

**THE EIGHTY-EIGHTH DAY**

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CARSON CITY (Thursday), May 3, 2007

Senate called to order at 11:04 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Albert Tilstra.

On this National Day of Prayer, many will lift their hearts toward heaven. Our Nation has become so divided, and we are reminded of the words of George Washington who so clearly said: "No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men more than those of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency."

Believing that the hand that hath brought us this far will not forsake us now but if we are willing, will lead us on into further inspiration and service to all mankind, we would join our prayer this day with those of Christian men and women all over this Nation on this day of prayer.

Will You keep our ears open to Your voice and make us a little more deaf to whispers of men who would persuade us from our duty, for we know in our hearts that only in Your will is our peace and prosperity of our land. May we never lose sight of what You can do with each one of us.

AMEN.

Pledge of Allegiance to the Flag.

Senator Raggio moved that further reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

*Mr. President:*

Your Committee on Human Resources and Education, to which was referred Assembly Bill No. 261, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MAURICE E. WASHINGTON, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that the Secretary of the Senate dispense with reading the histories and titles of all bills and resolutions for this legislative day.

Motion carried.

Senator Raggio moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 11:08 a.m.

## SENATE IN SESSION

At 11:11 a.m.  
President Krolicki presiding.  
Quorum present.

## SECOND READING AND AMENDMENT

Senate Bill No. 55.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 653.

"SUMMARY—Authorizes the issuance of general obligation bonds to carry out the Environmental Improvement Program in the Lake Tahoe Basin. (BDR S-250)"

"AN ACT relating to the Lake Tahoe Basin; authorizing the issuance of general obligation bonds to carry out the Environmental Improvement Program; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

The Environmental Improvement Program was implemented in 1997 to carry out projects to improve the environment in the Lake Tahoe Basin. The costs of the Program are apportioned among the Federal Government, the States of Nevada and California and local governments and owners of private property in both States. In 1999, the Nevada Legislature authorized the issuance of not more than \$53.2 million in general obligation bonds between July 1, 2001, and June 30, 2010, to pay for a significant portion of Nevada's share of the costs of the Program. Issuance of those bonds requires the approval of the Legislature or the Interim Finance Committee. (Chapter 514, Statutes of Nevada 1999, p. 2626) This bill authorizes the issuance of the final installment of the general obligation bonds authorized by the Legislature in 1999, in the amount of \$9,057,908, to pay for Nevada's share of the costs of the Program for the period between July 1, 2007, and June 30, ~~2009~~ 2010.

WHEREAS, In October 1997, Governor Bob Miller, on behalf of the State of Nevada, signed a Memorandum of Agreement involving the Federal Interagency Partnership on the Lake Tahoe Ecosystem, the States of Nevada and California, the Washoe Tribe of Nevada and California, the Tahoe Regional Planning Agency and interested local governments, in which the parties affirmed their commitment to the Tahoe Regional Planning Compact, to the sound management and protection of the resources within the Lake Tahoe Basin and the support of a healthy, sustainable economy and to achieve environmental thresholds for Lake Tahoe, and agreed to cooperate to carry out, including, without limitation, providing financial support for, the Environmental Improvement Program; and

WHEREAS, The costs of carrying out the Environmental Improvement Program have been apportioned among the Federal Government, the States

of Nevada and California and local governments and owners of private property within both States; and

WHEREAS, The cost of carrying out the Environmental Improvement Program that is apportioned to the State of Nevada and its political subdivisions is \$82,000,000; and

WHEREAS, For the period between the fiscal year beginning on July 1, 1997, and the fiscal year ending on June 30, 2001, the State of Nevada and its political subdivisions provided \$28,800,000 to meet their apportioned commitment, which included:

1. General obligation bonds issued in the face amount of \$20,000,000 pursuant to chapter 361, Statutes of Nevada 1995, at page 907, and approved by the voters of this State at the general election held in 1996, to carry out projects for the control of erosion and the restoration of natural watercourses in the Lake Tahoe Basin; and

2. General obligation bonds issued in the face amount of \$3,200,000 pursuant to chapter 514, Statutes of Nevada 1999, at page 2627, to carry out the program of environmental improvement projects for the Lake Tahoe Basin established pursuant to section 1 of chapter 514, Statutes of Nevada 1999, at page 2627, for the period between the fiscal year beginning on July 1, 1999, and the fiscal year ending on June 30, 2001; and

WHEREAS, Chapter 514, Statutes of Nevada 1999, created the Fund to Protect the Lake Tahoe Basin in the State General Fund, directed the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources to administer that Fund and directed the Administrator, in cooperation with other state agencies, to coordinate the development and carrying out of a program of environmental improvement projects for the Lake Tahoe Basin; and

WHEREAS, For the period between the fiscal year beginning on July 1, 2001, and the fiscal year ending on June 30, 2010, chapter 514, Statutes of Nevada 1999, provided that money in an amount not to exceed \$53,200,000 would be made available to carry out the program of environmental improvement projects during that period by the issuance of general obligation bonds and legislative appropriation; and

WHEREAS, In addition to approximately \$1,270,000 expended for environmental improvement projects from the Account for License Plates for the Support of the Preservation and Restoration of the Natural Environment of the Lake Tahoe Basin created by NRS 321.5951, funding of Nevada's share of the costs of the Environmental Improvement Program since 1999 was provided in the form of general obligation bonds issued pursuant to:

1. Chapter 302, Statutes of Nevada 2001, at page 1428, in the face amount of \$16,200,000 to carry out the program of environmental improvement projects for the period between the fiscal year beginning on July 1, 2001, and the fiscal year ending on June 30, 2003;

2. Chapter 438, Statutes of Nevada 2003, at page 2655, in the face amount of \$9,870,000 to carry out the program of environmental

improvement projects for the period between the fiscal year beginning on July 1, 2003, and the fiscal year ending on June 30, 2005; and

3. Chapter 298, Statutes of Nevada 2005, at page 1030, in the face amount of \$16,800,000 to carry out the program of environmental improvement projects for the period between the fiscal year beginning on July 1, 2005, and the fiscal year ending on June 30, 2007; and

WHEREAS, The general obligation bonds authorized by chapter 514, Statutes of Nevada 1999, may only be issued with the prior approval of the Legislature or the Interim Finance Committee and pursuant to a schedule established by the Administrator of the Division of State Lands; now, therefore,

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

Section 1. The Legislature hereby finds and declares that the issuance of securities and the incurrence of indebtedness pursuant to this act:

1. Are necessary for the protection and preservation of the natural resources of this State and for the purpose of obtaining the benefits thereof; and

2. Constitute an exercise of the authority conferred by the second paragraph of Section 3 of Article 9 of the Constitution of the State of Nevada.

Sec. 2. Money to carry out the program of environmental improvement projects for the Lake Tahoe Basin established pursuant to section 1 of chapter 514, Statutes of Nevada 1999, at page 2627, in an amount not to exceed \$9,057,908 must be provided for the period between the fiscal year beginning on July 1, 2007, and the fiscal year ending on June 30, ~~2009,~~ 2010, by the issuance by the State Board of Finance of general obligation bonds of the State of Nevada in a total face amount of not more than \$9,057,908 pursuant to NRS 349.150 to 349.364, inclusive. The proceeds of the bonds issued pursuant to this section must be deposited in the Fund to Protect the Lake Tahoe Basin created pursuant to section 2 of chapter 514, Statutes of Nevada 1999, at page 2628, and, except as otherwise provided in this section, must be used as follows:

1. Continued Implementation of Forest Restoration Projects of the Environmental Improvement Program to be carried out by the State Department of Conservation and Natural Resources ..... ~~(\$1,250,000)~~ \$1,200,000

2. Continued Implementation of Recreational Projects of the Environmental Improvement Program within the Lake Tahoe-Nevada State Park to be carried out by the State Department of Conservation and Natural Resources ..... \$3,000,000

3. Water Quality, Erosion Control and Stream Restoration/Enhancement Projects of the Environmental Improvement Program to be carried out pursuant to grants and project agreements ..... ~~(\$7,500,000)~~ \$4,550,000

~~3~~ 4. Contingency money to carry out any environmental improvement project that is paid for with money from the Fund to Protect the Lake Tahoe Basin ..... \$307,908

Sec. 3. 1. The Division of State Lands of the State Department of Conservation and Natural Resources may combine the contingency money authorized pursuant to subsection ~~3~~ 4 of section 2 of this act with any other contingency money authorized by the Legislature to carry out an environmental improvement project that is paid for with money from the Fund to Protect the Lake Tahoe Basin.

2. If an amount authorized to carry out the projects set forth in section 2 of this act or any other environmental improvement project that is paid for with money from the Fund to Protect the Lake Tahoe Basin is insufficient to allow the completion of the project for which it is authorized, including, without limitation, any monitoring necessary to ensure the continued effectiveness of the project:

(a) The Division of State Lands may, without the prior approval of the Interim Finance Committee, allocate the contingency money authorized pursuant to subsection ~~3~~ 4 of section 2 of this act, including any money combined therewith pursuant to subsection 1, to carry out an environmental improvement project that is paid for with money from the Fund to Protect the Lake Tahoe Basin, notwithstanding the provisions of section 2 of chapter 298, Statutes of Nevada 2005, at page 1030, section 2 of chapter 438, Statutes of Nevada 2003, at page 2655, section 2 of chapter 302, Statutes of Nevada 2001, at page 1428, and subsection 2 of section 1 of chapter 514, Statutes of Nevada 1999, at page 2627; and

(b) Upon the request of the Division of State Lands, the Interim Finance Committee may increase the amount authorized for the project and offset the increase by reducing the amount authorized for another environmental improvement project or projects that are paid for with money from the Fund to Protect the Lake Tahoe Basin by the amount of the increase.

3. The Division of State Lands may use money authorized pursuant to section 2 of this act for a project other than a project listed in section 2 of this act if the Interim Finance Committee approves such a use in writing before the Division of State Lands engages in the project.

Sec. 4. This act becomes effective on July 1, 2007.

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 365.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 657.

"SUMMARY—Requires the continuation of the VHF Highband Radio Project. (BDR S-1323)"

"AN ACT relating to public safety; transferring the funding for the mountaintop radio site leases for the VHF Highband Radio Project from the Department of Public Safety to the Department of Transportation; requiring that the mountaintop sites and the other components of the VHF radio system not be dismantled, abandoned, sold or moved ~~[ ] , without approval; making appropriations;~~ and providing other matters properly relating thereto."

Legislative Counsel's Digest:

The State currently maintains both a VHF radio system and an 800 MHz radio communication system that was intended to replace the VHF system. The Executive Budget proposes transferring the funding for the leases of the mountaintop radio sites used in the VHF Highband Radio Project from the Department of Public Safety to the Department of Transportation. ~~[Section 1 of this] This~~ bill requires the transfer of the funding proposed in the Executive Budget and requires that the mountaintop sites and the other components of the VHF radio system not be dismantled, abandoned, sold or moved ~~[ ] , without prior approval from the Legislature. [Section 2 of this bill makes appropriations to pay the cost of the leases of the mountaintop radio sites.]~~

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

Section 1. The Department of Public Safety shall transfer to the Department of Transportation the responsibility for the mountaintop radio site leases for the VHF Highband Radio Project. The mountaintop radio sites and the other components of the *Department of Public Safety's* VHF radio system must not be dismantled, abandoned, sold or moved ~~[ ] , without prior approval from the Legislature or the Interim Finance Committee.~~

Sec. 2. ~~[There is hereby appropriated from the State Highway Fund to the Department of Transportation for lease payments on mountaintop radio sites for the VHF Highband Radio Project:~~

|   |                       |
|---|-----------------------|
| <del>For the Fiscal Year 2007-2008.....</del> | <del>\$148,284</del>  |
| <del>For the Fiscal Year 2008-2009.....</del> | <del>\$148,284]</del> |

~~(Deleted by amendment.)~~

Sec. 3. ~~[Any balance of the sums appropriated by section 2 of this act remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2008, and September 18, 2009, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State Highway Fund on or before September 19, 2008, and September 18, 2009, respectively.] (Deleted by amendment.)~~

Sec. 4. This act becomes effective on July 1, 2007.  
Senator Raggio moved the adoption of the amendment.  
Remarks by Senator Raggio.  
Amendment adopted.  
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 453.  
Bill read second time.  
The following amendment was proposed by the Committee on Finance:  
Amendment No. 658.

