 of remedial study adopted by the Department pursuant to NRS
19 385.389, the list of approved providers of supplemental services
20 maintained by the Department pursuant to NRS 385.384 and the
21 recommendations submitted by the Committee pursuant to NRS
22 218.5354 concerning programs, practices and strategies that have
23 proven effective in improving the academic achievement and
24 proficiency of pupils.

25 8. If a consortium of public schools is formed for the purpose
26 of submitting an application pursuant to this section, the public
27 schools within the consortium do not need to be located within the
28 same school district.

29 *9. The State Board may appoint an advisory committee*
30 *composed of six members who are qualified and who represent*
31 *the ethnic and geographic diversity of the State to carry out the*
32 *provisions of this section. The advisory committee serves at the*
33 *pleasure of the State Board and without compensation unless an*
34 *appropriation or other money for that purpose is provided by the*
35 *Legislature.*

36 **Sec. 21.5.** NRS 385.3787 is hereby amended to read as
37 follows:

38 385.3787 1. A public school or consortium of public schools
39 that receives an allocation of money from the Account shall:

40 (a) Account for the money separately;

41 (b) Use the money to supplement and not replace the money that
42 would otherwise be expended by the school district or public school
43 for the achievement of pupils in kindergarten through grade 6 or
44 pupils in grades 7 through 12, as applicable; and



1 (c) Submit an evaluation of the effectiveness of the allocation in
2 improving the achievement of pupils in kindergarten through grade
3 6 or pupils in grades 7 through 12, as applicable, in accordance with
4 the criteria for evaluation established by the ~~[Commission]~~ *State*
5 *Board* pursuant to NRS 385.3785.

6 2. A public school or consortium of public schools that
7 receives an allocation of money from the Account shall not:

8 (a) Use the money to settle or arbitrate disputes or negotiate
9 settlements between an organization that represents licensed
10 employees of the school district or public school and the school
11 district or public school, as applicable.

12 (b) Use the money to adjust the schedules of salaries and
13 benefits of the employees of the school district or public school, as
14 applicable.

15 **Sec. 21.7.** NRS 385.3789 is hereby amended to read as
16 follows:

17 385.3789 1. The ~~[Commission]~~ *State Board* shall prepare an
18 annual report that describes the distribution of money to the public
19 schools and consortiums of public schools and the programs for
20 which money was allocated from the Account, including, without
21 limitation, the total amount of money allocated:

22 (a) To each consortium of public schools, with a designation of
23 which public schools are included in each consortium;

24 (b) To each public school;

25 (c) To schools included on the list of priorities of schools
26 provided by the Department pursuant to NRS 385.3785;

27 (d) For programs that provide services directly to pupils for
28 remediation and innovation, including, without limitation,
29 instruction, instructional materials and support materials;

30 (e) For programs that provide instructional support and have an
31 indirect effect on pupils, including, without limitation, the provision
32 of professional development for educational personnel and the
33 employment of administrators; ~~and~~

34 (f) For each program, including, without limitation:

35 (1) A description of the program, including, without
36 limitation, whether the program is available commercially;

37 (2) Whether the ~~[Commission]~~ *State Board* considers the
38 program to be innovative;

39 (3) Whether the program includes the provision of
40 professional development other than professional development that
41 is related to carrying out a program that provides services directly to
42 pupils;

43 (4) The costs to implement the program; and

44 (5) The full-time personnel necessary to implement the
45 program, if any ~~[]~~; *and*



1 (g) *For evaluations of programs for which money was*
2 *allocated from the Account pursuant to subsection 3 of*
3 *NRS 385.379.*

4 ➔ The report must be submitted on or before September 1 of each
5 year to the entities identified in subsection 3.

6 2. The ~~[Commission]~~ *State Board* shall:

7 (a) Prepare an annual report that describes:

8 (1) The activities of the ~~[Commission]~~ *State Board relating*
9 *to the provisions of NRS 385.3782 to 385.379, inclusive;*

10 (2) An analysis of the progress of *and strategies proposed by*
11 the public schools in carrying out the plans to improve the
12 achievement of pupils; and

13 (3) An analysis of the progress of *and strategies proposed by*
14 the public schools and consortiums of public schools that received
15 an allocation of money from the Account in improving the
16 achievement of pupils.

17 (b) Submit the report on or before January 31 of each year to the
18 entities identified in subsection 3.

19 3. The ~~[Commission]~~ *State Board* shall submit the reports
20 required by this section to the:

21 (a) ~~[State Board];~~

22 ~~—(b)]~~ Governor;

23 ~~[(e)]~~ (b) Committee;

24 ~~[(d)]~~ (c) Bureau;

25 ~~[(e)]~~ (d) Interim Finance Committee; and

26 ~~[(f)]~~ (e) Board of trustees of each school district.

27 4. The Legislative Auditor shall audit biennially the programs
28 for which public schools and consortiums of public schools receive
29 an allocation of money. The audit may include a representative
30 sample of programs, based upon geographic location and type of
31 program. The Legislative Auditor shall report the results of each
32 biennial audit to the entities prescribed in subsection 3.

33 **Sec. 21.9.** NRS 385.379 is hereby amended to read as follows:

34 385.379 1. The Account for Programs for Innovation and the
35 Prevention of Remediation is hereby created in the State General
36 Fund, to be administered by the *State Superintendent* ~~[of Public~~
37 ~~Instruction.]~~ *for Education.* The *State Superintendent* ~~[of Public~~
38 ~~Instruction.]~~ may accept gifts and grants of money from any source
39 for deposit in the Account. Any money from gifts and grants may be
40 expended in accordance with the terms and conditions of the gift or
41 grant, or in accordance with subsection 2 or 3. The interest and
42 income earned on the sum of:

43 (a) The money in the Account; and

44 (b) Unexpended appropriations made to the Account from the
45 State General Fund,



1 ↳ must be credited to the Account. Any money remaining in the
2 Account at the end of a fiscal year does not revert to the State
3 General Fund, and the balance in the Account must be carried
4 forward to the next fiscal year.

5 2. Except as otherwise provided in ~~[NRS 385.3784 and]~~
6 subsection 3, the money in the Account may only be used for the
7 allocation of money to public schools and consortiums of public
8 schools whose applications are approved by the ~~[Commission]~~ *State*
9 *Board* pursuant to NRS 385.3785.

10 3. Upon the request of the ~~[Commission:]~~ *State Board:*

11 (a) Not more than \$50,000 in the Account may be used each
12 biennium to pay:

13 (1) The expenses incurred by members of the ~~[Commission]~~
14 *State Board* to travel to the public schools and consortiums of
15 public schools that received allocations of money from the Account;
16 and

17 (2) The costs incurred by the ~~[Commission]~~ *State Board* to
18 hold meetings or conferences for representatives of public schools
19 and consortiums of schools that received allocations of money from
20 the Account to discuss or display, or both, programs, practices and
21 strategies that have proven effective in improving the academic
22 achievement and proficiency of pupils.

