

**REVISED PROPOSED REGULATION OF THE  
STATE BOARD OF EDUCATION**

**LCB File No. R142-16**

August 19, 2016

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

AUTHORITY: §§1-35, Clark County School District Reorganization Act §28.

A REGULATION relating to education; deeming each public school within the Clark County School District, with certain exceptions, to be a local school precinct; providing for the transfer of authority to carry out certain responsibilities on behalf of the Clark County School District to local school precincts; requiring the School District to allocate money on a per-pupil basis to local school precincts to carry out those responsibilities; providing the manner in which to determine the allocations to be made to the local school precincts; requiring the Superintendent of the School District to make certain financial estimates and determinations regarding local school precincts each year for the next school year; providing for the appointment of school associate superintendents to oversee local school precincts; providing for the establishment of an organizational team at each local school precinct; requiring a plan of operation to be developed for each local school precinct; requiring surveys to be administered each year to all persons involved with local school precincts and Central Services of the School District; requiring the Superintendent of the School District to prepare an annual report concerning the local school precincts and Central Services; requiring the School District to cooperate with the legislative Advisory Committee to Develop a Plan to Reorganize the Clark County School District during the transition to local school precincts; requiring the Department of Education to determine whether to recommend additional licensing requirements for principals of local school precincts; requiring the State Board of Education to assess the equity of certain budgeting methods used by local school precincts; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law creates an advisory committee to develop a plan and recommendations to reorganize the Clark County School District into local school precincts. Existing law also requires the State Board of Education to adopt regulations that are necessary and appropriate to carry out the plan developed by the advisory committee. (Assembly Bill No. 394, Chapter 543, Statutes of Nevada 2015) **Section 13** of this regulation deems each public school within the Clark County School District (School District), other than a charter school or a university school for profoundly gifted pupils, to be a local school precinct which is operated under site-based decision making which provides the authority to carry out certain responsibilities which have

traditionally been carried out by the School District to instead be carried out by the local school precinct. **Section 13** also prohibits the School District from reducing the size of or converting a specialty school into any other type of school except in certain circumstances. In addition, **section 13** prohibits a local school precinct from changing or affecting any zone of attendance or changing the School District's policy concerning the eligibility and selection of a pupil to attend a specialty school. **Section 11** of this regulation defines a "specialty school" as a magnet school or program, a career and technical education school or program, a special education school or program or an alternative program of education.

**Section 14** of this regulation requires the Superintendent of the School District to transfer to each local school precinct the authority to: (1) select and directly supervise the staff for the local school precinct; (2) procure from the School District or elsewhere necessary equipment, services and supplies to carry out the plan of operation for the local school precinct in accordance with applicable policies of the School District; and (3) develop a balanced budget for the local school precinct. **Section 14** provides that all other responsibilities necessary for the operation of the local school precincts and the School District remain with the School District, unless the authority to carry out such responsibilities is transferred by the Superintendent upon approval by the Board of Trustees of the School District. **Section 14** further requires the School District to procure any services or equipment necessary from another business or entity to provide maintenance and repair if the School District is unable to provide necessary maintenance or repair of buildings or grounds of a local school precinct in a timely manner. **Section 14** also requires each local school precinct to select teachers who are licensed and in good standing before selecting substitutes to teach at the local school precinct.

**Section 15** of this regulation requires the Superintendent to make certain estimates regarding items included in the budgets of the local school precincts on or before January 15 of each year. **Section 15** also requires each local school precinct to carry forward its year-end balance to the next school year and requires the School District to account for any amount that is carried forward as a restricted fund balance.

**Section 16** of this regulation requires the Superintendent, by January 15 of each year, to make certain estimates regarding funding and to estimate the amount that will be allocated to the local school precincts for the next school year. **Section 16** also requires the Superintendent to establish the extent of the authority to be provided to local school precincts to carry out certain responsibilities and the responsibilities that will remain with Central Services.

**Section 17** of this regulation sets forth the manner in which the School District must determine the allocation that will be made to each local school precinct. Money will be allocated on a per-pupil basis using a weighted formula that is established by the Department of Education. **Section 18** of this regulation requires the Superintendent, by January 15 of each year, to inform each local school precinct of the anticipated amount of money that will be allocated to the local school precinct for the next school year. **Section 18** also prescribes the manner in which the School District will account for the opening of new local school precincts when allocating money. Finally, **section 18** requires an adjustment to be made to the allocation to each local school precinct by November 1 of each year to reflect the actual pupil population at the local school precinct.

**Section 19** of this regulation requires the Superintendent to compare and make available certain financial and other information related to each local school precinct beginning November 1, 2018, and annually thereafter.

**Section 20** of this regulation requires the Superintendent to assign a school associate superintendent to oversee the local school precincts, but such a person must not be assigned to more than 25 local school precincts. **Section 20** prescribes the manner in which a vacancy in the position of a school associate superintendent must be filled. The process allows principals and certain local governmental entities to appoint representatives to participate in the initial interviews of candidates. The hiring decision and subsequent employment decisions, however, remain with the Superintendent in his or her sole discretion. In addition, before hiring a candidate, certain local governmental entities must be allowed to hold a hearing to question and receive public input regarding the candidate.