"SUMMARY—Revises the provisions relating to problem gambling.  
(BDR 40-1410)"

"AN ACT relating to problem gambling; revising the provisions relating to the *membership and* duties of the Advisory Committee on Problem Gambling; revising the provisions relating to the use of money in the Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling; and providing other matters properly relating thereto."  
Legislative Counsel's Digest:

*Existing law creates the Advisory Committee on Problem Gambling and provides that its membership consists of nine members appointed by the Governor, including one member who holds a restricted gaming license and two members who hold nonrestricted gaming licenses. (NRS 458A.060) Section 1 of this bill allows the members who hold restricted or nonrestricted gaming licenses to appoint alternate members to act in their place if they are unable to attend meetings or perform their duties.*

Under existing law, the Advisory Committee on Problem Gambling is required to: (1) review requests received by the Department of Health and Human Services for a grant of money or a contract for services to provide programs for the prevention and treatment of problem gambling; (2) recommend to the Director of the Department each request that the Advisory Committee believes should be awarded; (3) establish criteria for determining whom to recommend for grants of money or contracts for services; (4) monitor each grant of money awarded; and (5) assist the Department in determining the needs of local communities and in establishing priorities for funding programs for the prevention and treatment of problem gambling. (NRS 458A.070, 458A.080) Existing law also establishes the Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling and provides that, other than the costs of administration, the money in the Account must be used only to award grants of money or contracts for services to provide programs for the prevention and treatment of problem gambling. (NRS 458A.090)

Sections ~~1-3~~ 2-4 of this bill expand the scope of the duties that the Advisory Committee currently performs to include not only reviewing, considering, monitoring and making recommendations regarding programs for the prevention and treatment of problem gambling, but also reviewing,

considering, monitoring and making recommendations regarding services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance. Section ~~{3}~~ 4 also authorizes the expenditure of money in the Account for such services. Additionally, section ~~{3}~~ 4 increases the percentage of money in the Account that the Director may use for administration of the Account from 1 percent to 10 percent. (NRS 458A.090)

Sections ~~{4 and}~~ 5 and 6 of this bill repeal the prospective expiration of the provision which currently requires the Nevada Gaming Commission to deposit in the Account \$2 for each slot machine subject to licensing fees and provide that the Commission will continue to deposit that amount indefinitely. (NRS 463.320; chapter 394, Statutes of Nevada 2005, p. 1532)

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

*Section 1. NRS 458A.060 is hereby amended to read as follows:*

458A.060 1. The Advisory Committee on Problem Gambling, consisting of nine *regular* members, is hereby created within the Department.

2. The Governor shall appoint the following regular members to the Advisory Committee:

- (a) One *regular* member who holds a restricted gaming license;
- (b) Two *regular* members who hold nonrestricted gaming licenses;
- (c) Two *regular* members who work in the area of mental health, at least one of whom has experience in the treatment of persons who are problem gamblers;
- (d) One *regular* member who represents the Nevada System of Higher Education and has experience in the prevention or treatment of problem gambling;
- (e) One *regular* member who represents an organization for veterans; and
- (f) Two *regular* members who represent organizations that provide assistance to persons who are problem gamblers.

3. Each regular member appointed pursuant to paragraph (a) or (b) of subsection 2 may appoint an alternate member to serve in his place if he is unable to attend a meeting or perform his duties.

4. After the initial terms, each *regular* member of the Advisory Committee serves for a term of 2 years. Each *regular* member of the Advisory Committee continues in office until his successor is appointed.

~~{4}~~ Each alternate member appointed pursuant to subsection 3 serves during the term of the regular member who appointed him and may be reappointed.

5. The *regular* members and alternate members of the Advisory Committee serve without compensation, except that ~~each member is~~ the regular members and alternate members are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the business of the Advisory Committee.



~~5.1~~ 6. A majority of the ~~members~~ *total membership* of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any action taken by the Advisory Committee.

~~6.1~~ 7. A *regular* member of the Advisory Committee who is an officer or employee of the State or a political subdivision of the State must be relieved from his duties without loss of his regular compensation so that he may prepare for and attend meetings of the Advisory Committee and perform any work necessary to carry out the duties of the Advisory Committee in the most timely manner practicable. A state agency or political subdivision of the State shall not require an officer or employee who is a *regular* member of the Advisory Committee to:

(a) Make up the time he is absent from work to carry out his duties as a *regular* member of the Advisory Committee; or

(b) Take annual leave or compensatory time for the absence.

~~7.1~~ 8. The Advisory Committee shall:

(a) At its first meeting and annually thereafter, elect a Chairman from among its *regular* members;

(b) Meet at the call of the Director, the Chairman or a majority of its *regular* members as necessary, within the budget of the Advisory Committee, but not to exceed six meetings per year; and

(c) Adopt rules for its management and government.

~~Section 1.1~~ Sec. 2. NRS 458A.070 is hereby amended to read as follows:

458A.070 The Advisory Committee shall:

1. Review each request received by the Department from a state agency or other political subdivision of the State or from an organization or educational institution for a grant of money or a contract for services to provide programs for the prevention and treatment of problem gambling ~~and~~ *or to provide services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance;*

2. Recommend to the Director each request received pursuant to subsection 1 that the Advisory Committee believes should be awarded;

3. Establish criteria for determining which state agencies and other political subdivisions of the State and organizations and educational institutions to recommend for grants of money or contracts for services pursuant to subsection 2;

4. Monitor each grant of money awarded by the Department ~~for~~ *to provide programs for the prevention and treatment of problem gambling and* *or to provide services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance;* and

5. Assist the Department in determining the needs of local communities and in establishing priorities for funding programs for the prevention and treatment of problem gambling ~~and~~ *and funding services related to the*

*development of data, the assessment of needs, the performance of evaluations or technical assistance.*

~~{Sec. 2}~~ Sec. 3. NRS 458A.080 is hereby amended to read as follows:

458A.080 The Chairman of the Advisory Committee may appoint groups consisting of members of the Advisory Committee, former members of the Advisory Committee and members of the public who have appropriate experience or knowledge to:

1. Consider specific problems or other matters that are related to and within the scope of activities of the Advisory Committee; and

2. Review requests for grants of money or contracts for services related to specific programs for the prevention and treatment of problem gambling ~~{}~~ *or services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance.*

~~{Sec. 3}~~ Sec. 4. NRS 458A.090 is hereby amended to read as follows:

458A.090 1. The Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling is hereby created in the State General Fund. The Director shall administer the Account.

2. Except as otherwise provided in this subsection, the money in the Account must be expended only to award grants of money or contracts for services to state agencies and other political subdivisions of the State or to organizations or educational institutions to provide programs for the prevention and treatment of problem gambling ~~{}~~ *or to provide services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance.* The Director may use not more than ~~{}~~ 10 percent of the money in the Account to administer the Account.

3. The existence of the Account does not create a right in any state agency or other political subdivision of the State or in any organization or educational institution to receive money from the Account.

4. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau a written report concerning any grants of money or contracts for services awarded pursuant to this section during the previous year.

~~{Sec. 4}~~ Sec. 5. NRS 463.320 is hereby amended to read as follows:

463.320 1. All gaming license fees imposed by the provisions of NRS 463.370, 463.373 to 463.383, inclusive, and 463.3855 must be collected and disposed of as provided in this section.

2. All state gaming license fees and penalties must be collected by the Commission and paid over immediately to the State Treasurer to be disposed of as follows:

(a) Except as otherwise provided in paragraphs (c), (d) and (e), all state gaming license fees and penalties other than the license fees imposed by the provisions of NRS 463.380 must be deposited for credit to the State General Fund.

(b) All state gaming license fees imposed by the provisions of NRS 463.380 must, after deduction of costs of administration and collection,

be divided equally among the various counties and transmitted to the respective county treasurers. Such fees, except as otherwise provided in this section, must be deposited by the county treasurer in the county general fund and be expended for county purposes. If the board of county commissioners desires to apportion and allocate all or a portion of such fees to one or more cities or towns within the county, the board of county commissioners shall, annually, before the preparation of the city or town budget or budgets as required by chapter 354 of NRS, adopt a resolution so apportioning and allocating a percentage of such fees anticipated to be received during the coming fiscal year to such city or cities or town or towns for the next fiscal year commencing July 1. After the adoption of the resolution, the percentage so apportioned and allocated must be converted to a dollar figure and included in the city or town budget or budgets as an estimated receipt for the next fiscal year. Quarterly, upon receipt of the money from the State, the county treasurer shall deposit an amount of money equal to the percentage so apportioned and allocated to the credit of the city or town fund to be used for city or town purposes, and the balance remaining must be deposited in the county general fund and must be expended for county purposes.

(c) One twenty-fifth of the license fee imposed by the provisions of NRS 463.370 on gross revenue which exceeds \$134,000 per calendar month that is paid pursuant to subsection 2 of NRS 464.045 by persons licensed to conduct off-track pari-mutuel wagering must, after the deduction of costs of administration and collection, be allocated pro rata among the counties in this State whose population is less than 100,000 in which on-track pari-mutuel wagering is conducted. The allocation must be based upon the amounts paid from each such county pursuant to subsection 2 of NRS 466.125 and transmitted to the respective county treasurers. Money received by a county treasurer pursuant to this paragraph must be deposited in the county general fund and expended to augment any stakes, purses or rewards which are offered with respect to horse races conducted in that county by a state fair association, agricultural society or county fair and recreation board.

(d) Ten percent of the amount of the license fee imposed by the provisions of NRS 463.370 that is paid pursuant to subsection 2 of NRS 464.045 by persons licensed to conduct off-track pari-mutuel wagering which exceeds \$5,036,938 per calendar year must, after the deduction of costs of administration and collection, be allocated pro rata among the counties in this State whose population is less than 100,000 in which on-track pari-mutuel wagering is conducted. The allocation must be based upon the amounts paid from each such county pursuant to subsection 2 of NRS 466.125 and must be transmitted to the respective county treasurers as provided in this paragraph. On March 1 of each year, the Board shall calculate the amount of money to be allocated to the respective county treasurers and notify the State Treasurer of the appropriate amount of each allocation. The State Treasurer shall transfer the money to the respective county treasurers. Money received by a county treasurer pursuant to this paragraph must be deposited in the county

general fund and expended to augment any stakes, purses or rewards which are offered with respect to horse races conducted in that county by a state fair association, agricultural society or county fair and recreation board.

(e) The Commission shall deposit quarterly in the Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling created by NRS 458A.090 ~~[-~~

~~(1) For the Fiscal Year 2005-2006, an amount equal to \$1 for each slot machine that is subject to the license fee imposed pursuant to NRS 463.373 and 463.375 and collected by the Commission; and~~

~~(2) For the Fiscal Year 2006-2007,] an amount equal to \$2 for each slot machine that is subject to the license fee imposed pursuant to NRS 463.373 and 463.375 and collected by the Commission.~~

~~[Sec. 5.]~~ Sec. 6. Section 16 of chapter 394, Statutes of Nevada 2005, at page 1532, is hereby amended to read as follows:

Sec. 16. ~~[1.]~~ This act becomes effective on July 1, 2005.

~~[2. Section 14 of this act expires by limitation on June 30, 2007.]~~

~~[Sec. 6.]~~ Sec. 7. This act becomes effective upon passage and approval.

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 20.

Bill read second time and ordered to third reading.

Assembly Bill No. 77.

Bill read second time and ordered to third reading.

Assembly Bill No. 117.

Bill read second time and ordered to third reading.

Assembly Bill No. 250.

Bill read second time.

The following amendment was proposed by the Committee on Human Resources and Education:

Amendment No. 648.

"SUMMARY—Revises provisions governing private elementary and secondary educational institutions. (BDR 34-580)"

"AN ACT relating to education; revising the requirements relating to emergency drills for pupils in private elementary and secondary educational institutions; revising provisions relating to the inspection of such institutions; revising the provision governing the fees relating to such institutions; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law requires every private school to provide emergency drills for pupils at least twice each month during the school year. (NRS 394.170) Section 1 of this bill reduces the minimum number of required emergency drills each month to one drill.

The Private Elementary and Secondary Education Authorization Act governs the operation of private elementary and secondary educational institutions in this State. (NRS 394.201-394.351) Certain institutions are exempt from the Act, including institutions offering religious or sectarian instruction. (NRS 394.211) Section 2 of this bill exempts institutions maintained by another state or the District of Columbia and supported by public money.

To obtain and maintain their exempt status, eligible institutions must initially file an exemption with the State Board of Education and file a renewal of the exemption with the Board every 2 years. Section 2 of this bill requires the Superintendent of Public Instruction, upon receipt of an exemption or renewal of an exemption for an institution, to cause an inspection of the exempt institution to be conducted to ensure compliance with all applicable laws, including laws relating to health and safety.

Under existing law, a license other than a provisional license to operate a nonexempt private elementary or secondary educational institution is effective for a term of not more than 2 years unless authorization is given in certain circumstances for a term of not more than 4 years. (NRS 394.251) Existing law requires the Superintendent of Public Instruction to cause an inspection of each licensed institution to be conducted at least every 2 years. (NRS 394.245) Section 3 of this bill eliminates the 2-year requirement for inspections and requires the Superintendent of Public Instruction to cause an inspection to be conducted upon receipt of an application for a license or renewal of a license to operate. Section 4 of this bill also specifically authorizes the Superintendent to cause an inspection of a licensed institution to be conducted upon receipt of a verified complaint against the institution.

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

Section 1. NRS 394.170 is hereby amended to read as follows:

394.170 1. The authorities in charge of every private school within this State shall provide drills for the pupils in the schools at least ~~twice~~ *once* in each month during the school year to instruct those pupils in the appropriate procedures to be followed in the event of a fire or other emergency, except a crisis governed by NRS 394.168 to 394.1699, inclusive. Not more than ~~three~~ *two* of those drills may include instruction in the appropriate procedures to be followed in the event of a chemical explosion, related emergencies and other natural disasters.