23 (b) Not more than \$450,000 in the Account may be used each
24 biennium to pay for an evaluation of the programs for which money
25 was allocated from the Account. If the ~~[Commission]~~ *State Board*
26 uses money in the Account for such an evaluation, the
27 ~~[Commission]~~ *State Board* shall ensure that:

28 (1) A request for proposals is issued and a qualified,
29 independent consultant is selected to conduct the evaluation;

30 (2) Upon selection of the consultant, the ~~[Commission]~~ *State*
31 *Board* receives approval of the consultant and the plan for the
32 evaluation from the Committee;

33 (3) The evaluation is designed to determine the effectiveness
34 of the programs for which money was allocated from the Account in
35 improving the achievement of pupils;

36 (4) The evaluation includes an identification of the programs
37 for which money was allocated from the Account that did not
38 improve the achievement of pupils as described in the approved
39 application for the grant;

40 (5) The evaluation includes an identification of the public
41 schools and consortiums of public schools that did not implement
42 the programs for which money was allocated from the Account as
43 described in the approved application for the grant; and



1 (6) The evaluation includes a compilation and review of each
2 evaluation required to be submitted by public schools and
3 consortiums of public schools pursuant to NRS 385.3787.

4 **Sec. 22.** (Deleted by amendment.)

5 **Sec. 23.** (Deleted by amendment.)

6 **Sec. 24.** (Deleted by amendment.)

7 **Sec. 25.** (Deleted by amendment.)

8 **Sec. 26.** (Deleted by amendment.)

9 **Sec. 27.** NRS 385.389 is hereby amended to read as follows:

10 385.389 1. The Department shall adopt programs of remedial
11 study for each subject tested on the examinations administered
12 pursuant to NRS 389.015, including, without limitation, programs
13 that are designed for pupils who are limited English proficient. The
14 programs adopted for pupils who are limited English proficient must
15 be designed to:

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

17 (b) Assist those pupils with attaining proficiency in the English
18 language.

19 ➔ In adopting these programs of remedial study, the Department
20 shall consider the recommendations submitted by the Committee
21 pursuant to NRS 218.5354 and programs of remedial study that
22 have proven to be successful in improving the academic
23 achievement of pupils.

24 2. If a school fails to make adequate yearly progress or if less
25 than 60 percent of the pupils enrolled in a school who took the
26 examinations administered pursuant to NRS 389.015 received an
27 average score on those examinations that is at least equal to the 26th
28 percentile of the national reference group of pupils to which the
29 examinations were compared, the school shall adopt a program of
30 remedial study that has been adopted by the Department pursuant to
31 subsection 1 or a program, practice or strategy recommended by the
32 ~~{Commission on Educational Excellence pursuant to NRS~~
33 ~~385.3785.}~~ *Committee pursuant to NRS 218.5354*, or any
34 combination thereof, as applicable.

35 3. A school district that includes a school described in
36 subsection 2 shall ensure that each of the pupils enrolled in the
37 school who failed to demonstrate at least adequate achievement on
38 the examinations administered pursuant to NRS 389.015 completes,
39 in accordance with the requirements set forth in subsection 4 of
40 NRS 389.015, remedial study that is determined to be appropriate
41 for the pupil.

42 **Sec. 28.** NRS 385.620 is hereby amended to read as follows:

43 385.620 The Advisory Council shall:



1 1. Review the policy of parental involvement adopted by the
2 State Board and the policy of parental involvement adopted by the
3 board of trustees of each school district pursuant to NRS 392.457;

4 2. Review the information relating to communication with and
5 participation of parents that is included in the annual report of
6 accountability for each school district pursuant to paragraph (j) of
7 subsection 2 of NRS 385.347;

8 3. Review any effective practices carried out in individual
9 school districts to increase parental involvement and determine the
10 feasibility of carrying out those practices on a statewide basis;

11 4. Review any effective practices carried out in other states to
12 increase parental involvement and determine the feasibility of
13 carrying out those practices in this State;

14 5. Identify methods to communicate effectively and provide
15 outreach to parents and legal guardians of pupils who have limited
16 time to become involved in the education of their children for
17 various reasons, including, without limitation, work schedules,
18 single-parent homes and other family obligations;

19 6. Identify the manner in which the level of parental
20 involvement affects the performance, attendance and discipline of
21 pupils;

22 7. Identify methods to communicate effectively with and
23 provide outreach to parents and legal guardians of pupils who are
24 limited English proficient;

25 8. Determine the necessity for the appointment of a statewide
26 parental involvement coordinator or a parental involvement
27 coordinator in each school district, or both;

28 9. On or before July 1 of each year, submit a report to the *State*
29 *Board and the* Legislative Committee on Education describing the
30 activities of the Advisory Council and any recommendations for
31 legislation; and

32 10. On or before February 1 of each odd-numbered year,
33 submit a report *to the State Board and* to the Director of the
34 Legislative Counsel Bureau for transmission to the next regular
35 session of the Legislature describing the activities of the Advisory
36 Council and any recommendations for legislation.

37 **Sec. 28.5.** NRS 386.650 is hereby amended to read as follows:

38 386.650 1. The Department shall establish and maintain an
39 automated system of accountability information for Nevada. The
40 system must:

41 (a) Have the capacity to provide and report information,
42 including, without limitation, the results of the achievement of
43 pupils:



1 (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and
2 the regulations adopted pursuant thereto, and NRS 385.3469 and
3 385.347; and

4 (2) In a separate reporting for each group of pupils identified
5 in paragraph (b) of subsection 1 of NRS 385.361;

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

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

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

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

16 (d) Have the capacity to perform a variety of longitudinal
17 analyses of the results of individual pupils on assessments,
18 including, without limitation, the results of pupils by classroom and
19 by school;

20 (e) Have the capacity to identify which teachers are assigned to
21 individual pupils and which paraprofessionals, if any, are assigned
22 to provide services to individual pupils;

23 (f) Have the capacity to provide other information concerning
24 schools and school districts that is not linked to individual pupils,
25 including, without limitation, the designation of schools and school
26 districts pursuant to NRS 385.3623 and 385.377, respectively, and
27 an identification of which schools, if any, are persistently
28 dangerous;

29 (g) Have the capacity to access financial accountability
30 information for each public school, including, without limitation,
31 each charter school, for each school district and for this State as a
32 whole; and

33 (h) Be designed to improve the ability of the Department, school
34 districts and the public schools in this State, including, without
35 limitation, charter schools, to account for the pupils who are
36 enrolled in the public schools, including, without limitation, charter
37 schools.