**Section 21** of this regulation prescribes the duties of a school associate superintendent and requires the school associate superintendent to be held accountable for all aspects of the performance of the local school precincts to which he or she is assigned to oversee.

**Section 22** of this regulation allows the Board of Trustees of the School District, in addition to any other fundraising carried out by the local school precincts, to accept gifts, grants and donations for the support of local school precincts and the School District.

**Section 23** of this regulation establishes certain duties of the principal of a local school precinct, including a duty to: (1) establish an organizational team for the local school precinct; (2) develop a plan of operation for the local school precinct for the next school year; (3) submit the plan of operation for the local school precinct to the school associate superintendent for approval; and (4) select the staff necessary to carry out the plan of operation for the local school precinct. **Section 34** of this regulation requires the Department of Education to determine whether principals are prepared to take on the additional responsibilities and whether to recommend revising licensing requirements or creating a separate endorsement for the principals of local school precincts.

**Section 23** also prescribes the contents of the plan of operation for a local school precinct, which must include a plan to improve the achievement of pupils and a budget for the use of the money allocated to the local school precinct. The budget must be based upon the average unit cost for each type of employee of the local school precinct and the actual cost for the procurement of equipment, services and supplies and for any other item included in the budget and must be developed in accordance with the criteria for determining budgetary priorities established by the Board of Trustees. **Section 35** of this regulation requires the Department of Education, after July 1, 2018, to assess the equity of using the average unit cost to budget for salaries and benefits of staff and recommend to the State Board of Education and the Nevada Legislature whether to continue using average unit cost in that manner.

**Section 24** of this regulation requires the principal of a local school precinct to present the plan of operation at a public meeting held at the local school precinct to which the plan of

operation applies. **Section 24** also prescribes the process by which the school associate superintendent may approve the plan of operation and requires that the plan be approved unless it violates any federal or state law or policy of the School District. **Section 28** of this regulation provides the manner in which an organizational team may appeal the plan of operation that is submitted if the team opposes any part of the plan. **Section 24** authorizes the principal to make adjustments to the budget included in the plan of operation after the plan has been approved upon consultation with the organizational team and approval of the school associate superintendent.

**Section 25** of this regulation prescribes the membership of the organizational team for a local school precinct and the manner in which the members are selected. **Section 25** establishes that the principal participates as a nonvoting member. Voting members include teachers and other licensed educational personnel and other employees of the local school precinct. In addition, a pupil must be elected to serve as a nonvoting member who assists with matters relating to the plan of operation of the local school precinct if the local school precinct is a middle school, junior high or high school. One or more nonvoting members from the community at large may be selected by the team. **Section 26** of this regulation provides for the appointment of the leadership and organization of an organizational team. **Section 27** of this regulation prescribes the duties of an organizational team which include: (1) providing assistance and advice to the principal regarding the plan of operation for the local school precinct; (2) assisting in carrying out the plan of operation; and (3) assisting with the selection of the principal of the local school precinct. **Section 27** also authorizes the organizational team to provide input regarding the principal to the school associate superintendent up to 2 times each year.

**Section 29** of this regulation authorizes the governing body of a city or the Board of County Commissioners for Clark County to establish a Community Education Advisory Board to provide advice and assistance to the organizational team of any local school precinct and the Board of Trustees of the School District.

**Section 30** of this regulation requires annual surveys to be administered to all persons involved with the local school precincts to measure their satisfaction with the local school precinct and to employees of Central Services and employees who interact with Central Services to determine how satisfied they are with the services provided. A summary of the results of the surveys must be made public.

**Section 31** of this regulation requires an annual report concerning the local school precincts to be compiled and forwarded to the Governor, the Department of Education and the Nevada Legislature.

**Section 32** of this regulation requires all costs associated with the transition to local school precincts and Central Services in the School District to be paid through the redistribution of existing funds of the School District.

**Section 33** of this regulation requires the School District and the Superintendent to cooperate with the legislative advisory committee that was created to develop the plan to reorganize the School District during the transition required by this regulation, including providing the advisory committee with any necessary financial or other information, and lists specific information which must be provided upon request. **Section 33** also requires the School District to reimburse

the advisory committee for the cost of any consultant employed by the committee to oversee the transition.

**Section 1.** Chapter 388G of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 31, inclusive, of this regulation.

**Sec. 2.** *As used in sections 2 to 31, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 12, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Board of Trustees” means the Board of Trustees of the Clark County School District.*

**Sec. 4.** *“Central Services” means the administrative staff of the Clark County School District which provide services to the schools in the School District.*

**Sec. 5.** *“Confidential information” means:*

*1. Personal information, including, without limitation, the home address, employment records, academic records and disciplinary records of a pupil or any other person; and*

*2. Any other information declared by law to be confidential.*

**Sec. 6.** *“Department” means the Nevada Department of Education.*

**Sec. 7.** *“Local school precinct” means a public school which is deemed to be a local school precinct pursuant to section 13 of this regulation.*

**Sec. 8.** *“Plan of operation” means the plan of operation for a local school precinct which is approved pursuant to section 24 of this regulation.*