2. In all cities or towns which have regularly organized, paid fire departments or voluntary fire departments, the drills required by subsection 1 must be conducted under the supervision of the chief of the fire department of the city or town.

3. The State Fire Marshal shall prescribe general regulations governing the drills required by subsection 1 and shall, with the cooperation of the Superintendent of Public Instruction, arrange for the supervision of drills in schools where the drills are not supervised pursuant to subsection 2.

4. A copy of this section must be kept posted in every classroom of every private school by the principal or teacher in charge thereof.

5. The principal, teacher or other person in charge of each school building shall cause the provisions of this section to be enforced.

6. Any violation of the provisions of this section is a misdemeanor.

Sec. 2. NRS 394.211 is hereby amended to read as follows:

394.211 1. The following persons and educational institutions are exempt from the provisions of the Private Elementary and Secondary Education Authorization Act:

(a) Institutions exclusively offering instruction at any level of postsecondary education.

(b) Institutions maintained by ~~the~~ *this State, another state or the District of Columbia* or any ~~of its~~ political subdivisions *thereof* and supported by public funds.

(c) Institutions exclusively offering religious or sectarian studies.

(d) Elementary and secondary educational institutions operated by churches, religious organizations and faith-based ministries.

(e) Institutions licensed by the Commission.

(f) Institutions operated by or under the direct administrative supervision of the Federal Government.

(g) Natural persons who instruct pupils in their homes or in the pupils' own homes, if this is not the only instruction those pupils receive.

(h) Fraternal or benevolent institutions offering instruction to their members or their immediate relatives, if the instruction is not operated for profit.

(i) Institutions offering instruction solely in avocational and recreational areas.

(j) Institutions or school systems in operation before July 1, 1975, as to courses of study approved by the Board pursuant to NRS 394.130, but those institutions or school systems are not exempt as to substantial changes in their nature or purpose on or after that date. The official literature of an institution or school system describing the nature and purpose of the institution or school system as of June 30, 1975, is prima facie evidence of the nature and purpose on that date for the purposes of this chapter.

2. Each person or educational institution claiming an exemption pursuant to the provisions of subsection 1 must file with the Board the exemption upon forms provided by the Department or in a letter containing the required information and signed by the person claiming the exemption or the person in charge of the educational institution claiming the exemption. The exemption expires 2 years after the last day of the calendar month in which the filing is

made. The filing of a renewal of the exemption must be made not less than 60 days before the exemption expires.

3. *Upon receipt of an exemption or a renewal of an exemption, the Superintendent shall cause an inspection of the educational institution to ensure that the institution operates in accordance with the provisions of all laws, regulations and ordinances that are applicable to the educational institution, including, without limitation, those provisions relating to the health and safety of persons on the premises of the educational institution. In carrying out the requirements of this subsection, the Superintendent may accept a certificate of inspection conducted on an educational institution, or other proof of inspection satisfactory to the Superintendent, issued by an appropriate agency or political subdivision of this State responsible for the inspection of buildings to ensure compliance with the applicable provisions of laws, regulations and ordinances.*

4. Before a child enrolls in an institution that is exempt pursuant to this section, the institution shall provide written notice to the parents or legal guardian of the child that the institution is exempt from the Private Elementary and Secondary Education Authorization Act.

Sec. 3. NRS 394.245 is hereby amended to read as follows:

394.245 The Superintendent shall cause an inspection of ~~each~~ an elementary or secondary educational institution to be conducted ~~at least every 2 years~~ upon receipt of an application for a license or for renewal of a license from that institution to ensure that the institution:

1. ~~Is operated~~ Operates in accordance with the provisions of all laws, regulations and ordinances relating to the health and safety of persons on the premises. In carrying out the requirements of this subsection, the Superintendent may accept a certificate of inspection conducted on an educational institution, or other proof of inspection satisfactory to the Superintendent, issued by an appropriate agency or political subdivision of this State responsible for the inspection of buildings to ensure compliance with the applicable provisions of laws, regulations and ordinances.

2. ~~Is maintaining~~ Maintains the records required by the regulations of the Board relating to administrators, supervisors, instructors and other educational personnel.

3. Has in force the insurance coverage required by the regulations of the Board. *The institution shall provide to the person conducting the inspection an affidavit signed by the owner or administrator of the institution affirming that the insurance coverage for the institution is current.*

Sec. 4. NRS 394.311 is hereby amended to read as follows:

394.311 1. Any person claiming damage either individually or as a representative of a class of complainants as a result of any act by an elementary or secondary educational institution or its agent, or both, which is a violation of the Private Elementary and Secondary Education Authorization Act or regulations promulgated under it, may file with the Superintendent a verified complaint against the institution, its agent or both. The complaint

~~shall~~ must set forth the alleged violation and contain other information as required by regulations of the Board. A complaint may also be filed by the Superintendent on his own motion or by the Attorney General.

2. The Superintendent shall investigate any verified complaint and may, ~~at his discretion,~~ as part of the investigation, cause an inspection of the elementary or secondary educational institution to be conducted. The Superintendent may attempt to effectuate a settlement by persuasion and conciliation. The Board may consider a complaint after 10 days' written notice by certified mail to the institution or to the agent, or both, as appropriate, giving notice of a time and place for a hearing.

3. If, after consideration of all evidence presented at a hearing, the Board finds that an elementary or secondary educational institution or its agent, or both, has engaged in any act which violates the Private Elementary and Secondary Education Authorization Act or regulations promulgated under it, the Board shall issue and the Superintendent shall serve upon the institution or agent, or both, an order to cease and desist from such act. The Board may also, as appropriate, based on the Superintendent's investigation or the evidence adduced at the hearing, or both, institute an action to revoke an institution's license or an agent's permit.

Sec. 5. NRS 394.331 is hereby amended to read as follows:

394.331 All fees collected pursuant to the provisions of the Private Elementary and Secondary Education Authorization Act must be deposited in the State Treasury for credit to the appropriate account of the Department of Education, and no fees so collected are subject to refund. The fees to be collected by the Superintendent must accompany an application for a license to operate or for renewal of the license ~~or~~ or an application for an agent's permit or for renewal of the permit, ~~for a filing for an exemption or for renewal of the exemption,~~ in accordance with the following schedule:

1. The application fee for *the initial license of* an elementary or secondary educational institution is \$300.

2. The renewal fee for *the license of* an elementary or secondary educational institution is \$250.

3. The application fee for a new license by reason of a change of ownership is \$250.

4. The fee for an agent's permit or for renewal of the permit is \$50.

Sec. 6. This act becomes effective on July 1, 2007.

Senator Washington moved the adoption of the amendment.

Remarks by Senator Washington.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 306.

Bill read second time and ordered to third reading.

Assembly Bill No. 307.

Bill read second time and ordered to third reading.



Assembly Bill No. 505.

Bill read second time and ordered to third reading.

Assembly Bill No. 542.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 652.

"SUMMARY—Makes supplemental appropriations to the Department of Health and Human Services for payment of stale Medicaid claims. (BDR S-1255)"

"AN ACT making supplemental appropriations to the Department of Health and Human Services for payment of stale Medicaid claims; and providing other matters properly relating thereto."

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

Section 1. 1. There is hereby appropriated from the State General Fund to the Department of Health and Human Services the sum of \$439,365 for payment of a stale claim for Medicaid ~~repayment~~ *overpayment* at the Desert Regional Center. This appropriation is supplemental to that made by section 19 of chapter 327, Statutes of Nevada 2003, at page 1834.

2. There is hereby appropriated from the State General Fund to the Department of Health and Human Services the sum of \$95,229 for payment of a stale claim for Medicaid overpayment at the Rural Regional Center. This appropriation is supplemental to that made by section 19 of chapter 327, Statutes of Nevada 2003, at page 1834.

Sec. 2. This act becomes effective upon passage and approval.

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 131.

Bill read third time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 654.

"SUMMARY—Makes various changes regarding certain court fees charged by county clerks, ~~and information collected by governmental entities.~~ (BDR 2-385)"

"AN ACT relating to governmental administration; authorizing each county clerk to charge and collect an additional fee to pay for the acquisition and improvement of technology used in the office of the county clerk; increasing the amount of certain court fees charged and collected by county clerks; ~~requiring the Department of Cultural Affairs to conduct a study of the feasibility of creating a shared digital archive for electronic records and~~

~~information collected by governmental entities,] and providing other matters properly relating thereto."~~

Legislative Counsel's Digest:

Existing law requires each county clerk to charge and collect certain fees relating to certain civil actions and proceedings in district court. (NRS 19.013-19.0335) Section 2 of this bill increases certain fees charged and collected by each county clerk and authorizes each county clerk to charge and collect an additional fee not to exceed \$5 for filing and recording a bond of a notary public, per name. The additional fee, if charged and collected, must be credited to an account described in section 1 of this bill. (NRS 19.013) Section 1 provides that if a county clerk charges and collects an additional fee for filing and recording a bond of a notary public, the proceeds must be accounted for separately in the county general fund and the money in the account must be used only to acquire technology for or to improve technology used in the office of the county clerk.

~~§ Section 3 of this bill directs the Department of Cultural Affairs, in consultation with the Department of Information Technology, to conduct a study to determine the feasibility of creating and maintaining a shared digital archive to store, preserve and provide access to permanent digital records and other electronic information collected by the State and local governments.]~~

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

Section 1. Chapter 19 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *If a county clerk imposes an additional fee pursuant to subsection 2 of NRS 19.013, the proceeds collected from such a fee must be accounted for separately in the county general fund. Any interest earned on money in the account, after deducting any applicable charges, must be credited to the account. Money that remains in the account at the end of a fiscal year does not revert to the county general fund, and the balance in the account must be carried forward to the next fiscal year.*

2. *The money in the account must be used only to acquire technology for or to improve technology used in the office of the county clerk, including, without limitation, costs related to acquiring or improving technology for converting and archiving records, purchasing hardware and software, maintaining the technology, training employees in the operation of the technology and contracting for professional services relating to the technology.*

Sec. 2. NRS 19.013 is hereby amended to read as follows:

19.013 1. Except as otherwise provided by specific statute, each county clerk shall charge and collect the following fees:

On the commencement of any action or proceeding in the district court, or on the transfer of any action or proceeding from a district court of another county, except probate or guardianship proceedings, to be paid

by the party commencing the action, proceeding or transfer.....~~[\$56]~~ \$70

On an appeal to the district court of any case from a justice court or a municipal court, or on the transfer of any case from a justice court or a municipal court.....~~[42]~~ 52

On the filing of a petition for letters testamentary, letters of administration, setting aside an estate without administration, or a guardianship, which fee includes the court fee prescribed by NRS 19.020, to be paid by the petitioner:

Where the stated value of the estate is more than \$2,500.....~~[72]~~ 85

Where the stated value of the estate is \$2,500 or less, no fee may be charged or collected.

On the filing of a petition to contest any will or codicil, to be paid by the petitioner.....~~[44]~~ 55

On the filing of an objection or cross-petition to the appointment of an executor, administrator or guardian, or an objection to the settlement of account or any answer in an estate or guardianship matter.....~~[44]~~ 55

On the appearance of any defendant or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by him or them.....~~[44]~~ 55

For filing a notice of appeal .....~~[24]~~ 30

For issuing a transcript of judgment and certifying thereto.....3

For preparing any copy of any record, proceeding or paper, for each page ..... 1

For each certificate of the clerk, under the seal of the court.....\$3

For examining and certifying to a copy of any paper, record or proceeding prepared by another and presented for his certificate.....5

For filing all papers not otherwise provided for, other than papers filed in actions and proceedings in court and papers filed by public officers in their official capacity .....5

For issuing any certificate under seal, not otherwise provided for.....6

For searching records or files in his office, for each year.....1

For filing and recording a bond of a notary public, per name.....15

For entering the name of a firm or corporation in the register of the county clerk .....20

2. *A county clerk may charge and collect, in addition to any fee that a county clerk is otherwise authorized to charge and collect, an additional fee not to exceed \$5 for filing and recording a bond of a notary public, per name. On or before the fifth day of each month, the county clerk shall pay to*

*the county treasurer the amount of fees collected by him pursuant to this subsection for credit to the account established pursuant to section 1 of this act.*

3. Except as otherwise provided by specific statute, all fees prescribed in this section are payable in advance if demanded by the county clerk.

~~{3.}~~ 4. The fees set forth in subsection 1 are payment in full for all services rendered by the county clerk in the case for which the fees are paid, including the preparation of the judgment roll, but the fees do not include payment for typing, copying, certifying or exemplifying or authenticating copies.

~~{4.}~~ 5. No fee may be charged *to* any attorney at law admitted to practice in this State for searching records or files in the office of the clerk. No fee may be charged for any services rendered to a defendant or his attorney in any criminal case or in habeas corpus proceedings.

~~{5.}~~ 6. Each county clerk shall, on or before the fifth day of each month, account for and pay to the county treasurer all fees collected during the preceding month.