38 ↪ The information maintained pursuant to paragraphs (c), (d) and
39 (e) must be used for the purpose of improving the achievement of
40 pupils and improving classroom instruction . ~~but must not be used~~
41 ~~for the purpose of evaluating an individual teacher or~~
42 ~~paraprofessional.]~~

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

44 (a) Adopt and maintain the program prescribed by the *State*
45 Superintendent ~~[of Public Instruction]~~ *for Education* pursuant to



1 subsection 3 for the collection, maintenance and transfer of data
2 from the records of individual pupils to the automated system of
3 information, including, without limitation, the development of plans
4 for the educational technology which is necessary to adopt and
5 maintain the program;

6 (b) Provide to the Department electronic data concerning pupils
7 as required by the *State* Superintendent ~~[of Public Instruction]~~ *for*
8 *Education* pursuant to subsection 3; and

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

11 3. The *State* Superintendent ~~[of Public Instruction]~~ *for*
12 *Education* shall:

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

16 (b) Prescribe the data to be collected and reported to the
17 Department by each school district and each sponsor of a charter
18 school pursuant to subsection 2 and by each university school for
19 profoundly gifted pupils;

20 (c) Prescribe the format for the data;

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

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

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

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

30 (1) Individual pupils;

31 (2) Individual teachers and paraprofessionals;

32 (3) Individual schools and school districts; and

33 (4) Programs and financial information;

34 (h) Provide technical assistance to each school district to ensure
35 that the data from each public school in the school district,
36 including, without limitation, each charter school and university
37 school for profoundly gifted pupils located within the school
38 district, is compatible with the automated system of information and
39 comparable to the data reported by other school districts; and

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

42 4. The Department shall establish, to the extent authorized by
43 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
44 1232g, and any regulations adopted pursuant thereto, a mechanism
45 by which persons or entities, including, without limitation, state



1 officers who are members of the Executive or Legislative Branch,
2 administrators of public schools and school districts, teachers and
3 other educational personnel, and parents and guardians, will have
4 different types of access to the accountability information contained
5 within the automated system to the extent that such information is
6 necessary for the performance of a duty or to the extent that such
7 information may be made available to the general public without
8 posing a threat to the confidentiality of an individual pupil.

9 5. The Department may, to the extent authorized by the Family
10 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,
11 and any regulations adopted pursuant thereto, enter into an
12 agreement with the Nevada System of Higher Education to provide
13 access to data contained within the automated system for research
14 purposes.

15 **Sec. 29.** (Deleted by amendment.)

16 **Sec. 30.** (Deleted by amendment.)

17 **Sec. 31.** NRS 388.795 is hereby amended to read as follows:

18 388.795 1. The ~~Commission~~ *Department* shall establish a
19 plan for the use of educational technology in the public schools of
20 this State. In preparing the plan, the ~~Commission~~ *Department*
21 shall consider:

22 (a) Plans that have been adopted by ~~the Department and~~ the
23 school districts *and charter schools* in this State;

24 (b) Plans that have been adopted in other states;

25 (c) The information reported pursuant to paragraph (t) of
26 subsection 2 of NRS 385.347;

27 (d) The results of the assessment of needs conducted pursuant to
28 subsection ~~6;~~ *5*; and

29 (e) Any other information that the ~~Commission~~ *Department* or
30 the *Legislative* Committee *on Education* deems relevant to the
31 preparation of the plan.

32 2. The plan established by the ~~Commission~~ *Department* must
33 include recommendations for methods to:

34 (a) Incorporate educational technology into the public schools of
35 this State;

36 (b) Increase the number of pupils in the public schools of this
37 State who have access to educational technology;

38 (c) Increase the availability of educational technology to assist
39 licensed teachers and other educational personnel in complying with
40 the requirements of continuing education, including, without
41 limitation, the receipt of credit for college courses completed
42 through the use of educational technology;

43 (d) Facilitate the exchange of ideas to improve the achievement
44 of pupils who are enrolled in the public schools of this State; and



1 (e) Address the needs of teachers in incorporating the use of
2 educational technology in the classroom, including, without
3 limitation, the completion of training that is sufficient to enable the
4 teachers to instruct pupils in the use of educational technology.

5 3. ~~{The Department shall provide:~~

6 ~~—(a) Administrative support;~~

7 ~~—(b) Equipment; and~~

8 ~~—(c) Office space;~~

9 ~~→ as is necessary for the Commission to carry out the provisions of
10 this section.~~

11 ~~—4.} The following entities shall cooperate with the
12 {Commission} Department in carrying out the provisions of this
13 section:~~

14 (a) The State Board.

15 (b) The board of trustees of each school district.

16 (c) The superintendent of schools of each school district.

17 (d) The ~~{Department}.~~

18 ~~—5.} governing body of each charter school.~~

19 4. The ~~{Commission} Department~~ shall:

20 (a) Develop technical standards for educational technology and
21 any electrical or structural appurtenances necessary thereto,
22 including, without limitation, uniform specifications for computer
23 hardware and wiring, to ensure that such technology is compatible,
24 uniform and can be interconnected throughout the public schools of
25 this State.

26 (b) Allocate money to the school districts ~~{from the Trust Fund
27 for Educational Technology created pursuant to NRS 388.800} and
28 charter schools pursuant to paragraph (a) of subsection 2 of
29 section 5.5 of this act~~ and any money appropriated by the
30 Legislature for educational technology, subject to any priorities for
31 such allocation established by the Legislature.

32 (c) Establish criteria for the board of trustees of a school district
33 ~~and governing bodies of charter schools~~ that ~~{receives} receive~~ an
34 allocation of money from the ~~{Commission} Department pursuant
35 to paragraph (a) of subsection 2 of section 5.5 of this act~~ to:

36 (1) Repair, replace and maintain computer systems.

37 (2) Upgrade and improve computer hardware and software
38 and other educational technology.

39 (3) Provide training, installation and technical support related
40 to the use of educational technology within the district ~~{ } or charter
41 school.~~

42 (d) Submit to the Governor ~~{ } and~~ the *Legislative* Committee
43 ~~{and the Department} on Education~~ its plan for the use of
44 educational technology in the public schools of this State and any
45 recommendations for legislation.



1 (e) Review the plan annually and make revisions as ~~{it}~~ *the*
2 *Department* deems necessary . ~~{or as directed by the Committee or~~
3 ~~the Department.}~~

4 (f) In addition to the recommendations set forth in the plan
5 pursuant to subsection 2, make further recommendations to the
6 *Legislative* Committee ~~{and the Department}~~ *on Education* as the
7 ~~{Commission}~~ *Department* deems necessary.

8 ~~{6.}~~ 5. During the spring semester of each even-numbered
9 school year, the ~~{Commission}~~ *Department* shall conduct an
10 assessment of the needs of each school district *and charter school*
11 relating to educational technology. In conducting the assessment,
12 the ~~{Commission}~~ *Department* shall consider:

13 (a) The recommendations set forth in the plan pursuant to
14 subsection 2;

15 (b) The plan for educational technology of each school district
16 ~~{}~~ *and charter school*, if applicable;

17 (c) Evaluations of educational technology conducted for the
18 State , ~~{or}~~ for a school district ~~{}~~ *or for a charter school*, if
19 applicable; and

20 (d) Any other information deemed relevant by the
21 ~~{Commission.}~~ *Department.*

22 ➔ The ~~{Commission}~~ *Department* shall submit a final written report
23 of the assessment to the *State* Superintendent ~~{of Public Instruction}~~
24 *for Education* on or before April 1 of each even-numbered year.

25 ~~{7.}~~ 6. The *State* Superintendent ~~{of Public Instruction}~~ *for*
26 *Education* shall prepare a written compilation of the results of the
27 assessment conducted by the ~~{Commission}~~ *Department* and
28 transmit the written compilation on or before June 1 of each even-
29 numbered year to the Legislative Committee on Education and to
30 the Director of the Legislative Counsel Bureau for transmission to
31 the next regular session of the Legislature.