**Sec. 9.** *“School associate superintendent” means a person assigned by the Superintendent to oversee the operation of designated local school precincts pursuant to section 20 of this regulation.*

**Sec. 10.** *“School District” means the Clark County School District.*

*Sec. 11. "Specialty school" means a public school that operates as a magnet school or program, a career and technical education school or program, a special education school or program or an alternative program of education.*

*Sec. 12. "Superintendent" means the Superintendent of the Clark County School District.*

*Sec. 13. 1. Except as otherwise provided in this subsection, each public school within the School District, including, without limitation, any school operating as a specialty school, shall be deemed a local school precinct. A charter school or university school for profoundly gifted pupils shall not be deemed a local school precinct.*

*2. Each local school precinct must operate using site-based decision making in which certain authority to carry out responsibilities is transferred from the School District to the local school precinct as set forth in section 14 of this regulation.*

*3. On and after the effective date of this regulation, a specialty school must not be reduced in size or converted into any other type of school unless otherwise specifically provided by law, the reduction or conversion is recommended by the local school precinct and agreed to by the Superintendent and the Board of Trustees or the Superintendent with the approval of the Board of Trustees, determines that there is good cause to reduce the size of the specialty school or convert the specialty school into another type of school.*

*4. This section does not authorize a local school precinct:*

*(a) To change, grant a waiver or in any way affect any zone of attendance which has been established pursuant to NRS 388.040.*

*(b) To change the policy of the School District concerning the eligibility and selection of a pupil to attend a specialty school.*

**Sec. 14. 1.** *Except as otherwise provided in this section, the Superintendent shall transfer authority to each local school precinct to carry out responsibilities in accordance with the plan of operation approved for the local school precinct.*

**2.** *The Superintendent shall transfer to each local school precinct the authority to carry out the following responsibilities:*

*(a) Selecting the staff for the local school precinct, including, without limitation, the selection of:*

*(1) Teachers;*

*(2) Administrators other than the principal; and*

*(3) Other staff who work under the direct supervision of the principal.*

*(b) Direct supervision of the staff of the local school precinct including, without limitation, taking any necessary disciplinary action that does not involve a violation of law or which does not require an investigation to comply with the law.*

*(c) Procurement of such equipment, services and supplies as the local school precinct deems necessary or advisable to carry out the plan of operation for the local school precinct. Equipment, services and supplies may be procured from the School District or elsewhere, but must be carried out in accordance with the applicable policies of the School District.*

*(d) Development of a balanced budget for the local school precinct for the use of the money allocated to the local school precinct, which must include, without limitation, the manner in which to expend any money not used for the purposes described in paragraphs (a), (b) and (c).*

*(e) Any other responsibility for which authority is transferred pursuant to subsection 7.*

*3. Except as otherwise provided in subsection 7, the School District must remain responsible for paying for and carrying out for all local school precincts in the School District, all other responsibilities necessary for the operation of the local school precincts and the School District that have not been transferred to the local school precincts pursuant to this section, including, without limitation, responsibility for:*

*(a) Negotiating the salaries, benefits and other conditions of employment of administrators, teachers and other staff necessary for the operation of the local school precinct;*

*(b) Transportation services;*

*(c) Food services;*

*(d) Risk management services;*

*(e) Financial services, including payroll services;*

*(f) Qualifying employees for any position within the School District;*

*(g) Services to promote and ensure equity and diversity;*

*(h) Services to ensure compliance with all laws relating to civil rights;*

*(i) Identification, evaluation, program placement, pupil assignment and other services provided to pupils pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the regulations adopted pursuant thereto or pursuant to section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and the regulations adopted pursuant thereto;*

*(j) Legal services;*

*(k) Maintenance and repair of buildings;*

*(l) Maintenance of the grounds of the local school precinct;*

- (m) Custodial services;*
- (n) Implementation of the master plan developed for English Language Learners;*
- (o) Internal audits;*
- (p) Information technology services;*
- (q) Police services;*
- (r) Emergency management services;*
- (s) Carrying out state mandated assessments and accountability reports; and*
- (t) Capital projects.*

*4. To the greatest extent possible, the principal of the local school precinct shall select teachers who are licensed and in good standing before selecting substitutes to teach at the local school precinct. The principal, in consultation with the organizational team, shall make every effort to ensure that effective licensed teachers are employed at the local school precinct.*

*5. If the School District is unable to provide any necessary maintenance or repair of the buildings or grounds of a local school precinct in a timely manner, the School District must, at the expense of the School District, procure any services or equipment necessary from another business or entity to provide such maintenance or repair for the local school precinct or take any other necessary action.*

*6. To the extent that any member of the staff of Central Services is assigned to provide services at a local school precinct on a temporary or permanent basis, the decision regarding the assignment and any subsequent reassignment of the member of the staff must be made in consultation with the principal of the local school precinct and the school associate superintendent.*