Sec. 3. ~~{1.} The Department of Cultural Affairs shall, during the 2007-2009 interim, conduct a study to determine the feasibility of creating and maintaining a shared digital archive to store, preserve and provide access to the permanent digital records, publications, images and other electronic information collected by the State and local governments.~~

~~2. In conducting the study pursuant to subsection 1, the Department of Cultural Affairs shall work in consultation with and solicit advice and recommendations from the Department of Information Technology.~~

~~3. The Director of the Department of Cultural Affairs shall submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature. (Deleted by amendment.)~~

Sec. 4. This act becomes effective on July 1, 2007.

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 184.

Bill read third time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 655.

"SUMMARY—Revises provisions governing education. (BDR 34-419)"

"AN ACT relating to education; revising provisions governing the statewide system of accountability for public schools and school districts; revising provisions governing the Commission on Educational Technology; prescribing the minimum credits required of pupils in certain courses of study before graduation from high school; providing for a waiver from the

required minimum credits; revising provisions governing the adoption of academic standards; revising provisions governing promotion to high school; making an appropriation; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

The State Board of Education and each school district are required to prepare annual reports of accountability information. (NRS 385.3469, 385.347, 385.349) In addition, the State Board, each school district and each public school are required to prepare a plan to improve the achievement of pupils. (NRS 385.34691, 385.348, 385.357) Sections 1-7 of this bill revise the provisions governing the annual reports of accountability and the plans to improve.

Each public school is designated annually based upon the yearly progress of the pupils enrolled in the school. (NRS 385.3623, 385.366) If a school is designated for 1 year as demonstrating need for achievement, a technical assistance partnership must be established for the school. (NRS 385.3661, 385.3691, 385.3692) If the school is designated for 2 consecutive years as demonstrating need for improvement, the technical assistance partnership must be continued. (NRS 385.3693) Sections 9, 10 and 24 of this bill eliminate the requirement for the establishment of technical assistance partnerships.

If a public school is designated as demonstrating need for improvement for 3 consecutive years or more, a support team must be established for that school. (NRS 385.3721, 385.374, 385.3741) A support team is required to recommend certain types of corrective action for the school. (NRS 385.3744, 385.376) Sections 11-14 of this bill revise provisions governing the school support teams and the recommendation of corrective action.

Existing law creates the Commission on Educational Technology and requires the Commission to establish a plan for the use of educational technology in the public schools. (NRS 388.790, 388.795) Section 19 of this bill requires the Commission to conduct an assessment of the needs of each school district relating to educational technology during the spring semester of each even-numbered school year for submission to the Legislative Committee on Education and the Legislature.

Existing law designates the core academic subjects that must be taught in all public schools as English, mathematics, science and social studies. (NRS 389.018) Existing law also requires a pupil to pass the high school proficiency examination before the pupil may receive a standard high school diploma. (NRS 389.015) Section 20 of this bill prescribes the minimum units of credit that a pupil must earn in the core academic subjects before graduation from high school. Section 20 also provides that the pupil, his parent or legal guardian and an administrator or counselor at the school may mutually agree to a modified course of study for the pupil.

Existing law requires the Council to Establish Academic Standards for Public Schools to establish the standards of content and performance for

certain courses of study. (NRS 389.520) The State Board is required to adopt the standards as submitted by the Council. Section 21 of this bill authorizes the State Board to object to the standards and return the standards to the Council for reconsideration.

Existing law prohibits a pupil from being promoted to high school unless he completes certain course work and credits. (NRS 392.033) Section 22 of this bill provides that if a pupil has been retained one time in grade 8 and he fails again to successfully complete the requirements, he must complete a program of remedial study.

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

Section 1. NRS 385.3469 is hereby amended to read as follows:

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

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

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

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

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

(3) Pupils with disabilities;

(4) Pupils who are limited English proficient; and

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

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

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

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

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

(g) Information on whether each school district has made adequate yearly progress, including, without limitation, the name of each school district, if

any, designated as demonstrating need for improvement pursuant to NRS 385.377 and the number of consecutive years that the school district has carried that designation.

(h) Information on whether each public school, including, without limitation, each charter school, has made adequate yearly progress, including, without limitation, the name of each public school, if any, designated as demonstrating need for improvement pursuant to NRS 385.3623 and the number of consecutive years that the school has carried that designation.

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

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

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

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute

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

(5) For each elementary school:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level.

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

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

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

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

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

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

(3) Withdraw from school to attend another school.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

(1) A standard high school diploma.

(2) An adjusted diploma.

(3) A certificate of attendance.

(bb) ~~{The}~~ *For each school district, including, without limitation, each charter school in the district, and for this State as a whole, the number and percentage of pupils who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination . ~~[, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.]~~*

(cc) The number of habitual truants who are reported to a school police officer or local law enforcement agency pursuant to paragraph (a) of subsection 2 of NRS 392.144 and the number of habitual truants who are referred to an advisory board to review school attendance pursuant to paragraph (b) of subsection 2 of NRS 392.144, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

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

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

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

(ee) An identification of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

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

2. A separate reporting for a ~~{subgroup}~~ *group* of pupils must not be made pursuant to this section if the number of pupils in that ~~{subgroup}~~ *group* is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe a mechanism for determining the minimum number of pupils that must be in a ~~{subgroup}~~ *group* for that ~~{subgroup}~~ *group* to yield statistically reliable information.

3. The annual report of accountability must:

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

(b) Be prepared in a concise manner; and

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

4. On or before September 1 of each year, the State Board shall:

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

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

- (1) Governor;
- (2) Committee;
- (3) Bureau;
- (4) Board of Regents of the University of Nevada;
- (5) Board of trustees of each school district; and
- (6) Governing body of each charter school.

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

6. As used in this section:

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

(b) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 2. NRS 385.34691 is hereby amended to read as follows:

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

(a) Must be prepared in consultation with:

- (1) Employees of the Department;
- (2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;
- (3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; and
- (4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516, appointed by the Council; and

(b) May be prepared in consultation with:

- (1) Representatives of institutions of higher education;
- (2) Representatives of regional educational laboratories;
- (3) Representatives of outside consultant groups;
- (4) Representatives of the regional training programs for the professional development of teachers and administrators created by NRS 391.512;
- (5) The Bureau; and
- (6) Other persons who the State Board determines are appropriate.

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

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

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

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

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

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

(I) The curriculum appropriate to improve achievement;

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

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

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

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

(4) Manage effectively the discipline of pupils; and

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

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

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

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

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

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

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

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

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

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

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

3. The State Board shall:

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

(b) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that the plan is designed to improve the academic achievement of pupils enrolled in public schools in this State.

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

(a) Governor;

(b) Committee;

(c) Bureau;

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

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

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

(g) Governing body of each charter school.

Sec. 3. NRS 385.34692 is hereby amended to read as follows:

385.34692 1. The State Board shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.3469 that includes,

without limitation, a summary of the following information for each school district, each charter school and the State as a whole:

- (a) Demographic information of pupils, including, without limitation, the number and percentage of pupils:
  - (1) Who are economically disadvantaged, as defined by the State Board;
  - (2) Who are from major racial or ethnic groups, as defined by the State Board;
  - (3) With disabilities;
  - (4) Who are limited English proficient; and
  - (5) Who are migratory children, as defined by the State Board;
- (b) The average daily attendance of pupils, reported separately for the ~~subgroups~~ groups identified in paragraph (a);
- (c) The transiency rate of pupils;
- (d) The percentage of pupils who are habitual truants;
- (e) The percentage of pupils who are deemed habitual disciplinary problems pursuant to NRS 392.4655;
- (f) The number of incidents resulting in suspension or expulsion for:
  - (1) Violence to other pupils or to school personnel;
  - (2) Possession of a weapon;
  - (3) Distribution of a controlled substance;
  - (4) Possession or use of a controlled substance; and
  - (5) Possession or use of alcohol;
- (g) For kindergarten through grade 8, the number and percentage of pupils who are retained in the same grade;
- (h) For grades 9 to 12, inclusive, the number and percentage of pupils who are deficient in the number of credits required for promotion to the next grade or graduation from high school;
- (i) The pupil-teacher ratio for kindergarten and grades 1 to 8, inclusive;
- (j) The average class size for the subject area of mathematics, English, science and social studies in schools where pupils rotate to different teachers for different subjects;
- (k) The number and percentage of pupils who graduated from high school;
- (l) The number and percentage of pupils who received a:
  - (1) Standard diploma;
  - (2) Adult diploma;
  - (3) Adjusted diploma; and
  - (4) Certificate of attendance;
- (m) The number and percentage of pupils who graduated from high school and enrolled in remedial courses at the Nevada System of Higher Education;
- (n) Per pupil expenditures;
- (o) Information on the professional qualifications of teachers;
- (p) The average daily attendance of teachers and licensure information;
- (q) Information on the adequate yearly progress of the schools and school districts;

(r) Pupil achievement based upon the examinations administered pursuant to NRS 389.550 and the high school proficiency examination;

(s) To the extent practicable, pupil achievement based upon the examinations administered pursuant to NRS 389.015 for grades 4, 7 and 10; and

(t) Other information required by the Superintendent of Public Instruction in consultation with the Bureau.

2. The summary prepared pursuant to subsection 1 must:

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

(b) Be prepared in a concise manner; and

(c) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents will likely understand.

3. On or before September 7 of each year, the State Board shall:

(a) Provide for public dissemination of the summary prepared pursuant to subsection 1 by posting the summary on the Internet website maintained by the Department; and

(b) Submit a copy of the summary in an electronic format to the:

(1) Governor;

(2) Committee;

(3) Bureau;

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

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

(6) Governing body of each charter school.

4. The board of trustees of each school district and the governing body of each charter school shall ensure that the parents and guardians of pupils enrolled in the school district or charter school, as applicable, have sufficient information concerning the availability of the summary prepared by the State Board pursuant to subsection 1, including, without limitation, information that describes how to access the summary on the Internet website maintained by the Department. Upon the request of a parent or guardian of a pupil, the Department shall provide the parent or guardian with a written copy of the summary.

5. The Department shall, in consultation with the Bureau and the school districts, prescribe a form for the summary required by this section.

Sec. 4. NRS 385.347 is hereby amended to read as follows:

385.347 1. The board of trustees of each school district in this State, in cooperation with associations recognized by the State Board as representing licensed *educational* personnel ~~[in education]~~ in the district, shall adopt a program providing for the accountability of the school district to the residents of the district and to the State Board for the quality of the schools and the educational achievement of the pupils in the district, including, without limitation, pupils enrolled in charter schools in the school district. The board of trustees of each school district shall ~~f~~

~~(a) Report~~ report the information required by subsection 2 for each charter school that is located within the school district, regardless of the sponsor of the charter school.

~~[(b) For the information that is reported in an aggregated format, include the data that is applicable to]~~ The information for charter schools must be reported separately and must denote the charter schools sponsored by the school district ~~[but not the charter schools that are sponsored by the State Board.~~

~~(c) Denote separately in the report those charter schools that are located within the school district]~~ and the charter schools sponsored by the State Board.

2. The board of trustees of each school district shall, on or before August 15 of each year, prepare an annual report of accountability concerning:

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

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

(1) The number of pupils who took the examinations . ~~[(1)]~~

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

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

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

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

(III) Pupils with disabilities;

(IV) Pupils who are limited English proficient; and

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

~~[(3)]~~

(4) A comparison of the achievement of pupils in each ~~[subgroup]~~ group identified in paragraph (b) of subsection 1 of NRS 385.361 with the annual measurable objectives of the State Board . ~~[(4)]~~

(5) The percentage of pupils who were not tested . ~~[(5)]~~



(6) Except as otherwise provided in this paragraph, the percentage of pupils who were not tested, reported separately by gender and reported separately for the ~~{subgroups}~~ *groups* identified in subparagraph (3). ~~{}~~

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

(8) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools in the district, with the results of pupils throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison. ~~{, and}~~

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

↪ A separate reporting for a ~~{subgroup}~~ *group* of pupils must not be made pursuant to this paragraph if the number of pupils in that ~~{subgroup}~~ *group* is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual pupil. The State Board shall prescribe the mechanism for determining the minimum number of pupils that must be in a ~~{subgroup}~~ *group* for that ~~{subgroup}~~ *group* to yield statistically reliable information.

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

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

(1) The percentage of teachers who are:

(I) Providing instruction pursuant to NRS 391.125;

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

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

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

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

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

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level and subject area; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level and subject area; and

(5) For each elementary school:

(I) On and after July 1, 2005, the number of persons employed as substitute teachers for 20 consecutive days or more in the same classroom or assignment, designated as long-term substitute teachers, including the total number of days long-term substitute teachers were employed at each school, identified by grade level; and

(II) On and after July 1, 2006, the number of persons employed as substitute teachers for less than 20 consecutive days, designated as short-term substitute teachers, including the total number of days short-term substitute teachers were employed at each school, identified by grade level.

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

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

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

(2) The curriculum used by each charter school in the district.

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

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

(2) For each elementary school, middle school and junior high school in the district, including, without limitation, each charter school in the district that provides instruction to pupils enrolled in a grade level other than high school, information that compares the attendance of the pupils enrolled in the

school with the attendance of pupils throughout the district and throughout this State. The information required by this subparagraph must be provided in consultation with the Department to ensure the accuracy of the comparison.