32 ~~{8.}~~ 7. The ~~{Commission}~~ *Department* may appoint an
33 advisory committee composed of *six* members ~~{of the Commission~~
34 ~~or other qualified persons}~~ *who are qualified and who represent the*
35 *ethnic and geographic diversity of this State* to provide
36 recommendations to the ~~{Commission}~~ *Department* regarding
37 standards for the establishment, coordination and use of a
38 telecommunications network in the public schools throughout ~~{the~~
39 ~~various school districts in}~~ this State. The advisory committee serves
40 at the pleasure of the ~~{Commission}~~ *Department* and without
41 compensation unless an appropriation or other money for that
42 purpose is provided by the Legislature.

43 ~~{9.}~~ 8. As used in this section, “public school” includes the
44 Caliente Youth Center, the Nevada Youth Training Center and any



1 other state facility for the detention of children that is operated
2 pursuant to title 5 of NRS.

3 **Sec. 32.** (Deleted by amendment.)

4 **Sec. 33.** (Deleted by amendment.)

5 **Sec. 34.** NRS 389.012 is hereby amended to read as follows:
6 389.012 1. The State Board shall:

7 (a) In accordance with guidelines established by the National
8 Assessment Governing Board and National Center for Education
9 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
10 regulations adopted pursuant thereto, adopt regulations requiring the
11 schools of this State that are selected by the National Assessment
12 Governing Board or the National Center for Education Statistics to
13 participate in the examinations of the National Assessment of
14 Educational Progress.

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

16 (1) Governor;

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

18 (3) Legislative Committee on Education created pursuant to
19 NRS 218.5352; and

20 (4) Legislative Bureau of Educational Accountability and
21 Program Evaluation created pursuant to NRS 218.5356.

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

25 (1) The results of pupils throughout this country who
26 participated in the examinations of the National Assessment of
27 Educational Progress; and

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

30 2. If the report required by subsection 1 indicates that the
31 percentage of pupils enrolled in the public schools in this State who
32 are proficient on the National Assessment of Educational Progress
33 differs by more than 10 percent of the pupils who are proficient on
34 the examinations administered pursuant to NRS 389.550 and the
35 high school proficiency examination administered pursuant to NRS
36 389.015, the Department shall prepare a written report describing
37 the discrepancy. The report must include, without limitation, a
38 comparison and evaluation of:

39 (a) The standards of content and performance for English and
40 mathematics established pursuant to NRS 389.520 with the
41 standards for English and mathematics that are tested on the
42 National Assessment.

43 (b) The standards for proficiency established for the National
44 Assessment with the standards for proficiency established for the
45 examinations that are administered pursuant to NRS 389.550 and



1 the high school proficiency examination administered pursuant to
2 NRS 389.015.

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

- 5 (a) Governor;
- 6 (b) Legislative Committee on Education;
- 7 (c) Legislative Bureau of Educational Accountability and
8 Program Evaluation; and
- 9 (d) ~~{Council to Establish Academic Standards for Public
10 Schools.} State Board.~~

11 4. The ~~{Council to Establish Academic Standards for Public
12 Schools.} State Board~~ shall review and evaluate the report provided
13 to the ~~{Council.} State Board~~ pursuant to subsection 3 to identify any
14 discrepancies in the standards of content and performance
15 established by the ~~{Council.} State Board~~ that require revision and a
16 timeline for carrying out the revision, if necessary. The ~~{Council.}
17 State Board~~ shall submit a written report of its review and
18 evaluation to the Legislative Committee on Education and
19 Legislative Bureau of Educational Accountability and Program
20 Evaluation.

21 **Sec. 35.** (Deleted by amendment.)

22 **Sec. 36.** NRS 389.019 is hereby amended to read as follows:

23 389.019 Except as otherwise provided in NRS 389.180, boards
24 of trustees of school districts in this State shall enforce in schools:

25 1. The standards of content and performance established by the
26 ~~{Council to Establish Academic Standards for Public Schools.} State
27 Board~~ and the courses of study related to those standards; and

28 2. The courses of study prescribed and adopted by the State
29 Board.

30 **Sec. 37.** NRS 389.520 is hereby amended to read as follows:

31 389.520 1. The ~~{Council.} State Board~~ shall:

32 (a) Establish standards of content and performance, including,
33 without limitation, a prescription of the resulting level of
34 achievement, for the grade levels set forth in subsection 2, based
35 upon the content of each course, that is expected of pupils for the
36 following courses of study:

- 37 (1) English, including reading, composition and writing;
- 38 (2) Mathematics;
- 39 (3) Science;
- 40 (4) Social studies, which includes only the subjects of
41 history, geography, economics and government;
- 42 (5) The arts;
- 43 (6) Computer education and technology;
- 44 (7) Health; and
- 45 (8) Physical education.



1 (b) Establish a schedule for the periodic review and, if
2 necessary, revision of the standards of content and performance. The
3 review must include, without limitation, the review required
4 pursuant to NRS 389.570 of the results of pupils on the
5 examinations administered pursuant to NRS 389.550.

6 (c) Assign priorities to the standards of content and performance
7 relative to importance and degree of emphasis and revise the
8 standards, if necessary, based upon the priorities.

9 2. The ~~{Council}~~ *State Board* shall establish *and adopt*
10 standards of content and performance for each grade level in
11 kindergarten and grades 1 to 8, inclusive, for English and
12 mathematics. The ~~{Council}~~ *State Board* shall establish *and adopt*
13 standards of content and performance for the grade levels selected
14 by the ~~{Council}~~ *State Board* for the other courses of study
15 prescribed in subsection 1.

16 3. ~~{The Council shall forward to the State Board the standards~~
17 ~~of content and performance established by the Council for each~~
18 ~~course of study. The State Board shall:~~

19 ~~—(a) Adopt the standards for each course of study, as submitted~~
20 ~~by the Council; or~~

21 ~~—(b) If the State Board objects to the standards for a course of~~
22 ~~study or a particular grade level for a course of study, return those~~
23 ~~standards to the Council with a written explanation setting forth the~~
24 ~~reason for the objection.~~

25 ~~—4. If the State Board returns to the Council the standards of~~
26 ~~content and performance for a course of study or a grade level, the~~
27 ~~Council shall:~~

28 ~~—(a) Consider the objection provided by the State Board and~~
29 ~~determine whether to revise the standards based upon the objection;~~
30 ~~and~~

31 ~~—(b) Return the standards or the revised standards, as applicable,~~
32 ~~to the State Board.~~

33 ~~→ The State Board shall adopt the standards of content and~~
34 ~~performance or the revised standards, as applicable.~~

35 ~~—5. The Council shall work in cooperation with the} The State~~
36 ~~Board {to} shall~~ prescribe the examinations required by
37 NRS 389.550.