*7. On or before January 15 of each year, the Superintendent shall determine, in consultation with the principals, school associate superintendents and organizational teams of each local school precinct, any additional authority not listed in subsection 2 to recommend transferring to one or more local school precincts. Such authority may include the authority to carry out any of the responsibilities listed in subsection 3 not prohibited by law, other than the responsibility for capital projects, if it is determined that transferring the authority will serve the best interests of the pupils. The recommendation to transfer authority to one or more local school precincts must be submitted for approval by the Board of Trustees. The Board of Trustees shall consider such a recommendation and determine whether to approve the transfer of additional authority at its next regularly scheduled meeting if submitted within 5 working days before the next regularly scheduled meeting and otherwise the recommendation shall be considered at the following meeting.*

*8. If the authority to carry out any responsibility is transferred to a local school precinct pursuant to subsection 7, the School District must allocate additional money to the local school precinct in an amount equal to the amount that would otherwise be paid by the School District to carry out the responsibility.*

**Sec. 15. 1.** *On or before January 15 of each year, to assist the local school precinct in preparing its budget for the next school year, the Superintendent shall establish and make public:*

*(a) The average unit cost for each type of employee employed to work at a local school precinct which is determined based upon the average unit cost across the School District. A separate average unit cost must be established for teachers and substitute teachers, respectively.*

*(b) A list of equipment, services and supplies that a local school precinct may obtain from the School District using the money allocated to the local school precinct and the cost for such equipment, services and supplies. The cost of such equipment, services and supplies must not exceed the actual cost to the School District to provide the equipment, services and supplies to the local school precinct.*

*2. Each local school precinct must carry forward its year-end balance in to the next school year. The School District must account for any such amount that is carried forward as a restricted fund balance.*

**Sec. 16. 1.** *On or before January 15 of each year, the Superintendent shall establish for the next school year:*

*(a) The anticipated total amount of money to be received by the School District from all sources, including any year-end balance that is carried forward, and shall identify the sources of such a year-end balance and whether the year-end balance is restricted. If the year-end balance is restricted, the Superintendent shall identify the source of the restriction and the total of amount of money to be received by the School District that is unrestricted. Money may only be identified as restricted if it is required by state or federal law, if it is proscribed by the Department or if it has been otherwise encumbered.*

*(b) The anticipated percentage of the amount of money determined pursuant to paragraph (a) to be unrestricted that will be allocated to the local school precincts, which must equal not less than 80 percent of the total amount of money from all sources received by the School District that is unrestricted for the 2017-2018 school year and 85 percent of that total amount for each school year thereafter.*

*(c) The anticipated amount of categorical funding to be received by the School District and whether such funding is restricted in a manner that prohibits the School District from including that categorical funding in the amount of funding per pupil that is allocated to the local school precincts.*

*(d) The total anticipated amount that will be allocated to each local school precinct as determined pursuant to section 18 of this regulation.*

*(e) The responsibilities for local school precincts which will remain with Central Services and the authority to carry out responsibilities that will be transferred to one or more local school precincts which is consistent with the provisions of section 14 of this regulation.*

*2. The Superintendent shall post the information established pursuant to subsection 1 on the Internet website of the School District and make the information available to any person upon request.*

**Sec. 17. 1.** *The amount of money allocated to a local school precinct by the School District must be determined on a per pupil basis by assigning a category to each pupil and assigning weights to each category in a manner that provides a greater amount of funding for each pupil who belongs to certain designated categories. Except as otherwise provided in subsections 2 and 3, the categories for which a greater weight must be assigned must include, without limitation:*

*(a) Pupils who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq. or a similar alternative measure prescribed by the State Board of Education;*

*(b) Pupils who are limited English proficient;*

*(c) Pupils with disabilities; and*

*(d) Gifted and talented pupils.*

*2. Except as otherwise provided in subsection 3, to establish the weight for each category of pupil as required pursuant to subsection 1, the School District shall apply the same weights and distribution of weights established by the Department for the state funding formula. If the School District wishes to apply a different weight to any category or a different distribution of weights, the School District must submit a request for a variance to use a different weight or distribution of weights to the Department for approval.*

*3. Except if a specialty school is proportionally reduced in size pursuant to section 13 of this regulation, the weights and categories assigned pursuant to this section must ensure that any specialty school or rural school that exists on the effective date of this regulation continues to receive not less than the proportionally larger amount of money that was used to fund the specialty school or rural school for the 2016-2017 school year.*

*4. Upon receipt of a request for a variance pursuant to subsection 2, the Department shall review the proposed weights, distribution of weights or request for a variance and inform the School District whether it approves the proposed weights, distribution of weights or request within 30 days. Once approved, the weights assigned for each category of pupil and the distribution of weights must be posted on the Internet website of the School District and made available to any person upon request.*

*5. As used in this section, “distribution of weights” means the manner in which it is determined which weight or weights to apply to a pupil who may qualify for more than one category for which a weight is assigned.*

**Sec. 18. 1.** *On or before January 15 of each year, the Superintendent shall inform each local school precinct of the anticipated amount of money that will be allocated to the local school precinct for the next school year. The allocation must be based upon the number of*

*pupils in each category who attend the local school precinct after applying the appropriate weight to each category of pupil as determined pursuant to section 17 of this regulation.*

*2. Except as otherwise provided in subsections 3 and 4, the number and category of pupils must be determined based upon the report of the pupils attending each school for the previous calendar quarter pursuant to NRS 387.1223.*