(h) The annual rate of pupils who drop out of school in *grade 8 and a separate reporting of the annual rate of pupils who drop out of school in grades 9 to 12, inclusive*, for each such grade, for each school in the district and for the district as a whole . ~~[excluding]~~ *The reporting for pupils in grades 9 to 12, inclusive, excludes* pupils who:

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

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

(3) Withdraw from school to attend another school.

(i) Records of attendance of teachers who provide instruction, for each school in the district and the district as a whole, including, without limitation, each charter school in the district.

(j) Efforts made by the school district and by each school in the district, including, without limitation, each charter school in the district, to increase:

(1) Communication with the parents of pupils in the district; and

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

(k) Records of incidents involving weapons or violence for each school in the district, including, without limitation, each charter school in the district.

(l) Records of incidents involving the use or possession of alcoholic beverages or controlled substances for each school in the district, including, without limitation, each charter school in the district.

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

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

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

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

(q) Each source of funding for the school district.

(r) A compilation of the programs of remedial study that are purchased in whole or in part with money received from this State, for each school in the

district and the district as a whole, including, without limitation, each charter school sponsored by the district. The compilation must include:

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

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

(s) For each high school in the district, including, without limitation, each charter school in the district, the percentage of pupils who graduated from that high school or charter school in the immediately preceding year and enrolled in remedial courses in reading, writing or mathematics at a university, state college or community college within the Nevada System of Higher Education.

(t) The technological facilities and equipment available at each school, including, without limitation, each charter school, and the district's plan to incorporate educational technology at each school.

(u) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who received:

(1) A standard high school diploma.

(2) An adjusted diploma.

(3) A certificate of attendance.

(v) For each school in the district and the district as a whole, including, without limitation, each charter school in the district, the number and percentage of pupils who did not receive a high school diploma because the pupils failed to pass the high school proficiency examination.

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

(x) The amount and sources of money received for the training and professional development of teachers and other educational personnel for each school in the district and for the district as a whole, including, without limitation, each charter school in the district.

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

(z) Information on whether each public school in the district, including, without limitation, each charter school in the district, has made adequate yearly progress, including, without limitation:

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

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

(aa) Information on the paraprofessionals employed by each public school in the district, including, without limitation, each charter school the district. The information must include:

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

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

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

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

(dd) Such other information as is directed by the Superintendent of Public Instruction.

3. The records of attendance maintained by a school for purposes of paragraph (i) of subsection 2 must include the number of teachers who are in attendance at school and the number of teachers who are absent from school. A teacher shall be deemed in attendance if the teacher is excused from being present in the classroom by the school in which he is employed for one of the following reasons:

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

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

4. The annual report of accountability prepared pursuant to subsection 2 must:

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

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

5. The Superintendent of Public Instruction shall:

(a) Prescribe forms for the reports required pursuant to subsection 2 and provide the forms to the respective school districts.

(b) Provide statistical information and technical assistance to the school districts to ensure that the reports provide comparable information with respect to each school in each district and among the districts throughout this State.

(c) Consult with a representative of the:

- (1) Nevada State Education Association;
- (2) Nevada Association of School Boards;
- (3) Nevada Association of School Administrators;
- (4) Nevada Parent Teacher Association;
- (5) Budget Division of the Department of Administration; and
- (6) Legislative Counsel Bureau,

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

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

7. On or before August 15 of each year, the board of trustees of each school district shall submit to each advisory board to review school attendance created in the county pursuant to NRS 392.126 the information required in paragraph (g) of subsection 2.

8. On or before August 15 of each year, the board of trustees of each school district shall:

(a) Provide written notice that the report required pursuant to subsection 2 is available on the Internet website maintained by the school district, if any, or otherwise provide written notice of the availability of the report. The written notice must be provided to the:

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

(b) Provide for public dissemination of the annual report of accountability prepared pursuant to subsection 2 in the manner set forth in 20 U.S.C. § 6311(h)(2)(E) by posting a copy of the report on the Internet website maintained by the school district, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the annual report by providing a copy of the report to the schools in the school district, including, without limitation, each charter school in the district, the residents of the district, and the parents and guardians of pupils enrolled in schools in the district, including, without limitation, each charter school in the district.

9. Upon the request of the Governor, an entity described in paragraph (a) of subsection 8 or a member of the general public, the board of trustees of a school district shall provide a portion or portions of the report required pursuant to subsection 2.

10. As used in this section:

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

(b) "Paraprofessional" has the meaning ascribed to it in NRS 391.008.

Sec. 5. NRS 385.348 is hereby amended to read as follows:

385.348 1. The board of trustees of each school district shall, in consultation with the employees of the school district, prepare a plan to improve the achievement of pupils enrolled in the school district, excluding pupils who are enrolled in charter schools located in the school district. If the school district is a Title I school district designated as demonstrating need for improvement pursuant to NRS 385.377, the plan must also be prepared in consultation with parents and guardians of pupils enrolled in the school district and other persons who the board of trustees determines are appropriate.

2. Except as otherwise provided in this subsection, the plan must include the items set forth in 20 U.S.C. § 6316(c)(7) and the regulations adopted pursuant thereto. If a school district has not been designated as demonstrating need for improvement pursuant to NRS 385.377, the board of trustees of the school district is not required to include those items set forth in 20 U.S.C. § 6316(c)(7) and the regulations adopted pursuant thereto that directly relate to the status of a school district as needing improvement.

3. In addition to the requirements of subsection 2, a plan to improve the achievement of pupils enrolled in a school district must include:

(a) A review and analysis of the data upon which the report required pursuant to subsection 2 of NRS 385.347 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

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

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

(d) Strategies to improve the academic achievement of pupils enrolled in the school district, including, without limitation, strategies to:

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

(I) The curriculum appropriate to improve achievement;

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

(III) An identification of the instruction and curriculum that is specifically designed to improve the achievement and proficiency of pupils in

each ~~subgroup~~ *group* identified in paragraph (b) of subsection 1 of NRS 385.361;

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

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

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed by the school district to include the activities set forth in 20 U.S.C. § 7801(34) and to address the specific needs of the pupils enrolled in the school district, as deemed appropriate by the board of trustees of the school district.

(e) An identification, by category, of the employees of the school district who are responsible for ensuring that each provision of the plan is carried out effectively.

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

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

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

(i) Strategies to improve the allocation of resources from the school district, by program and by school, in a manner that will improve the academic achievement of pupils. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, each school district shall use that statewide program in complying with this paragraph. If a statewide program is not available, each school district shall use its own financial analysis program in complying with this paragraph.

(j) Based upon the reallocation of resources set forth in paragraph (i), the resources available to the school district to carry out the plan, including, without limitation, a budget of the overall cost for carrying out the plan.

(k) A summary of the effectiveness of appropriations made by the Legislature that are available to the school district or the schools within the school district to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

(l) An identification of the programs, practices and strategies that are used throughout the school district and by the schools within the school district that have proven successful in improving the achievement and proficiency of pupils, including, without limitation:



(1) An identification of each school that carries out such a program, practice or strategy;

(2) An indication of which programs, practices and strategies are carried out throughout the school district and which programs, practices and strategies are carried out by individual schools;

(3) The extent to which the programs, practices and strategies include methods to improve the achievement and proficiency of pupils in each ~~subgroup~~ group identified in paragraph (b) of subsection 1 of NRS 385.361; and

(4) A description of how the school district disseminates information concerning the successful programs, practices and strategies to all schools within the school district.

4. The board of trustees of each school district shall:

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

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

5. On or before December 15 of each year, the board of trustees of each school district shall submit the plan or the revised plan, as applicable, to the:

(a) Superintendent of Public Instruction;

(b) Governor;

(c) State Board;

(d) Department;

(e) Committee; and

(f) Bureau.

Sec. 6. NRS 385.349 is hereby amended to read as follows:

385.349 1. The board of trustees of each school district shall prepare a summary of the annual report of accountability prepared pursuant to NRS 385.347 on the form prescribed by the Department pursuant to subsection 3 or an expanded form, as applicable. The summary must include, without limitation:

(a) The information set forth in subsection 1 of NRS 385.34692, reported for the school district as a whole and for each school within the school district;

(b) Information on the involvement of parents and legal guardians in the education of their children; and

(c) Other information required by the Superintendent of Public Instruction in consultation with the Bureau.

2. The summary prepared pursuant to subsection 1 must:

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

(b) Be presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents will likely understand.

3. The Department shall, in consultation with the Bureau and the school districts, prescribe a form that contains the basic information required by subsection 1. The board of trustees of a school district may use an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.

4. On or before September 7 of each year, the board of trustees of each school district shall:

(a) Submit the summary in an electronic format to the:

- (1) Governor;
- (2) State Board;
- (3) Department;
- (4) Committee;
- (5) Bureau; and
- (6) Schools within the school district.

(b) Provide for the public dissemination of the summary by posting a copy of the summary on the Internet website maintained by the school district, if any. If a school district does not maintain a website, the district shall otherwise provide for public dissemination of the summary. The board of trustees of each school district shall ensure that the parents and guardians of pupils enrolled in the school district have sufficient information concerning the availability of the summary, including, without limitation, information that describes how to access the summary on the Internet website maintained by the school district, if any. Upon the request of a parent or legal guardian, the school district shall provide the parent or legal guardian with a written copy of the summary.

5. The board of trustees of each school district shall ~~[-~~

~~(a) Report]~~ *report* the information required by this section for each charter school that is located within the school district, regardless of the sponsor of the charter school.

~~[(b) For the information that is reported in an aggregated format, include the data that is applicable to]~~ *The information for charter schools must be reported separately and must denote the charter schools sponsored by the school district [but not the charter schools that are sponsored by the State Board.*

~~(c) Denote separately in the report those charter schools that are located within the school district]~~ *and the charter schools sponsored by the State Board.*

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

385.357 1. The principal of each school, including, without limitation, each charter school, shall, in consultation with the employees of the school, prepare a plan to improve the achievement of the pupils enrolled in the school.

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

(a) A review and analysis of the data pertaining to the school upon which the report required pursuant to subsection 2 of NRS 385.347 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

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

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

(d) Policies and practices concerning the core academic subjects which have the greatest likelihood of ensuring that each ~~subgroup~~ group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school will make adequate yearly progress and meet the minimum level of proficiency prescribed by the State Board.

(e) Annual measurable objectives, consistent with the annual measurable objectives established by the State Board pursuant to NRS 385.361, for the continuous and substantial progress by each ~~subgroup~~ group of pupils identified in paragraph (b) of subsection 1 of that section who are enrolled in the school to ensure that each ~~subgroup~~ group will make adequate yearly progress and meet the level of proficiency prescribed by the State Board.

(f) Strategies, consistent with the policy adopted pursuant to NRS 392.457 by the board of trustees of the school district in which the school is located, to promote effective involvement by parents and families of pupils enrolled in the school in the education of their children.

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

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

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

(I) The curriculum appropriate to improve achievement;

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

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

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

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

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed at the school to include the activities set forth in 20 U.S.C. § 7801(34) and to address the specific needs of pupils enrolled in the school, as deemed appropriate by the principal.

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

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

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

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

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

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

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

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

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

4. Except as otherwise provided in subsection 5, the principal of each school shall, in consultation with the employees of the school:

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

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

5. If a school has been designated as demonstrating need for improvement pursuant to NRS 385.3623 ~~[, the technical assistance partnership or the]~~ and a support team *has been* established for the school, ~~[as applicable,]~~ *the support team* shall review the plan and make revisions to the most recent plan for improvement of the school pursuant to NRS ~~[385.3692 or 385.3741, as applicable,]~~ 385.3741. If the school is a Title I school that has been designated as demonstrating need for improvement, the ~~[technical assistance partnership or]~~ support team established for the school ~~[, as applicable,]~~ shall, in making revisions to the plan, work in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity responsible for creating the ~~[partnership or]~~ support team, outside experts.

6. On or before November 1 of each year, the principal of each school ~~[, or the technical assistance partnership]~~ or *the* support team established for the school, as applicable, shall submit the plan or the revised plan, as applicable, to:

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

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

7. If a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623, the superintendent of schools of the school district or the governing body, as applicable, shall carry out a process for peer review of the plan or the revised plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days after receipt of the plan, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan, as applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto and the requirements of this section. The superintendent of schools of the school district or the governing body, as applicable, may condition approval of the plan or the revised plan, as applicable, in the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and the regulations adopted pursuant thereto. The State Board shall prescribe the requirements for the process of peer review, including, without limitation, the qualifications of persons who may serve as peer reviewers.

8. If a school is designated as demonstrating exemplary achievement, high achievement or adequate achievement, or if a school that is not a Title I school is designated as demonstrating need for improvement, not later than 45 days after receipt of the plan or the revised plan, as applicable, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan if it meets the requirements of this section.

9. On or before December 15 of each year, the principal of each school ~~[, or the technical assistance partnership]~~ or *the* support team established for the

school, as applicable, shall submit the final plan or the final revised plan, as applicable, to the:

- (a) Superintendent of Public Instruction;
- (b) Governor;
- (c) State Board;
- (d) Department;
- (e) Committee;
- (f) Bureau; and
- (g) Board of trustees of the school district in which the school is located.