38 **Sec. 38.** NRS 389.530 is hereby amended to read as follows:

39 389.530 ~~{1. The Department shall provide:~~

40 ~~—(a) Administrative support;~~

41 ~~—(b) Equipment; and~~

42 ~~—(c) Office space,~~

43 ~~→ as is necessary for the Council to carry out its duties.~~

44 ~~—2. The Council may request assistance from any agency of this~~
45 ~~state if the assistance is necessary for the Council to carry out its~~



1 ~~duties.]~~ *The State Board may appoint an advisory committee*
2 *composed of six members who are qualified and who represent the*
3 *ethnic and geographic diversity of this State to carry out the*
4 *provisions of NRS 389.520 to 389.570, inclusive. The advisory*
5 *committee serves at the pleasure of the State Board and without*
6 *compensation unless an appropriation or other money for that*
7 *purpose is provided by the Legislature.*

8 **Sec. 39.** NRS 389.540 is hereby amended to read as follows:

9 389.540 The board of trustees of each school district shall
10 conduct a periodic review of the courses of study offered in the
11 public schools of the school district to determine whether the
12 courses of study comply with the standards of content and
13 performance established by the ~~Council]~~ *State Board* pursuant to
14 NRS 389.520 and if revision of the courses of study is necessary to
15 ensure compliance.

16 **Sec. 40.** NRS 389.550 is hereby amended to read as follows:

17 389.550 1. The State Board shall ~~[, in consultation with the~~
18 ~~Council.]~~ prescribe examinations that comply with 20 U.S.C. §
19 6311(b)(3) and that measure the achievement and proficiency of
20 pupils:

21 (a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content
22 established by the ~~Council]~~ *State Board* for the subjects of English
23 and mathematics.

24 (b) For grades 5 and 8, in the standards of content established by
25 the ~~Council]~~ *State Board* for the subject of science.

26 ➤ The examinations prescribed pursuant to this subsection must be
27 written, developed, printed and scored by a nationally recognized
28 testing company.

29 2. In addition to the examinations prescribed pursuant to
30 subsection 1, the State Board shall ~~[, in consultation with the~~
31 ~~Council.]~~ prescribe a writing examination for grades 5 and 8 and for
32 the high school proficiency examination.

33 3. The board of trustees of each school district and the
34 governing body of each charter school shall administer the
35 examinations prescribed by the State Board. The examinations must
36 be:

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

40 (b) Administered in each school in accordance with uniform
41 procedures adopted by the State Board. The Department shall
42 monitor the school districts and individual schools to ensure
43 compliance with the uniform procedures.

44 (c) Administered in each school in accordance with the plan
45 adopted pursuant to NRS 389.616 by the Department and with the



1 plan adopted pursuant to NRS 389.620 by the board of trustees of
2 the school district in which the examinations are administered. The
3 Department shall monitor the compliance of school districts and
4 individual schools with:

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

6 (2) The plan adopted by the board of trustees of the
7 applicable school district, to the extent that the plan adopted by the
8 board of trustees of the school district is consistent with the plan
9 adopted by the Department.

10 **Sec. 41.** NRS 389.560 is hereby amended to read as follows:

11 389.560 1. The State Board shall adopt regulations that
12 require the board of trustees of each school district and the
13 governing body of each charter school to submit to the *State*
14 Superintendent ~~[of Public Instruction,]~~ *for Education*, the
15 Department and the ~~[Council,]~~ *State Board*, in the form and manner
16 prescribed by the Superintendent, the results of the examinations
17 administered pursuant to NRS 389.550. The State Board shall not
18 include in the regulations any provision that would violate the
19 confidentiality of the test scores of an individual pupil.

20 2. The results of the examinations must be reported for each
21 school, including, without limitation, each charter school, school
22 district and this State, as follows:

23 (a) The percentage of pupils who have demonstrated
24 proficiency, as defined by the Department, and took the
25 examinations under regular testing conditions; and

26 (b) The percentage of pupils who have demonstrated
27 proficiency, as defined by the Department, and took the
28 examinations with modifications or accommodations, if such
29 reporting does not violate the confidentiality of the test scores of any
30 individual pupil.

31 3. Not later than 10 days after the Department receives the
32 results of the examinations, the Department shall transmit a copy of
33 the results to the Legislative Bureau of Educational Accountability
34 and Program Evaluation in a manner that does not violate the
35 confidentiality of the test scores of any individual pupil.

36 4. On or before July 1 of each year, each school district and
37 each charter school shall report to the Department the following
38 information for each examination administered in the public schools
39 in the school district or charter school:

40 (a) The examination administered;

41 (b) The grade level or levels of pupils to whom the examination
42 was administered;

43 (c) The costs incurred by the school district or charter school in
44 administering each examination; and



1 (d) The purpose, if any, for which the results of the examination
2 are used by the school district or charter school.

3 ➔ On or before September 1 of each year, the Department shall
4 transmit to the Budget Division of the Department of
5 Administration and the Fiscal Analysis Division of the Legislative
6 Counsel Bureau the information submitted to the Department
7 pursuant to this subsection.

8 5. The superintendent of schools of each school district and the
9 governing body of each charter school shall certify that the number
10 of pupils who took the examinations is equal to the number of pupils
11 who are enrolled in each school in the school district or in the
12 charter school who are required to take the examinations.

13 6. In addition to the information required by subsection 4, the
14 *State Superintendent [of Public Instruction] for Education* shall:

15 (a) Report the number of pupils who were not exempt from
16 taking the examinations but were absent from school on the day that
17 the examinations were administered; and

18 (b) Reconcile the number of pupils who were required to take
19 the examinations with the number of pupils who were exempt from
20 taking the examinations or absent from school on the day that the
21 examinations were administered.

22 **Sec. 42.** NRS 389.570 is hereby amended to read as follows:

23 389.570 1. The ~~[Council]~~ *State Board* shall review the results
24 of pupils on the examinations administered pursuant to NRS
25 389.550, including, without limitation, for each school in a school
26 district and each charter school that is located within a school
27 district, a review of the results for the current school year and a
28 comparison of the progress, if any, made by the pupils enrolled in
29 the school from preceding school years.

30 2. After the completion of the review pursuant to subsection 1,
31 the ~~[Council]~~ *State Board* shall evaluate:

32 (a) Whether the standards of content and performance
33 established by the ~~[Council]~~ *State Board* require revision; and

34 (b) The success of pupils, as measured by the results of the
35 examinations, in achieving the standards of performance established
36 by the ~~[Council]~~ *State Board*.

37 3. The ~~[Council]~~ *State Board* shall report the results of the
38 evaluation conducted pursuant to subsection 2 to the ~~[State Board~~
39 ~~and the]~~ Legislative Committee on Education.

40 **Sec. 43.** (Deleted by amendment.)

41 **Sec. 44.** NRS 390.140 is hereby amended to read as follows:

42 390.140 1. The State Board shall make the final selection of
43 all textbooks to be used in the public schools in this State, except for
44 charter schools. If a textbook proposed for selection is in a subject
45 area for which standards of content have been established by the



1 ~~{Council to Establish Academic Standards for Public Schools}~~ *State*
2 *Board* pursuant to NRS 389.520, the State Board shall not select the
3 textbook unless the State Board determines that the textbook
4 adequately supports the standards for that subject area.

5 2. A textbook must not be selected by the State Board pursuant
6 to subsection 1 for use in the public schools in classes in literature,
7 history or social sciences unless it accurately portrays the cultural
8 and racial diversity of our society, including lessons on the
9 contributions made to our society by men and women from various
10 racial and ethnic backgrounds.

11 **Sec. 45.** (Deleted by amendment.)