*3. If an additional local school precinct is added in the School District, for the purpose of determining the first allocation for the new local school precinct, the School District must estimate the number of pupils in each category who will attend the new local school precinct and the effect on any existing local school precinct. If the opening of a new local school precinct is anticipated to reduce the number of pupils who will attend another local school precinct, for purposes of determining the allocation, the number of pupils must be adjusted accordingly.*

*4. The anticipated amount of the allocation of money to each local school precinct for the next school year must be adjusted by not later than November 1 of each year to reflect the actual number of pupils in each category who attended the local school precinct.*

**Sec. 19. 1.** *By November 1, 2018, and on or before November 1 of each year thereafter, the Superintendent shall determine for the immediately preceding school year:*

*(a) The total per pupil allocation made to each local school precinct and the actual amount expended by the School District for the local school precinct;*

*(b) The amount budgeted by each local school precinct for teacher salaries and benefits and the actual amount expended by the School District for teacher salaries and benefits for teachers employed at each local school precinct;*

*(c) The number of teacher vacancies at each local school precinct and the amount of money included in the allocation to that local school precinct that the local school precinct used for other purposes as a result of those vacancies; and*

*(d) The amount budgeted by each local school precinct for each type of employee other than teachers and the actual amount expended by the School District for salaries and benefits of such employees at each local school precinct.*

*2. The Superintendent shall post the information determined pursuant to subsection 1 on the Internet website of the School District and make the information available to any person upon request.*

**Sec. 20.** *1. The Superintendent shall assign a school associate superintendent to oversee each local school precinct. Each school associate superintendent must not be assigned to oversee more than 25 local school precincts.*

*2. Whenever a vacancy occurs in the position of school associate superintendent, the Superintendent shall post notice of the vacancy. The Superintendent shall interview qualified candidates for the vacant position. At least one, but not more than two representatives of the principals of the local school precincts overseen by the vacant position must be allowed to participate in interviewing candidates for the vacant position. If the local governmental agency which has the most schools that are overseen by the vacant position is:*

*(a) A city, the governing body of the city may appoint one representative to participate in interviewing candidates for the vacant position.*

*(b) Not a city, the Board of County Commissioners for Clark County may appoint one representative to participate in interviewing candidates for the vacant position.*

3. *Each person who participates in interviewing candidates pursuant to subsection 2 shall comply with all laws that apply to an employer when making a decision about employment.*

4. *Upon completion of the interviews pursuant to subsection 2 and before the Superintendent makes a final determination about which candidate to hire, the Superintendent must notify the governing body of the city or the Board of County Commissioners for Clark County, as applicable, regarding the candidate whom the Superintendent intends to hire. After receiving such notice, the governing body of the city or the Board of County Commissioners, as applicable, may hold a public meeting within 10 days to question the Superintendent and the candidate for the vacant position and receive public input. After any such meeting or, if no such meeting is held, after 10 days, the Superintendent shall, in his or her sole discretion, hire a candidate for the vacant position.*

5. *After the school associate superintendent is hired, the Superintendent may, in his or her sole discretion, reassign and make other employment decisions concerning the school associate superintendent.*

**Sec. 21. 1.** *A school associate superintendent shall, with respect to each local school precinct to which he or she is assigned to oversee:*

*(a) Provide training to and supervise the principal of the local school precinct;*

*(b) Review and approve the plan of operation for the local school precinct and assist the principal of the local school precinct in making any necessary revisions to the plan;*

*(c) Ensure that each local school precinct to which he or she is assigned to oversee remains in compliance with all applicable federal, state and local laws;*

*(d) Provide a report in person at least quarterly to the governing body of each city and county within which a local school precinct to which he or she is assigned to oversee is located*

*and, if created pursuant to section 29 of this regulation, to the applicable Community Education Advisory Board; and*

*(e) Carry out any other duties assigned by the Superintendent at his or her discretion or after approval by the Superintendent of a request made by the local school precinct.*

*2. The school associate superintendent must be held accountable for all aspects of the performance of each local school precinct to which he or she is assigned to oversee. As used in this subsection, “performance” means the overall operation of each such local school precinct as measured by:*

*(a) The satisfaction of the parents and legal guardians of pupils and the teachers, administrators and other staff of the local school precinct as determined by the surveys administered pursuant to section 30 of this regulation; and*

*(b) The progress made by the local school precinct to satisfy the goals and objectives set forth in the statewide system of accountability for public schools.*

**Sec. 22.** *In addition to any other fundraising carried out by the local school precincts, the Board of Trustees may accept gifts, grants and donations from any sources for the support of the local school precincts and the School District in carrying out the provisions of sections 2 to 31, inclusive, of this regulation.*

**Sec. 23.** *1. The principal of a local school precinct shall:*

*(a) Establish an organizational team for the local school precinct consisting of the members described in section 25 of this regulation on or before October 1 of each school year;*

*(b) Develop the proposed plan of operation for the local school precinct for the next school year with the assistance and advice of the organizational team; and*

*(c) Submit the proposed plan of operation for the local school precinct to the school associate superintendent for approval.*

*2. The principal of the local school precinct shall select staff for the local school precinct as necessary to carry out the plan of operation from a list provided by the School District.*