10. A plan for the improvement of a school must be carried out expeditiously, but not later than January 1 after approval of the plan pursuant to subsection 7 or 8, as applicable.

Sec. 8. NRS 385.3613 is hereby amended to read as follows:

385.3613 1. Except as otherwise provided in subsection 2, on or before June 15 of each year, the Department shall determine whether each public school is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361.

2. On or before June 30 of each year, the Department shall determine whether each public school that operates on a schedule other than a traditional 9-month schedule is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361.

3. The determination pursuant to subsection 1 or 2, as applicable, for a public school, including, without limitation, a charter school sponsored by the board of trustees of the school district, must be made in consultation with the board of trustees of the school district in which the public school is located. If a charter school is sponsored by the State Board, the Department shall make a determination for the charter school in consultation with the State Board. The determination made for each school must be based only upon the information and data for those pupils who are enrolled in the school for a full academic year. On or before June 15 or June 30 of each year, as applicable, the Department shall transmit:

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

(b) To the State Board the determination made for each charter school that is sponsored by the State Board.

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

group identified in paragraph (b) of subsection 1 of NRS 385.361 did not satisfy the annual measurable objectives of the State Board.

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

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

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

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

(a) The Department shall not determine that the school has failed to make adequate yearly progress pursuant to paragraph (b) of subsection 5 based solely upon that particular ~~subgroup~~ group.

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

↪ The State Board shall prescribe the mechanism for determining the number of pupils that must be in a ~~subgroup~~ group for that ~~subgroup~~ group to yield statistically reliable information.

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

8. As used in this section:

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

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

Sec. 9. NRS 385.3661 is hereby amended to read as follows:

385.3661 1. ~~If a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of NRS 385.3693, 385.3721 or 385.3745 do not apply, the technical assistance partnership established for the school pursuant to this section shall carry out the requirements of NRS 385.3692.~~

~~2.~~ Except as otherwise provided in subsection ~~3.~~ 2, if a public school is designated as demonstrating need for improvement pursuant to

NRS 385.3623 and the provisions of NRS 385.3693, 385.3721 or 385.3745 do not apply, the board of trustees of the school district shall:

(a) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; *and*

(b) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto . ~~{; and~~

~~(c) Establish a technical assistance partnership for the school, with the membership prescribed pursuant to NRS 385.3691.~~

~~3.} 2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of NRS 385.3693, 385.3721 or 385.3745 do not apply:~~

~~(a) The governing body of the charter school shall {;~~

~~(1) Provide} provide notice of the designation to the parents and guardians of pupils enrolled in the charter school on the form prescribed by the Department pursuant to NRS 385.382 . {; and~~

~~(2) Establish a technical assistance partnership for the charter school, with the membership prescribed pursuant to NRS 385.3691.}~~

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto. ~~{The provisions of this paragraph do not require the school district to pay for the technical assistance partnership established by the governing body of the charter school.}~~

(c) For a charter school sponsored by the State Board, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

~~{4.} 3. In addition to the requirements of subsection {2 or 3,} 1 or 2, as applicable, if a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 and the provisions of NRS 385.3693, 385.3721 or 385.3745 do not apply:~~

(a) Except as otherwise provided in paragraph (b), the board of trustees of the school district shall provide school choice to the parents and guardians of pupils enrolled in the school, including, without limitation, a charter school sponsored by the school district, in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

(b) For a charter school sponsored by the State Board, the Department shall work cooperatively with the board of trustees of the school district in which the charter school is located to provide school choice to the parents and guardians of pupils enrolled in the charter school in accordance with 20 U.S.C. § 6316(b)(1) and the regulations adopted pursuant thereto.

Sec. 10. NRS 385.3693 is hereby amended to read as follows:



385.3693 1. ~~If a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 2 consecutive years, the technical assistance partnership established for the school pursuant to NRS 385.3661 shall carry out the requirements of NRS 385.3692.~~

2. Except as otherwise provided in subsection ~~{3,}~~ 2, if a public school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 2 consecutive years, the board of trustees of the school district shall:

(a) Provide notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382; *and*

(b) Ensure that the school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto . ~~}; and~~

~~(c) Continue the technical assistance partnership for the school.~~

~~3.}~~ 2. If a charter school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 2 consecutive years:

(a) The governing body of the charter school shall ~~};~~

~~(1) Provide}~~ *provide* notice of the designation to the parents and guardians of pupils enrolled in the school on the form prescribed by the Department pursuant to NRS 385.382 . ~~}; and~~

~~(2) Continue the technical assistance partnership for the school.}~~

(b) For a charter school sponsored by the board of trustees of a school district, the board of trustees shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto. ~~{The provisions of this paragraph do not require the school district to pay for the technical assistance partnership established by the governing body of the charter school.}~~

(c) For a charter school sponsored by the State Board, the Department shall, in conjunction with the governing body of the charter school, ensure that the charter school receives technical assistance in the manner set forth in 20 U.S.C. § 6316(b)(4) and the regulations adopted pursuant thereto.

Sec. 11. NRS 385.374 is hereby amended to read as follows:

385.374 1. The membership of each support team established pursuant to NRS 385.3721 ~~};~~

~~1. Must}~~ *must* consist of, without limitation:

(a) Teachers and principals who are considered highly qualified and who are not employees of the public school for which the support team is established;

(b) ~~{At least one representative of the Department,}~~ *One member appointed in accordance with subsection 3,* who must serve as the ~~{facilitator}~~ *team leader* of the support team;

(c) Except for a charter school, at least one administrator at the district level who is employed by the board of trustees of the school district;

(d) At least one parent or guardian of a pupil who is enrolled in the public school for which the support team is established; and

(e) In addition to the requirements of paragraphs (a) to (d), inclusive, for a charter school:

(1) At least one member of the governing body of the charter school, regardless of the sponsor of the charter school; and

(2) If the charter school is sponsored by the board of trustees of a school district, at least one employee of the school district, which may include an administrator.

2. ~~May~~ *The membership of each support team established pursuant to NRS 385.3721 may consist of, without limitation:*

(a) Except for a charter school, one or more members of the board of trustees of the school district in which the school is located;

(b) Representatives of institutions of higher education;

(c) Representatives of regional educational laboratories;

(d) Representatives of outside consultant groups;

(e) Representatives of the regional training program for the professional development of teachers and administrators created by NRS 391.512 that provides services to the school district in which the school is located;

(f) The Bureau; and

(g) Other persons who the Department determines are appropriate.

3. *The member appointed pursuant to paragraph (b) of subsection 1 must:*

*(a) Be employed by the Department; or*

*(b) If he is not employed by the Department, have the training and experience required by the Department.*

Sec. 12. NRS 385.3741 is hereby amended to read as follows:

385.3741 1. Each support team established for a public school pursuant to NRS 385.3721 shall:

(a) Review and analyze the operation of the school, including, without limitation, the design and operation of the instructional program of the school.

(b) Review and analyze the data pertaining to the school upon which the report required pursuant to subsection 2 of NRS 385.347 is based and review and analyze any data that is more recent than the data upon which the report is based.

(c) Review the most recent plan to improve the achievement of the school's pupils.

(d) Identify and investigate the problems and factors at the school that contributed to the designation of the school as demonstrating need for improvement.

(e) Assist the school in developing recommendations for improving the performance of pupils who are enrolled in the school.

(f) Except as otherwise provided in this paragraph, make recommendations to the board of trustees of the school district, the State

Board and the Department concerning additional assistance for the school in carrying out the plan for improvement of the school. For a charter school sponsored by the State Board, the support team shall make the recommendations to the State Board and the Department.

(g) In accordance with its findings pursuant to this section and NRS 385.3742, submit, on or before November 1, written revisions to the most recent plan to improve the achievement of the school's pupils for approval pursuant to NRS 385.357. The written revisions must:

- (1) Comply with NRS 385.357;
- (2) If the school is a Title I school, be developed in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity that created the support team, outside experts;
- (3) Include the data and findings of the support team that provide support for the revisions;
- (4) Set forth goals, objectives, tasks and measures for the school that are:
  - (I) Designed to improve the achievement of the school's pupils;
  - (II) Specific;
  - (III) Measurable; and
  - (IV) Conducive to reliable evaluation;
- (5) Set forth a timeline to carry out the revisions;
- (6) Set forth priorities for the school in carrying out the revisions; and
- (7) Set forth the names and duties of each person who is responsible for carrying out the revisions.

(h) Except as otherwise provided in this paragraph, work cooperatively with the board of trustees of the school district in which the school is located, the employees of the school, and the parents and guardians of pupils enrolled in the school to carry out and monitor the plan for improvement of the school. If a charter school is sponsored by the State Board, the Department shall assist the school with carrying out and monitoring the plan for improvement of the school.

(i) Prepare a ~~monthly~~ quarterly progress report in the format prescribed by the Department and:

- (1) Submit the progress report to the Department.
- (2) Distribute copies of the progress report to each employee of the school for review.

(j) In addition to the requirements of this section, if the support team is established for a Title I school, carry out the requirements of 20 U.S.C. § 6317(a)(5).

2. A school support team may require the school for which the support team was established to submit plans, strategies, tasks and measures that, in the determination of the support team, will assist the school in improving the achievement and proficiency of pupils enrolled in the school.

3. The Department shall prescribe a concise ~~[monthly]~~ *quarterly* progress report for use by each support team in accordance with paragraph (i) of subsection 1.

Sec. 13. NRS 385.3744 is hereby amended to read as follows:

385.3744 1. Except as otherwise provided in subsection ~~[2.]~~ 3, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 3 consecutive years for failing to make adequate yearly progress, the support team established for the school shall consider whether corrective action is appropriate for the school. If the support team determines that corrective action is appropriate, the support team shall make a recommendation ~~[to the Department]~~ for corrective action for the school, including, without limitation, the type of corrective action that is recommended from the list of corrective actions authorized pursuant to ~~[paragraphs (a), (b) and (c)]~~ *subsection 2. The recommendation must be submitted to:*

(a) *For a school of the school district or a charter school sponsored by the board of trustees of the school district, the board of trustees.*

(b) *For a charter school sponsored by the State Board, the Department.*

2. Regardless of whether a support team recommends corrective action for a school, the Department *may, for a charter school sponsored by the State Board, and the board of trustees of a school district may, for a school of the school district or a charter school sponsored by the board of trustees,* take one or more of the following corrective actions for the school:

(a) Develop and carry out a new curriculum at the school, including the provision of appropriate professional development relating to the new curriculum.

(b) ~~[Decrease the number]~~ *Significantly decrease the managerial authority of the employees at the school. ~~[who carry out managerial duties.]~~*

(c) Extend the school year or the school day.

~~[2.]~~ 3. The Department *or the board of trustees of a school district, as applicable,* shall grant a delay from the imposition of corrective action for a school for a period not to exceed 1 year if the school qualifies for a delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the Department *or the board of trustees, as applicable,* may proceed with corrective action as if the delay never occurred.

Sec. 14. NRS 385.376 is hereby amended to read as follows:

385.376 1. Except as otherwise provided in subsection 2, if a public school that is not a Title I school is designated as demonstrating need for improvement pursuant to NRS 385.3623 for 4 or more consecutive years for failure to make adequate yearly progress, the support team for the school shall:

(a) If corrective action was not taken against the school pursuant to NRS 385.3744, consider whether corrective action is appropriate for the school.

(b) If corrective action was taken against the school pursuant to NRS 385.3744, consider whether further corrective action is appropriate or whether consequences or sanctions, or both, are appropriate for the school.

~~{1}~~

2. Regardless of whether a support team recommends corrective action or consequences or sanctions for a school, the Department *may, for a charter school sponsored by the State Board, and the board of trustees of a school district may, for a school of the school district or a charter school sponsored by the board of trustees*, take corrective action as set forth in NRS 385.3744 or proceed with consequences or sanctions, or both, as prescribed by the State Board pursuant to NRS 385.361.

~~{2}~~ 3. The Department *or the board of trustees of a school district, as applicable*, shall grant a delay from the imposition of corrective action or restructuring pursuant to this section for a school for a period not to exceed 1 year if the school qualifies for a delay in the manner set forth in 20 U.S.C. § 6316(b)(7)(D). If the school fails to make adequate yearly progress during the period of the delay, the Department *or the board of trustees, as applicable*, may proceed with corrective action or with consequences or sanctions, or both, for the school, as appropriate, as if the delay never occurred.

~~{3}~~ 4. Before the *board of trustees or the Department* proceeds with consequences or sanctions, the board of trustees or the Department, as applicable, shall provide to the administrators, teachers and other educational personnel employed at that school, and parents and guardians of pupils enrolled in the school:

(a) Notice that the board of trustees or the Department, as applicable, will proceed with consequences or sanctions for the school;

(b) An opportunity to comment before the consequences or sanctions are carried out; and

(c) An opportunity to participate in the development of the consequences or sanctions.

Sec. 15. NRS 385.3762 is hereby amended to read as follows:

385.3762 1. On or before July 1 of each year, the Department shall determine whether each school district is making adequate yearly progress, as defined by the State Board pursuant to NRS 385.361. The pupils who are enrolled in a charter school, if any, located within a school district must not be included in the determination made for that school district. The determination made for each school district must be based only upon the information and data for those pupils who were enrolled in the school district for a full academic year, regardless of whether those pupils attended more than one school within the school district for that academic year.