12 **Sec. 46.** (Deleted by amendment.)

13 **Sec. 47.** (Deleted by amendment.)

14 **Sec. 47.5.** (Deleted by amendment.)

15 **Sec. 48.** (Deleted by amendment.)

16 **Sec. 49.** (Deleted by amendment.)

17 **Sec. 50.** (Deleted by amendment.)

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

19 **Sec. 52.** (Deleted by amendment.)

20 **Sec. 53.** (Deleted by amendment.)

21 **Sec. 54.** (Deleted by amendment.)

22 **Sec. 55.** (Deleted by amendment.)

23 **Sec. 56.** (Deleted by amendment.)

24 **Sec. 57.** NRS 391.038 is hereby amended to read as follows:

25 391.038 1. The State Board, in consultation with educational
26 institutions in this State which offer courses of study and training
27 for the education of teachers, the board of trustees of each school
28 district in this State and other educational personnel, shall review
29 and evaluate a course of study and training offered by an
30 educational institution which is designed to provide the education
31 required for:

32 (a) The licensure of teachers or other educational personnel;

33 (b) The renewal of licenses of teachers or other educational
34 personnel; or

35 (c) An endorsement in a field of specialization.

36 ➔ If the course of study and training meets the requirements
37 established by the State Board, it must be approved by the State
38 Board. The State Board shall not approve a course of study or
39 training unless the course of study and training provides instruction,
40 to the extent deemed necessary by the State Board, in the standards
41 of content and performance prescribed by the ~~{Council to Establish~~
42 ~~Academic Standards for Public Schools}~~ *State Board* pursuant to
43 NRS 389.520.

44 2. The State Board may review and evaluate such courses of
45 study and training itself or may recognize a course of study and



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1 training approved by a national agency for accreditation acceptable
2 to the Board.

3 3. The State Board shall adopt regulations establishing fees for
4 the review by the Board of a course of study and training submitted
5 to the Board by an educational institution.

6 4. The State Board, in consultation with educational
7 institutions in this State which offer courses of study and training
8 for the education of teachers and other educational personnel, and
9 the Nevada Association of Colleges for Teacher Education and the
10 Nevada Association of Teacher Educators, shall adopt regulations
11 governing the approval by the State Board of courses of study and
12 training which are accredited by the National Council for
13 Accreditation of Teacher Education, and those which are not so
14 accredited.

15 5. If the State Board denies or withdraws its approval of a
16 course of study or training, the educational institution is entitled to a
17 hearing and judicial review of the decision of the State Board.

18 **Sec. 58.** (Deleted by amendment.)

19 **Sec. 59.** (Deleted by amendment.)

20 **Sec. 60.** NRS 391.520 is hereby amended to read as follows:

21 391.520 1. The Statewide Council shall meet not less than
22 four times per year.

23 2. The Statewide Council shall:

24 (a) Adopt uniform standards for use by the governing body of
25 each regional training program in the review and approval by the
26 governing body of the training to be provided by the regional
27 training program pursuant to NRS 391.540 and 391.544. The
28 standards must ensure that the training provided by the regional
29 training programs includes activities set forth in 20 U.S.C. §
30 7801(34), as appropriate for the type of training offered, is of high
31 quality and is effective in addressing the training programs specified
32 in subsection 1 of NRS 391.544.

33 (b) Coordinate the dissemination of information to school
34 districts, administrators and teachers concerning the training,
35 programs and services provided by the regional training programs.

36 (c) Disseminate information to the regional training programs
37 concerning innovative and effective methods to provide professional
38 development.

39 (d) Conduct long-range planning concerning the professional
40 development needs of teachers and administrators employed in this
41 state.

42 (e) Adopt uniform procedures for use by the governing body of
43 each regional training program to report the evaluation conducted
44 pursuant to NRS 391.552.



1 *(f) Collaborate with the Nevada System of Higher Education*
2 *concerning the programs offered by the colleges of education at*
3 *the institutions within the System and the programs of*
4 *professional development for teachers.*

5 3. The Statewide Council may:

6 (a) Accept gifts and grants from any source for use by the
7 Statewide Council in carrying out its duties pursuant to this section
8 and accept gifts and grants from any source on behalf of one or
9 more regional training programs to assist with the training provided
10 pursuant to NRS 391.544; and

11 (b) Comply with applicable federal laws and regulations
12 governing the provision of federal grants to assist the Statewide
13 Council in carrying out its duties pursuant to this section and
14 comply with applicable federal laws and regulations governing the
15 provision of federal grants to assist with the training provided
16 pursuant to NRS 391.544, including, without limitation, providing
17 money from the budget of the Statewide Council to match the
18 money received from a federal grant.

19 **Sec. 61.** (Deleted by amendment.)

20 **Sec. 62.** NRS 391.544 is hereby amended to read as follows:

21 391.544 1. Based upon the assessment of needs for training
22 within the region and priorities of training adopted by the governing
23 body pursuant to NRS 391.540, each regional training program must
24 provide:

25 (a) Training for teachers in the standards established by the
26 ~~{Council to Establish Academic Standards for Public Schools}~~ *State*
27 *Board* pursuant to NRS 389.520.

28 (b) Through the Nevada Early Literacy Intervention Program
29 established for the regional training program, training for teachers
30 who teach kindergarten and grades 1, 2 or 3 on methods to teach
31 fundamental reading skills, including, without limitation:

- 32 (1) Phonemic awareness;
33 (2) Phonics;
34 (3) Vocabulary;
35 (4) Fluency;
36 (5) Comprehension; and
37 (6) Motivation.

38 (c) At least one of the following types of training:

39 (1) Training for teachers and school administrators in the
40 assessment and measurement of pupil achievement and the effective
41 methods to analyze the test results and scores of pupils to improve
42 the achievement and proficiency of pupils.

43 (2) Training for teachers in specific content areas to enable
44 the teachers to provide a higher level of instruction in their
45 respective fields of teaching. Such training must include instruction



1 in effective methods to teach in a content area provided by teachers
2 who are considered masters in that content area.

3 (3) In addition to the training provided pursuant to paragraph
4 (b) of subsection 1, training for teachers in the methods to teach
5 basic skills to pupils, such as providing instruction in reading with
6 the use of phonics and providing instruction in basic skills of
7 mathematics computation.

8 2. The training required pursuant to subsection 1 must:

9 (a) Include the activities set forth in 20 U.S.C. § 7801(34), as
10 deemed appropriate by the governing body for the type of training
11 offered.

12 (b) Include appropriate procedures to ensure follow-up training
13 for teachers and administrators who have received training through
14 the program.

15 (c) Incorporate training that addresses the educational needs of:

16 (1) Pupils with disabilities who participate in programs of
17 special education; and

18 (2) Pupils who are limited English proficient.

19 3. The governing body of each regional training program shall
20 prepare and maintain a list that identifies programs for the
21 professional development of teachers and administrators that
22 successfully incorporate:

23 (a) The standards of content and performance established by the
24 ~~[Council to Establish Academic Standards for Public Schools]~~ *State*
25 *Board* pursuant to NRS 389.520;

26 (b) Fundamental reading skills; and

27 (c) Other training listed in subsection 1.