*3. The plan of operation for the local school precinct must include, without limitation:*

*(a) A plan to improve the achievement of pupils enrolled in the local school precinct, regardless of whether such a plan is required to be prepared pursuant to NRS 385A.650; and*

*(b) A budget which itemizes the manner in which the local school precinct will use the money allocated to the local school precinct.*

*4. The budget included in the plan of operation for the local school precinct pursuant to subsection 3 must be based upon the average unit cost for each type of employee of the local school precinct established pursuant to paragraph (a) of subsection 1 of section 15 of this regulation, the actual cost for the procurement of equipment, services and supplies for the local school precinct and the actual cost of any other item included in the budget of the local school precinct. The budget must be developed in accordance with the criteria for determining budgetary priorities established by the Board of Trustees pursuant to NRS 387.301.*

**Sec. 24.** *1. Before approving a plan of operation for a local school precinct, the principal of the local school precinct shall present the plan at a public meeting held at the local school precinct to which the plan applies.*

*2. The principal shall post notice of the meeting not less than 3 working days before the date on which the meeting will be held. Members of the public must be allowed to attend any portion of the meeting during which confidential information is not discussed. A meeting held pursuant to this subsection is not subject to the provisions of chapter 241 of NRS.*

*3. When the plan of operation for the local school precinct is finalized by the principal, the principal must submit the plan to the school associate superintendent for approval. After receipt of the plan of operation, the school associate superintendent must approve or deny the plan within 10 days. The plan of operation must be approved unless any provision violates any federal or state law or policy of the School District.*

*4. If the school associate superintendent:*

*(a) Approves the plan of operation for a local school precinct, the school associate superintendent must notify the principal of the local school precinct and cause the plan of operation to be posted on the Internet website for the School District and the local school precinct and make the plan of operation available to any person upon request.*

*(b) Does not approve the plan of operation for a local school precinct, the school associate superintendent must notify the principal of the reasons for not approving the plan and post those reasons on the Internet website of the School District and on the Internet website of the local school precinct and make the plan of operation available to any person upon request. The school associate superintendent must assist the principal as necessary to revise the plan of operation.*

*5. Any adjustment to the budget that the principal of the local school precinct determines is necessary after the plan of operation has been approved may be made upon consultation with the organizational team and approval of the school associate superintendent.*

**Sec. 25. 1.** *The organizational team for a local school precinct established pursuant to section 23 of this regulation must consist of:*

*(a) The principal of the local school precinct who shall serve as a nonvoting member.*

*(b) At least two but not more than four members, as determined by the principal, who are teachers or other licensed educational personnel at the local school precinct who are elected by a vote of the teachers and other licensed educational personnel at the local school precinct and at least one-half of whom are members of the association representing teachers and other licensed educational personnel. The association shall establish the process for nominating and electing the members pursuant to this paragraph, which must allow all teachers and other licensed educational personnel an opportunity to participate and be elected regardless of whether the teachers or other licensed educational personnel are members of the association.*

*(c) One member who is employed at the local school precinct, other than a teacher or other licensed educational personnel, except that if four members are elected pursuant to paragraph (b), two members who are elected by a vote of all such employees and who are members of an organization that represents those employees. The association shall establish the process for nominating and electing the member pursuant to this paragraph, which must allow any eligible employee an opportunity to vote regardless of whether the employee is a member of the association.*

*(d) A number of parents or legal guardians of pupils who are enrolled at the local school precinct which represents 50 percent of the total number of voting members if possible, or, if fewer are available to accept membership, then the greatest number of parents or legal guardians available. The parents or legal guardians must be elected by a vote of all parents and legal guardians of pupils enrolled at the local school precinct. A parent or legal guardian who is a teacher or other licensed educational personnel or employee of the local school precinct may not be elected to serve as a member pursuant to this paragraph, but may be elected to serve as a member of the organizational team pursuant to paragraph (b) or (c), as*

*applicable. The association of parents for the school, if there is one, must establish the process for nominating and electing these members pursuant to this paragraph. If no such association exists, the principal of the local school precinct must inform all parents and legal guardians of the opportunity to serve on the organizational team and provide the parents and guardians with information about the responsibilities associated with serving as a member of the organizational team, the manner in which to submit a name to be included on a ballot, the date on which a vote will be taken and any other relevant information. The principal must post such information on the Internet website of the local school precinct and provide the information to the Superintendent who shall post the information on the Internet website of the School District. The information must also be made available to any person upon request.*

*2. If one or more specialty schools exist within a local school precinct, at least one member selected pursuant to paragraphs (b) and (d) of subsection 1 must represent each specialty school on the organizational team.*

*3. If the local school precinct is a middle school, junior high school or high school, the organizational team must have one nonvoting member who is a pupil enrolled at the local school precinct who is elected by a vote of all of the pupils enrolled at the school. Any pupil who attends the school may request to be placed on the ballot to be elected to serve as a member of the organizational team pursuant to this paragraph. A teacher or administrator of the local school precinct may nominate a pupil but the pupil may only be placed on the ballot if the pupil agrees to have his or her name placed on the ballot. The principal of the school shall cause a vote to be taken of the entire student body through secret ballot to elect the student member. A member elected pursuant to this paragraph may only provide assistance and advice regarding the plan of operation for the local school precinct.*