2. Except as otherwise provided in this subsection, the Department shall determine that a school district has failed to make adequate yearly progress if any ~~subgroup~~ *group* of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school district does not satisfy the

annual measurable objectives established by the State Board pursuant to that section. To comply with 20 U.S.C. § 6311(b)(2)(I) and the regulations adopted pursuant thereto, the State Board shall prescribe by regulation the conditions under which a school district shall be deemed to have made adequate yearly progress even though a ~~subgroup~~ group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361 who are enrolled in the school district did not satisfy the annual measurable objectives of the State Board.

3. In addition to the provisions of subsection 2, the Department shall determine that a school district has failed to make adequate yearly progress if:

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

(b) Except as otherwise provided in subsection 4, for each ~~subgroup~~ group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361, the number of pupils enrolled in the school district who took the examinations administered pursuant to NRS 389.550 or the high school proficiency examination, as applicable, is less than 95 percent of all pupils in the ~~subgroup~~ group who were required to take the examinations.

4. If the number of pupils in a particular ~~subgroup~~ group who are enrolled in a school district is insufficient to yield statistically reliable information:

(a) The Department shall not determine that the school district has failed to make adequate yearly progress pursuant to paragraph (b) of subsection 3 based solely upon that particular ~~subgroup~~ group.

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

↪ The State Board shall prescribe the mechanism for determining the minimum number of pupils that must be in a ~~subgroup~~ group for that ~~subgroup~~ group to yield statistically reliable information.

Sec. 16. NRS 385.391 is hereby amended to read as follows:

385.391 1. The Department shall adopt:

(a) Regulations to provide for the recognition of schools that:

(1) Receive a designation as demonstrating exemplary achievement or high achievement pursuant to NRS 385.3623.

(2) Significantly improve the academic achievement of ~~subgroups~~ groups of pupils identified in paragraph (b) of subsection 1 of NRS 385.361.

(3) Exceed adequate yearly progress, as determined by the Department pursuant to NRS 385.3613, for 2 or more consecutive years.

(b) Such regulations as it deems necessary to carry out the provisions of this section and NRS 385.3455 to 385.391, inclusive, including, without limitation, uniform standards for the type and format of data that must be

submitted by the school districts and the time by which such data must be submitted.

2. The Department may work in consultation with the Bureau for identifying and publicizing the achievement of schools that are recognized pursuant to paragraph (a) of subsection 1.

Sec. 17. NRS 386.605 is hereby amended to read as follows:

386.605 1. On or before July 15 of each year, the governing body of a charter school ~~[that is sponsored by the board of trustees of a school district]~~ shall submit the information concerning the charter school that is required pursuant to subsection 2 of NRS 385.347 to the board of trustees ~~[that sponsors]~~ of the school district in which the charter school is located for inclusion in the report of the school district pursuant to that section. The information must be submitted by the charter school in a format prescribed by the board of trustees.

2. The Legislative Bureau of Educational Accountability and Program Evaluation created pursuant to NRS 218.5356 may authorize a person or entity with whom it contracts pursuant to NRS 385.359 to review and analyze information submitted by charter schools pursuant to this section and NRS 385.357, consult with the governing bodies of charter schools and submit written reports concerning charter schools pursuant to NRS 385.359.

Sec. 18. NRS 386.650 is hereby amended to read as follows:

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

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

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

(2) In a separate reporting for each ~~[subgroup]~~ group of pupils identified in paragraph (b) of subsection 1 of NRS 385.361;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The Superintendent of Public Instruction shall:

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

(b) Prescribe the data to be collected and reported to the Department by each school district and each sponsor of a charter school pursuant to subsection 2;

(c) Prescribe the format for the data;

(d) Prescribe the date by which each school district shall report the data;

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

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

(1) Individual pupils;

(2) Individual teachers and paraprofessionals;

(3) Individual schools and school districts; and



(4) Programs and financial information;

(g) Provide technical assistance to each school district to ensure that the data from each public school in the school district, including, without limitation, each charter school located within the school district, is compatible with the automated system of information and comparable to the data reported by other school districts; and

(h) Provide for the analysis and reporting of the data in the automated system of information.

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

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

Sec. 19. NRS 388.795 is hereby amended to read as follows:

388.795 1. The Commission shall establish a plan for the use of educational technology in the public schools of this State. In preparing the plan, the Commission shall consider:

(a) Plans that have been adopted by the Department and the school districts in this State;

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

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

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

(e) Any other information that the Commission or the Committee deems relevant to the preparation of the plan.

2. The plan established by the Commission must include recommendations for methods to:

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

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

(c) Increase the availability of educational technology to assist licensed teachers and other educational personnel in complying with the requirements

of continuing education, including, but not limited to, the receipt of credit for college courses completed through the use of educational technology;

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

(e) Address the needs of teachers in incorporating the use of educational technology in the classroom, including, ~~but not limited to,~~ *without limitation*, the completion of training that is sufficient to enable the teachers to instruct pupils in the use of educational technology.

3. The Department shall provide:

- (a) Administrative support;
- (b) Equipment; and
- (c) Office space,

↪ as is necessary for the Commission to carry out the provisions of this section.

4. The following entities shall cooperate with the Commission in carrying out the provisions of this section:

- (a) The State Board.
- (b) The board of trustees of each school district.
- (c) The superintendent of schools of each school district.
- (d) The Department.

5. The Commission shall:

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

(b) Allocate money to the school districts from the Trust Fund for Educational Technology created pursuant to NRS 388.800 and any money appropriated by the Legislature for educational technology, subject to any priorities for such allocation established by the Legislature.

(c) Establish criteria for the board of trustees of a school district that receives an allocation of money from the Commission to:

- (1) Repair, replace and maintain computer systems.
- (2) Upgrade and improve computer hardware and software and other educational technology.

(3) Provide training, installation and technical support related to the use of educational technology within the district.

(d) Submit to the Governor, the Committee and the Department its plan for the use of educational technology in the public schools of this State and any recommendations for legislation.

(e) Review the plan annually and make revisions as it deems necessary or as directed by the Committee or the Department.

(f) In addition to the recommendations set forth in the plan pursuant to subsection 2, make further recommendations to the Committee and the Department as the Commission deems necessary.

6. *During the spring semester of each even-numbered school year, the Commission shall conduct an assessment of the needs of each school district relating to educational technology. In conducting the assessment, the Commission shall consider:*

- (a) The recommendations set forth in the plan pursuant to subsection 2;*
- (b) The plan for educational technology of each school district, if applicable;*
- (c) Evaluations of educational technology conducted for the State or for a school district, if applicable; and*
- (d) Any other information deemed relevant by the Commission.*

➔ *The Commission shall submit a final written report of the assessment to the Superintendent of Public Instruction on or before April 1 of each even-numbered year.*

7. *The Superintendent of Public Instruction shall prepare a written compilation of the results of the assessment conducted by the Commission and transmit the written compilation on or before June 1 of each even-numbered year to the Legislative Committee on Education and to the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Legislature.*

8. The Commission may appoint an advisory committee composed of members of the Commission or other qualified persons to provide recommendations to the Commission regarding standards for the establishment, coordination and use of a telecommunications network in the public schools throughout the various school districts in this State. The advisory committee serves at the pleasure of the Commission and without compensation unless an appropriation or other money for that purpose is provided by the Legislature.

~~{7.}~~ 9. As used in this section, "public school" includes the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS.

Sec. 20. NRS 389.018 is hereby amended to read as follows:

389.018 1. The following subjects are designated as the core academic subjects that must be taught, as applicable for grade levels, in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

- (a) English, including reading, composition and writing;
- (b) Mathematics;
- (c) Science; and
- (d) Social studies, which includes only the subjects of history, geography, economics and government.

2. *Except as otherwise provided in this subsection, a pupil enrolled in a public school must, before graduation from high school, have earned a minimum of:*

- (a) Four units of credit in English;*

(b) *Four units of credit in mathematics, including, without limitation, Algebra I and geometry, or an equivalent course of study that integrates Algebra I and geometry;*

(c) *Three units of credit in science, including two laboratory courses; and*

(d) *Three units of credit in social studies, including, without limitation:*

(1) *American government;*

(2) *American history; and*

(3) *World history or geography.*

↪ *A pupil is not required to earn the minimum credits required by this subsection if the pupil, the parent or legal guardian of the pupil and an administrator or a counselor at the school in which the pupil is enrolled mutually agree to a modified course of study for the pupil.*

3. Except as otherwise provided in this subsection, in addition to the core academic subjects, the following subjects must be taught as applicable for grade levels and to the extent practicable in all public schools, the Caliente Youth Center, the Nevada Youth Training Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS:

(a) The arts;

(b) Computer education and technology;

(c) Health; and

(d) Physical education.

↪ If the State Board requires the completion of course work in a subject area set forth in this subsection for graduation from high school or promotion to the next grade, a public school shall offer the required course work. Unless a subject is required for graduation from high school or promotion to the next grade, a charter school is not required to comply with this subsection.

Sec. 21. NRS 389.520 is hereby amended to read as follows:

389.520 1. The Council shall:

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

(1) English, including reading, composition and writing;

(2) Mathematics;

(3) Science;

(4) Social studies, which includes only the subjects of history, geography, economics and government;

(5) The arts;

(6) Computer education and technology;

(7) Health; and

(8) Physical education.

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

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

2. The Council shall establish standards of content and performance for each grade level in kindergarten and grades 1 to 8, inclusive, for English and mathematics. The Council shall establish standards of content and performance for the grade levels selected by the Council for the other courses of study prescribed in subsection 1.

3. *The Council shall forward to the State Board the standards of content and performance established by the Council for each course of study. The State Board shall:*

(a) *Adopt the standards for each course of study, as submitted by the Council; or*

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

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

(a) *Consider the objection provided by the State Board and determine whether to revise the standards based upon the objection; and*

(b) *Return the standards or the revised standards, as applicable, to the State Board .*

➔ *The State Board shall adopt the standards of content and performance ~~established by the Council.~~*

~~4.]~~ *or the revised standards, as applicable.*

5. The Council shall work in cooperation with the State Board to prescribe the examinations required by NRS 389.550.

Sec. 22. NRS 392.033 is hereby amended to read as follows:

392.033 1. The State Board shall adopt regulations which prescribe the courses of study required for promotion to high school, ~~which~~ *including, without limitation, English, mathematics, science and social studies. The regulations may include the credits to be earned ~~in~~ in each course.*

2. The board of trustees of a school district shall not promote a pupil to high school if the pupil does not complete the course of study or credits required for promotion. *If a pupil is retained in grade 8 pursuant to this subsection and the pupil does not complete the course of study or credits required for promotion, the pupil shall complete a program of remedial study as required by the school district. If the pupil successfully completes the program of remedial study, the board of trustees shall promote the pupil to high school. If the pupil does not successfully complete the program of remedial study, he must be retained in grade 8 until he completes the course of study or credits required for promotion or successfully completes a program of remedial study.* The board of trustees of the school district in which the pupil is enrolled ~~may~~ *shall* provide programs of remedial study to complete the courses of study required for promotion to high school.

3. The board of trustees of each school district shall adopt a procedure for evaluating the course of study or credits completed by a pupil who transfers to a junior high or middle school from a junior high or middle school in this State or from a school outside of this State.

Sec. 23. (Deleted by amendment.)

Sec. 24. NRS 385.3691 and 385.3692 are hereby repealed.

Sec. 25. ~~1. There is hereby appropriated from the State General Fund to the Department of Education the sum of \$3,718,000 for the support teams established by the Department pursuant to NRS 385.3721 for non Title I schools.~~

~~2. From the appropriation made by subsection 1, the Department shall:~~

~~(a) Distribute not more than \$338,000 to non Title I schools to pay for substitute teachers as necessary for the teachers at the school who serve on the support team to carry out the duties and responsibilities of the support team.~~

~~(b) Distribute grants in the amount of \$10,000 per non Title I school for the assistance of the support team at the school, not to exceed \$3,380,000 in the aggregate.~~

~~3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, and must be reverted to the State General Fund on or before September 18, 2009.~~  
*(Deleted by amendment.)*

Sec. 26. 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of \$340,200 for the costs of a study to measure the alignment of class assignments given to pupils at selected grade levels with the standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520.

2. Before the Interim Finance Committee issues a request for proposals for a consultant to conduct the study, the Legislative Committee on Education shall select 100 public schools to participate in the study and the grade levels to be reviewed at each school. The schools must be elementary schools, middle schools and junior high schools and the grade levels selected must not include the ninth grade.

3. After selection of the public schools and grade levels by the Legislative Committee on Education, the Interim Finance Committee shall issue a request for proposals and enter into a contract with a qualified and independent consultant to conduct the study.