28 ➔ The governing body shall provide a copy of the list on an annual
29 basis to school districts for dissemination to teachers and
30 administrators.

31 4. A regional training program may include model classrooms
32 that demonstrate the use of educational technology for teaching and
33 learning.

34 5. A regional training program may contract with the board of
35 trustees of a school district that is served by the regional training
36 program as set forth in NRS 391.512 to provide professional
37 development to the teachers and administrators employed by the
38 school district that is in addition to the training required by this
39 section. Any training provided pursuant to this subsection must
40 include the activities set forth in 20 U.S.C. § 7801(34), as deemed
41 appropriate by the governing body for the type of training offered.

42 6. To the extent money is available from legislative
43 appropriation or otherwise, a regional training program may provide
44 training to paraprofessionals.

45 **Sec. 63.** (Deleted by amendment.)



1 **Sec. 64.** NRS 391.556 is hereby amended to read as follows:

2 391.556 The board of trustees of each school district shall
3 submit an annual report to the State Board, the Commission, the
4 Legislative Committee on Education and the Legislative Bureau of
5 Educational Accountability and Program Evaluation that includes
6 for the immediately preceding year:

7 1. The number of teachers and administrators employed by the
8 school district who received training through the program; and

9 2. An evaluation of whether that training included the
10 standards of content and performance established by the ~~{Council to~~
11 ~~Establish Academic Standards for Public Schools}~~ *State Board*
12 pursuant to NRS 389.520.

13 **Sec. 65.** NRS 396.5195 is hereby amended to read as follows:

14 396.5195 The Board of Regents shall, in cooperation with the
15 State Board , ~~{and the Council to Establish Academic Standards for~~
16 ~~Public Schools,}~~ ensure that students enrolled in a program
17 developed by the System for the education of teachers are provided
18 instruction regarding the standards of content and performance
19 required of pupils enrolled in high schools in this State.

20 **Sec. 66.** (Deleted by amendment.)

21 **Sec. 67.** NRS 218.5354 is hereby amended to read as follows:

22 218.5354 1. The Committee may:

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

25 (1) Programs to enhance accountability in education;

26 (2) Legislative measures regarding education;

27 (3) The progress made by this State, the school districts and
28 the public schools in this State in satisfying the goals and objectives
29 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
30 et seq., ~~{and}~~ the annual measurable objectives established by the
31 State Board of Education pursuant to NRS 385.361 ~~{;}~~, *the defined*
32 *goals and benchmarks and the measurable outcomes established*
33 *by the State Board of Education pursuant to NRS 385.075;*

34 (4) Methods of financing public education;

35 (5) The condition of public education in the elementary and
36 secondary schools;

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

39 (7) The development of any programs to automate the
40 receipt, storage and retrieval of the educational records of pupils;
41 and

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

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



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

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

5 2. The Committee shall:

6 (a) In addition to any standards prescribed by the Department of
7 Education, prescribe standards for the review and evaluation of the
8 reports of the State Board of Education, school districts and public
9 schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

10 (b) For the purposes set forth in NRS 385.389, recommend to
11 the Department of Education programs of remedial study for each
12 subject tested on the examinations administered pursuant to NRS
13 389.015. In recommending these programs of remedial study, the
14 Committee shall consider programs of remedial study that have
15 proven to be successful in improving the academic achievement of
16 pupils.

17 (c) Recommend to the Department of Education providers of
18 supplemental educational services for inclusion on the list of
19 approved providers prepared by the Department pursuant to NRS
20 385.384. In recommending providers, the Committee shall consider
21 providers with a demonstrated record of effectiveness in improving
22 the academic achievement of pupils.

23 (d) For the purposes set forth in NRS 385.3785, *subsection 2 of*
24 *NRS 385.389 and section 5.5 of this act*, recommend to the
25 ~~[Commission on Educational Excellence created by NRS 385.3784]~~
26 *State Board* programs, practices and strategies that have proven
27 effective in improving the academic achievement and proficiency of
28 pupils.

29 **Sec. 68.** (Deleted by amendment.)

30 **Sec. 69.** NRS 385.017, 385.0175, 385.018, 385.019, 385.0225,
31 385.023, 385.0235, 385.024, 385.0245, 385.025, 385.0255,
32 385.0257, 385.026, 385.0265, 385.3781, 385.3783, 385.3784,
33 388.780, 388.785, 388.787, 388.790, 388.800, 388.805, 389.500 and
34 389.510 are hereby repealed.

35 **Sec. 69.3.** In addition to the study of the governance of the
36 system of K-12 public education, the committee appointed by the
37 Legislative Commission pursuant to Assembly Concurrent
38 Resolution Number 2 of the 2009 Legislature, File No. 89, shall also
39 study the establishment of a program of performance pay for
40 voluntary participation by licensed educational personnel and other
41 school personnel employed in the public schools in this State. As
42 part of the study, the interim committee shall consider and make
43 recommendations concerning:



1 1. The development of a formula for determining the classroom
2 performance of a teacher who voluntarily participates in the
3 program, including, without limitation:

4 (a) The achievement and progress made by the pupils enrolled in
5 the teacher's classroom; and

6 (b) The professional accomplishments of the teacher.

7 2. The development of a formula for determining the
8 performance of each public school for purposes of awarding
9 enhanced compensation pay to other school personnel who
10 voluntarily participate in the program, including, without limitation:

11 (a) The achievement and progress made by the pupils enrolled in
12 the public school in a manner that tracks their progress from year to
13 year; and

14 (b) The professional accomplishments of the school personnel.

15 **Sec. 69.5.** Any money remaining unexpended on June 30,
16 2009, in the Trust Fund for Educational Technology must not be
17 committed for expenditure after June 30, 2009, by the entity which
18 is responsible for the administration of the Trust Fund or any entity
19 to which money from the Trust Fund is granted or otherwise
20 transferred in any manner and must be reverted to the State General
21 Fund on or before September 18, 2009.

22 **Sec. 70.** 1. The Legislative Commission shall:

23 (a) Monitor the State Board of Education and the Department of
24 Education in carrying out the amendatory provisions of this act.

25 (b) Review the implementation of the amendatory provisions of
26 this act.

27 2. The State Board of Education and the Department of
28 Education shall work cooperatively with the Legislative
29 Commission to carry out the provisions of this section.

30 **Sec. 71.** 1. The terms of all members of the State Board of
31 Education who are incumbent on December 31, 2010, expire on that
32 date.

33 2. On or before January 1, 2011:

34 (a) The Governor shall appoint one member who meets the
35 qualifications set forth in paragraph (b) of subsection 2 of NRS
36 385.021, as amended by section 8 of this act, to a term which
37 commences on January 1, 2011, and expires on December 31, 2013.

38 (b) The Legislative Commission shall appoint one member who
39 meets the qualifications set forth in paragraph (b) of subsection 2 of
40 NRS 385.021, as amended by section 8 of this act, to a term which
41 commences on January 1, 2011, and expires on December 31, 2015.

42 (c) The Legislative Commission shall appoint one member who
43 meets the qualifications set forth in paragraph (b) of subsection 2 of
44 NRS 385.021, as amended by section 8 of this act, to a term which
45 commences on January 1, 2011, and expires on December 31, 2013.