*4. The organizational team may select one or more nonvoting advisory members from the community at large who is not the parent or legal guardian of a pupil who attends the local school precinct and who does not otherwise qualify to serve as a voting member of the organizational team to assist the organizational team and provide input from the community.*

*5. The principal of a local school precinct shall assist as necessary with establishing the process for nominating and electing the members described in subsection 1 and shall ensure that each member who is elected pursuant to paragraph (e) of subsection 1 is informed that the member is not an employee of the local school precinct or the School District and of any potential liability for serving as a member of the organizational team.*

*6. A person who receives the highest number of votes must be appointed to the organizational team regardless of the total number of votes cast for the position.*

*Sec. 26. 1. Upon the establishment of an organizational team pursuant to section 23 of this regulation, the principal of the local school precinct shall schedule the first meeting of the team and act as the chair of the team until a chair is selected. The first item of business for the organizational team must be to select a chair and vice chair from among its members.*

*2. A majority of the voting members of the organizational team constitutes a quorum for purposes of voting. A majority vote of the quorum is required to take action with respect to any matter.*

*3. Notice of a meeting of the organizational team must be posted not less than 3 working days before the date on which the meeting will be held. Members of the public must be allowed to attend any portion of the meeting during which confidential information is not discussed and each meeting must include a period for public comment. A meeting held pursuant to this subsection is not subject to the provisions of chapter 241 of NRS.*

*4. Each member of the organizational team serves until October 1 of the year following his or her election and may serve additional terms.*

*5. The organizational team must meet not less than one time each month during the school year.*

*6. If a vacancy occurs in the membership of the organizational team, a new member must be elected in the same manner as the original selection and must be filled within 30 days.*

*7. Each member of the organizational team serves without compensation of any kind.*

**Sec. 27. 1.** *An organizational team established pursuant to section 23 of this regulation shall:*

*(a) Provide assistance and advice to the principal of the local school precinct regarding the development of the plan of operation for the local school precinct;*

*(b) Provide continued assistance and advice to the principal of the local school precinct in carrying out the plan of operation for the local school precinct; and*

*(c) Whenever a vacancy occurs in the position of principal for the local school precinct, assist with the selection of the next principal in accordance with the provisions of this section.*

*2. The organizational team may provide input regarding the principal of the local school precinct to the school associate superintendent not more than 2 times each school year.*

*3. Whenever a vacancy occurs in the position of principal for the local school precinct, the organizational team shall establish a list of qualifications that the organizational team determines are desirable for the next principal and provide the list to the Superintendent. The Superintendent shall post notice of the vacancy. The Superintendent shall interview qualified candidates and establish a list of at least three but not more than five candidates to submit to*

*the organizational team. One member of the organizational team must be allowed to participate in interviewing candidates with the Superintendent.*

*4. From the list of candidates submitted by the Superintendent pursuant to subsection 3, the organizational team shall recommend one candidate for the position of principal within 15 school days after receipt of the recommendation. The Superintendent, in consultation with the school associate superintendent, must, in his or her sole discretion, determine whether to hire the candidate recommended.*

*5. Each person who participates in interviewing candidates pursuant to this section shall comply with all laws that apply to an employer when making a decision about employment.*

*6. After the principal of the local school precinct is hired, the Superintendent may, in his or her sole discretion, reassign and make other employment decisions concerning the principal.*

**Sec. 28.** *1. If an organizational team established pursuant to section 23 of this regulation objects to any part of the plan of operation for the local school precinct that is submitted by the principal of the local school precinct for approval pursuant to section 23 of this regulation, the organizational team may submit a request to the school associate superintendent to consider revising the plan in accordance with the recommendations of the organizational team.*

*2. If the school associate superintendent receives a request pursuant to subsection 1, the school associate superintendent must consider the recommendations of the organizational team and provide a written response to the organizational team upon making a final determination about the plan of operation for the local school precinct within 5 working days.*

*3. If the school associate superintendent:*

*(a) Agrees with the recommendations of the organizational team, the school associate superintendent must work with the principal of the local school precinct to revise the plan of operation.*

*(b) Does not agree with the recommendations of the organizational team, the school associate superintendent must inform the organizational team.*

*4. If the school associate superintendent does not agree with the recommendations of the organizational team, the organizational team may appeal the decision of the school associate superintendent to the Superintendent. The Superintendent must consider such an appeal within 5 days after receipt of the appeal. The decision of the Superintendent is final and not subject to any further appeal or judicial review.*

**Sec. 29.** *To facilitate broad community input and to provide advice and assistance to the organizational team of any local school precinct and the Board of Trustees, one or more Community Education Advisory Boards may be created by:*

*1. The governing body of a city in which one or more local school precincts are located;*  
*or*

*2. The Board of County Commissioners for Clark County for any area in the county in which a local school precinct is located and which is not a city.*

**Sec. 30.** *1. On or before May 1 of each year, the Superintendent shall cause a survey to be administered to all persons involved with the local school precincts to measure their satisfaction with the local school precincts. A survey must be administered to each:*

*(a) Employee of each local school precinct by classification of employee. Such classifications must include, without limitation, principals, vice principals and other administrative staff, teachers, custodians, counselors and school nurses.*

*(b) Pupil who attends a local school precinct.*

*(c) Parent or legal guardian of a child who attends a school that is operated as a local school precinct.*

*2. On or before May 1 of each year, the Superintendent shall cause a survey to be administered to each employee of Central Services. The surveys must be administered to each employee by classification of employee within each department or other organizational unit of Central Services to measure the satisfaction of the employees concerning, without limitation, their ability to serve the local school precincts, provide services in a timely manner and provide quality services to the local school precincts. Such a survey must also be administered to each school associate superintendent, principal and teacher to determine their satisfaction with the services provided to the local school precincts by Central Services.*

*3. A summary of the results of the surveys administered pursuant to this section must be posted on the Internet website of the School District before the commencement of the next school year and be made available to any person upon request. Such a summary must identify results by each group of respondents and as overall results.*

**Sec. 31. 1.** *On or before October 1 of each year, the Superintendent shall prepare a report with information from the school year before the immediately preceding school year which includes, without limitation:*

*(a) A summary of the responsibilities for which authority to carry out was transferred to the local school precincts pursuant to section 14 of this regulation;*

*(b) A summary of the results of the surveys administered pursuant to section 30 of this regulation;*

*(c) An assessment of the performance of the local school precincts based upon specific measures of achievement which are established by the Superintendent on or before January 1 of the immediately preceding school year;*

*(d) An assessment of the effectiveness of operating local school precincts and the School District in the manner set forth in sections 2 to 31, inclusive, of this regulation; and*

*(e) Any recommendations for regulations or legislation to improve the operation of the local school precincts and the School District in the manner set forth in sections 2 to 31, inclusive, of this regulation.*

*2. The Superintendent shall forward the report prepared pursuant to subsection 1 to the:*

*(a) Governor;*

*(b) Department; and*

*(c) Director of the Legislative Counsel Bureau for transmittal to the members of the Nevada Legislature.*

**Sec. 32.** Any cost incurred by the Clark County School District to carry out the provisions of sections 2 to 31, inclusive, of this regulation must be paid for through the redistribution of existing money of the School District, including through savings realized from the reorganization described in sections 2 to 31, inclusive, of this regulation.

**Sec. 33.** 1. The Clark County School District and the Superintendent of the School District shall cooperate with the Advisory Committee to Develop a Plan to Reorganize the Clark County School District which was created pursuant to the Clark County School District Reorganization Act to carry out the reorganization of the School District during the transition required by the provisions of sections 2 to 31, inclusive, of this regulation, including without limitation, by providing any financial or other information requested to carry out its

responsibilities, including any information requested to ensure that the Plan to Reorganize the Clark County School District developed by the Advisory Committee is carried out.

2. Information that may be requested pursuant to subsection 1 and which the School District or Superintendent must provide upon request to the Advisory Committee includes, without limitation:

(a) Budgets for personnel, excluding any personally identifiable information and names, made available by school and job function;

(b) Expenditures made by the School District, including, without limitation, expenditures for programs, support, transportation, police, legal services, food services, internal services, settlements and risk management payments;

(c) The amount paid for general administrative services, including, without limitation, the salaries of administrators, staff of Central Services and school administrators, the salaries of the members of the Board of Trustees of the School District and support services for the Board of Trustees, and other amounts paid for Central Services and school administration; and

(d) Detailed information regarding other budgetary items of the School District, including identification of all sources of money to the School District, expenditures of money for buildings, capital projects, federally funded projects and state funded projects and any other expenditures of money.

3. The School District and Superintendent shall provide any information requested pursuant to subsection 1 as soon as possible and in the format requested by the Advisory Committee.

4. If the Advisory Committee employs a consultant to oversee the transition required by this regulation, the Clark County School District shall reimburse the Advisory Committee for the cost of the consultant.

5. As used in this section, “Central Services” has the meaning ascribed to it in section 4 of this regulation.

**Sec. 34.** 1. On or before July 1, 2017, the Nevada Department of Education shall, in consultation with the Clark County School District, review the responsibilities, skills and competencies necessary to serve as the principal of a local school precinct and consider whether the current licensing requirements adequately prepare a principal for that role.

2. If the Department determines that additional licensing requirements are necessary to ensure that principals are prepared to serve as the principal of a local school precinct, the Department must provide recommendations for revisions to the Nevada Administrative Code to the Commission on Professional Standards in Education created pursuant to NRS 391.011, including whether to create a separate endorsement for a person who will serve as the principal of a local school precinct.

**Sec. 35.** 1. After July 1, 2018, the Nevada Department of Education shall assess the equity of using the average unit cost for budgeting for the local school precincts and its financial impact on local school precincts. Based upon the assessment, the Department shall make a recommendation to the State Board of Education and the Nevada Legislature regarding whether to continue to use the average unit cost for budgeting for salaries and benefits of staff of the local school precinct or whether to budget for such expenditures in another manner. If the Department recommends that local school precincts budget in another manner, the Department must submit proposed regulations to the State Board of Education for adoption which revise these regulations accordingly and any proposed legislation that is necessary to the next Legislature.