1 (d) The Board of Regents of the University of Nevada shall
2 appoint one member who meets the qualifications set forth in
3 paragraph (c) of subsection 2 of NRS 385.021, as amended by
4 section 8 of this act, to a term which commences on January 1,
5 2011, and expires on December 31, 2015.

6 3. The member who is elected in the 2010 general election who
7 is a resident of:

8 (a) Congressional District 1, as described in NRS 304.100,
9 serves an initial term of 2 years and serves a term of 4 years
10 thereafter.

11 (b) Congressional District 2, as described in NRS 304.110,
12 serves a term of 4 years.

13 (c) Congressional District 3, as described in NRS 304.120,
14 serves a term of 4 years.

15 **Sec. 72.** 1. The terms of all members of the Commission on
16 Educational Excellence who are incumbent on June 30, 2009, expire
17 on that date.

18 2. The terms of all members of the Commission on Educational
19 Technology who are incumbent on June 30, 2009, expire on that
20 date.

21 3. The terms of all members of the Council to Establish
22 Academic Standards for Public Schools who are incumbent on
23 June 30, 2009, expire on that date.

24 **Sec. 73.** (Deleted by amendment.)

25 **Sec. 74.** 1. The Legislative Counsel shall, in preparing the:

26 (a) Reprint and supplement to the Nevada Revised Statutes with
27 respect to any section which is not amended by this act or is adopted
28 or amended by another act, appropriately change any reference to an
29 officer, agency or other entity whose responsibilities have been
30 transferred pursuant to the provisions of this act to refer to the
31 appropriate officer, agency or entity. If any internal reference is
32 made to a section repealed by this act, the Legislative Counsel shall
33 delete the reference and replace it by reference to the superseding
34 section, if any.

35 (b) Supplements to the Nevada Administrative Code,
36 appropriately change any reference to an officer, agency or other
37 entity whose responsibilities have been transferred pursuant to the
38 provisions of this act to refer to the appropriate officer, agency or
39 entity.

40 2. Any references in a bill or resolution passed by the 75th
41 Session of the Nevada Legislature to an officer, agency or other
42 entity whose name is changed or whose responsibilities have been
43 transferred pursuant to the provisions of this act to another officer,
44 agency or other entity shall be deemed to refer to the officer, agency
45 or other entity to which the responsibility is transferred.



1 **Sec. 75.** Any policies adopted by the Commission on
2 Educational Excellence pursuant to NRS 385.3781 to 385.379,
3 inclusive, before July 1, 2009:

4 1. Remain in effect and may be enforced by the Department of
5 Education and the State Board of Education as if adopted by the
6 State Board in accordance with the provisions of this act; and

7 2. May be amended or repealed by the State Board of
8 Education in accordance with the provisions of this act.

9 **Sec. 76.** On or before July 1, 2009, the:

10 1. The State Board of Education shall appoint members to the
11 advisory committee authorized pursuant to NRS 385.3785, as
12 amended by section 21.3 of this act. Persons appointed by the State
13 Board may be persons who served on the Commission for
14 Educational Excellence as it existed before the effective date of this
15 act. The term of each member appointed pursuant to this subsection
16 expires on June 30, 2011, unless the State Board decides to
17 reappoint a member.

18 2. Department of Education shall appoint members to the
19 advisory committee authorized pursuant to NRS 388.795, as
20 amended by section 31 of this act. Persons appointed by the
21 Department may be persons who served on the Commission on
22 Educational Technology as it existed before the effective date of this
23 act. The term of each member appointed pursuant to this subsection
24 expires on June 30, 2011, unless the Department decides to
25 reappoint the member.

26 3. State Board of Education shall appoint members to the
27 advisory committee authorized pursuant to NRS 389.530, as
28 amended by section 38 of this act. Persons appointed by the State
29 Board may be persons who served on the Council to Establish
30 Academic Standards for Public Schools as it existed before the
31 effective date of this act. The term of each member appointed
32 pursuant to this subsection expires on June 30, 2011, unless the
33 State Board decides to reappoint the member.

34 **Sec. 77.** 1. Any contract entered into by the Commission on
35 Educational Excellence or the Council to Establish Academic
36 Standards for Public Schools before July 1, 2009, remains in effect
37 and may be administered and enforced by the State Board of
38 Education.

39 2. Any contract entered into by the Commission on
40 Educational Technology before July 1, 2009, remains in effect and
41 may be administered and enforced by the Department of Education.

42 **Sec. 78.** 1. The Department of Personnel shall, upon the
43 request of an employee of the Department of Education or the State
44 Board of Education whose employment is terminated as a result of
45 this act, place the employee on an appropriate reemployment list



- 1 maintained by the Department of Personnel and allow a preference
2 for each of those employees on that list. The Department of
3 Personnel shall maintain each such employee on the reemployment
4 list until October 1, 2011, or until the employee is reemployed by
5 the Executive Branch of State Government, whichever occurs
6 earlier.
- 7 2. The provisions of this section apply regardless of whether
8 the employee was in the classified, unclassified or nonclassified
9 service of the State of Nevada.
- 10 **Sec. 79.** 1. This section and sections 69.3 and 69.5 become
11 effective upon passage and approval.
- 12 2. Sections 72 and 76 of this act become effective on passage
13 and approval for purposes of:
- 14 (a) Expiring terms pursuant to section 72 of this act; and
15 (b) Making appointments pursuant to section 76 of this act,
16 → and on July 1, 2009, for all other purposes.
- 17 3. Sections 8 and 71 of this act become effective upon passage
18 and approval for purposes of electing members from each of the
19 congressional districts in the 2010 general election and expiring the
20 terms of the incumbent members of the State Board of Education
21 pursuant to section 71 of this act, and on January 1, 2011, for all
22 other purposes.
- 23 4. Sections 1 to 7, inclusive, 9 to 69, inclusive, 70, 73, 74, 75,
24 77 and 78 of this act become effective on July 1, 2009.

LEADLINES OF REPEALED SECTIONS

- 385.017 Definitions.**
**385.0175 Maps of districts: Duties of Director of Legislative
Counsel Bureau.**
385.018 Maps of districts: Duties of Secretary of State.
385.019 Attachment of omitted area to appropriate district.
385.0225 District 1.
385.023 District 2.
385.0235 District 3.
385.024 District 4.
385.0245 District 5.
385.025 District 6.
385.0255 District 7.
385.0257 District 8.
385.026 District 9.
385.0265 District 10.



385.3781 Definitions.

385.3783 "Commission" defined.

385.3784 Commission: Creation; membership; terms; meetings; compensation of members; duty of Department to provide administrative support; involvement of the Legislative Counsel Bureau in activities of Commission.

388.780 Definitions.

388.785 "Commission" defined.

388.787 "Committee" defined.

388.790 Commission on Educational Technology: Creation; membership; terms; removal and vacancy; quarterly meetings required; compensation.

388.800 Trust Fund for Educational Technology: Creation; administration; interest and income; use of money in Fund.

388.805 Trust Fund for Educational Technology: Program for school districts to apply for money from Fund.

389.500 "Council" defined.

389.510 Council to Establish Academic Standards: Creation; membership; terms; compensation.