4. The consultant selected by the Interim Finance Committee shall, for each school selected by the Legislative Committee on Education, review a representative sampling of class assignments given to pupils for mathematics and English language arts at the selected grade levels and determine the alignment of those assignments with the standards of content and performance for those subject areas. For each school, the consultant shall report:

- (a) The type of assignments that were reviewed, including, without limitation, homework, quizzes and tests;
- (b) Whether the assignments were completed independently by pupils or in groups of pupils, or with the assistance of a teacher or aide;
- (c) The source of the assignments, including, without limitation, textbooks and workbooks, created by the teacher or created by the school district;
- (d) The grade levels of pupils subject to review;
- (e) The percentage of the assignments that are aligned to the standards; and
- (f) An assessment of the depth to which the standard is covered by the assignments.

5. The consultant shall prepare a written report of the results of the findings:

- (a) For each school for submission to the principal of that school.
- (b) For all schools that participate in the study for submission to the:
  - (1) Legislative Committee on Education;
  - (2) Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature;
  - (3) State Board of Education; and
  - (4) Department of Education.

6. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 27. The assessment of needs conducted by the Commission on Educational Technology pursuant to NRS 388.795, as amended by section 19 of this act, for the spring semester of 2008 must include, without limitation, an assessment of:

- 1. The need for computer-based assessments, including, without limitation, the use of computers for the administration of the high school proficiency examination;
- 2. The integration of educational technology to improve the achievement and proficiency of pupils; and
- 3. The feasibility and costs associated with using laptop computers in lieu of traditional textbooks.

Sec. 28. The provisions of section 20 of this act apply to pupils who are enrolled in grade 9 for the 2007-2008 school year and for each school year thereafter.

Sec. 29. This act becomes effective on July 1, 2007.

#### TEXT OF REPEALED SECTIONS

385.3691 Membership of technical assistance partnership.

1. The membership of each technical assistance partnership established by the board of trustees of a school district for a public school pursuant to NRS 385.3661:

- (a) Must consist of:

(1) At least one employee of the public school for which the partnership is established; and

(2) At least one representative of the school district.

(b) May consist of other persons, as determined by the board of trustees, in accordance with the needs of the school based upon the data and information pertaining to that school.

2. The membership of each technical assistance partnership established by the governing body of a charter school:

(a) Must consist of:

(1) At least one employee of the charter school;

(2) At least one member of the governing body of the charter school;

(3) For a charter school sponsored by the board of trustees of the school district, at least one representative of the school district, appointed by the school district; and

(4) For a charter school sponsored by the State Board, at least one representative of the Department, appointed by the Department.

(b) May consist of other persons, as determined by the governing body, in accordance with the needs of the charter school based upon the data and information pertaining to that charter school.

385.3692 Powers and duties of technical assistance partnership; completion and submission of form concerning review and analysis of school; Department required to prescribe form for use by partnership.

1. Each technical assistance partnership established for a public school shall complete a form prescribed by the Department pursuant to this section or an expanded form, if applicable, that includes:

(a) A review and analysis of the operation of the school, including, without limitation, the design and operation of the instructional program of the school;

(b) A review and analysis of the data pertaining to the school based upon the report required pursuant to subsection 2 of NRS 385.347 and a review and analysis of any data that is more recent;

(c) A review of the most recent plan to improve the achievement of the school's pupils; and

(d) An identification of the problems and factors at the school that contributed to the designation of the school as demonstrating need for improvement.

2. Each technical assistance partnership established for a public school shall:

(a) Assist the school in developing recommendations for improving the performance of pupils who are enrolled in the school; and

(b) Adopt, in consultation with the employees of the school, written revisions to the most recent plan to improve the achievement of the school's pupils for approval pursuant to NRS 385.357. The written revisions must:

(1) Include the data and findings of the technical assistance partnership that provide support for the revisions;



(2) If the school is a Title I school, be developed in consultation with parents and guardians of pupils enrolled in the school and, to the extent deemed appropriate by the entity that created the technical assistance partnership, outside experts;

(3) Set forth a timeline to carry out the revisions;

(4) Set forth priorities for the school in carrying out the revisions; and

(5) Set forth the names and duties of each person who is responsible for carrying out the revisions.

3. On or before November 1 of each year, each technical assistance partnership shall submit the form completed pursuant to subsection 1 to the:

(a) Department;

(b) Bureau;

(c) Board of trustees of the school district or governing body of the charter school, as applicable; and

(d) Principal of the school.

4. The Department shall, in consultation with the Bureau:

(a) Prescribe a form that contains the basic information for a technical assistance partnership to carry out its duties pursuant to subsection 1; and

(b) Make the form available on a computer disc for use by technical assistance partnerships and, upon request, in any other manner deemed reasonable by the Department.

5. Except as otherwise provided in this subsection, each technical assistance partnership shall use the form prescribed by the Department to carry out its duties pursuant to subsection 1. A school district or governing body of a charter school may prescribe an expanded form that contains additions to the form prescribed by the Department if the basic information contained in the expanded form complies with the form prescribed by the Department.

6. A technical assistance partnership may require the school for which the partnership was established to submit plans, strategies, tasks and measures that, in the determination of the partnership, will assist the school in improving the achievement and proficiency of pupils enrolled in the school.

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 247.

Bill read third time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 656.

"SUMMARY—Creates the Nevada Youth Legislative Issues Forum.  
(BDR 34-52)"

"AN ACT relating to education; creating the Nevada Youth Legislative Issues Forum; prescribing the membership, powers and duties of the Forum; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Sections 3-5 of this bill create the Nevada Youth Legislative Issues Forum, consisting of 21 members who are enrolled in grades 9-12 in public schools or otherwise eligible for enrollment in public schools but enrolled in a homeschool or private school. Each Senator appoints a member to the Forum. Sections 6-10 of this bill set forth the powers and duties of the Forum. The Forum must hold at least two public hearings each school year, review issues of importance to the youth in this State and submit an annual report of the activities of the Forum. In addition, the Forum may, within the limits of available money, hold meetings during a regular session of the Legislature to advise the Legislature on proposed legislation concerning the youth in this State. The Forum may also conduct seminars for the benefit of its members relating to leadership, government and the legislative process. Finally, the Forum may submit a request for the drafting of one legislative measure which relates to matters within the scope of the Forum.

WHEREAS, The United States is facing a population of youth that is disengaged and lacks the necessary knowledge, skills and dispositions to participate in and carry out civic duties; and

WHEREAS, In the 2004 presidential election, 53.1 percent of Nevadans over 25 years of age voted, compared with 38.4 percent among Nevadans 18 to 24 years of age; and

WHEREAS, The lack of voter turnout for citizens who are 18 to 24 years of age is often attributed to cynicism toward the political process, disillusionment with politics, voter apathy and a lack of acknowledgment by the media and politicians of issues involving youth; and

WHEREAS, Most governmental services are designed with input and participation from the people being served; however, young people under the age of 18 are not allowed to vote and are often left out of the democratic process; and

WHEREAS, Several issues are important to the youth in the nation as well as the youth in this State, including, without limitation, education, employment opportunities, participation in state and local government, a safe environment, the prevention of substance abuse, emotional and physical well-being, foster care and access to state and local services; and

WHEREAS, Research shows that the programs designed for youth which are most effective at promoting positive outcomes are framed in terms of the constructive assets the programs seek to build rather than the negative behaviors the programs seek to avoid; and

WHEREAS, There is a growing need to reverse the trend of apathy by engaging our youth directly with policymakers in a manner that will provide genuine opportunities for our youth to acquire civic knowledge and develop the skills necessary to participate fully in a democratic society; and

WHEREAS, Within the past 5 years, Maine, New Mexico, Washington and New Hampshire have enacted bills that create a Youth Issues Forum, which institutionalizes the participation of youth in the policy-making process in those states; and

WHEREAS, The creation of a Youth Issues Forum offers policymakers an opportunity to learn from youth as well as provides a meaningful opportunity for youth to learn about the policy-making process; and

WHEREAS, By providing an avenue for participation, this State will provide our youth with an opportunity to understand the ideals of citizenship and to acquire the knowledge and skills necessary to participate in effective government and appreciate the value of American democracy; now, therefore,

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

Section 1. Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in sections 2 to 9, inclusive, of this act, "Forum" means the Nevada Youth Legislative Issues Forum created by section 3 of this act.*

Sec. 3. 1. *The Nevada Youth Legislative Issues Forum is hereby created, consisting of 21 members.*

2. *Each member of the Senate shall appoint a person who submits an application and meets the qualifications for appointment set forth in section 4 of this act.*

3. *After the initial terms:*

(a) *Appointments to the Forum must be made by each member of the Senate before June 30 of each year.*

(b) *The term of each member of the Forum begins July 1 of the year of appointment.*

4. *Each member of the Forum serves a term of 1 year and may be reappointed if the member continues to meet the qualifications for appointment set forth in section 4 of this act.*

Sec. 4. 1. *To be eligible for appointment to the Forum, a person must be a resident of the senatorial district of the Senator who appoints him and must be:*

(a) *Enrolled in a public school in this State in grade 9, 10, 11 or 12 for the school year in which he serves; or*

(b) *Exempt from compulsory attendance pursuant to NRS 392.070, but otherwise eligible to enroll in a public school in this State in grade 9, 10, 11 or 12 for the school year in which he serves.*

2. *A person who is eligible for appointment to the Forum may submit an application on the form prescribed pursuant to subsection 3 to the Senator of the senatorial district in which the person resides for appointment or reappointment to the Forum.*

3. *The Director of the Legislative Counsel Bureau shall prescribe a form for applications submitted pursuant to this section, which must require the*

signature of the principal of the school in which the applicant is enrolled or, if the applicant is exempt from compulsory attendance pursuant to NRS 392.070, the signature of a member of the community in which the applicant resides other than a relative of the applicant.

Sec. 5. 1. A position on the Forum becomes vacant upon:

- (a) The death or resignation of a member.
- (b) The absence of a member for any reason from two consecutive meetings of the Forum, unless excused by the Chairman of the Forum.
- (c) A change of residency of a member which renders that member ineligible under his original appointment.

2. A vacancy on the Forum must be filled for the remainder of the unexpired term in the same manner as the original appointment.

Sec. 6. 1. The Forum shall elect from among its members, to serve a term of 1 year beginning on July 1 of each year:

(a) A Chairman, who shall conduct the meetings and oversee the formation of committees as necessary to accomplish the business of the Forum. The Chairman must be:

- (1) Enrolled in a public school in this State in grade 9, 10 or 11 for the school year in which he serves; or
- (2) Exempt from compulsory attendance pursuant to NRS 392.070, but otherwise eligible to enroll in a public school in this State in grade 9, 10 or 11 for the school year in which he serves.

(b) A Vice Chairman, who shall assist the Chairman and conduct the meetings of the Forum if the Chairman is absent or otherwise unable to perform his duties.

2. The Director of the Legislative Counsel Bureau:

(a) Shall provide ~~administrative support to~~ meeting rooms and teleconference and videoconference facilities for the Forum.

(b) Shall, in the event of a vacancy on the Forum, notify the appropriate appointing authority of such vacancy.

(c) May accept gifts, grants and donations from any source for the support of the Forum in carrying out the provisions of sections 2 to 9, inclusive, of this act.

Sec. 7. 1. The Forum shall:

- (a) Hold at least two public hearings in this State each school year.
- (b) Simultaneously teleconference or videoconference each public hearing to ~~three~~ two or more prominent locations throughout this State.
- (c) Evaluate, review and comment upon issues of importance to the youth in this State, including, without limitation:

- (1) Education;
- (2) Employment opportunities;
- (3) Participation of youth in state and local government;
- (4) A safe learning environment;
- (5) The prevention of substance abuse;
- (6) Emotional and physical well-being;

(7) Foster care; and

(8) Access to state and local services.

(d) Conduct a public awareness campaign to raise awareness about the Forum and to enhance outreach to the youth in this State.

2. The Forum may, within the limits of available money:

(a) During the period in which the Legislature is in a regular session, meet as often as necessary to conduct the business of the Forum and to advise the Legislature on proposed legislation relating to the youth in this State.

(b) Form committees, which may meet as often as necessary to assist with the business of the Forum.

(c) Conduct periodic seminars for its members regarding leadership, government and the legislative process.

(d) Employ a person to provide administrative support for the Forum or pay the costs incurred by one or more volunteers to provide any required administrative support.

3. The Forum and its committees shall comply with the provisions of chapter 241 of NRS.

4. On or before June 30 of each year, the Forum shall submit a written report to the Director of the Legislative Counsel Bureau and to the Governor describing the activities of the Forum during the immediately preceding school year and any recommendations for legislation. The Director shall transmit the written report to the Legislative Committee on Education and to the next regular session of the Legislature.

Sec. 8. The Forum may:

1. Request the drafting of not more than one legislative measure which relates to matters within the scope of the Forum. A request must be submitted to the Legislative Counsel on or before July 1 preceding the commencement of a regular session of the Legislature unless the Legislative Commission authorizes submitting a request after that date.

2. Adopt procedures to conduct meetings of the Forum and any committees thereof. Those procedures may be changed upon approval of a majority vote of all members of the Forum who are present and voting.

3. Advise the Director of the Legislative Counsel Bureau regarding the administration of any appropriations, gifts, grants or donations received for the support of the Forum.

Sec. 9. The members of the Forum serve without compensation. To the extent that money is available, including, without limitation, money from gifts, grants and donations, the members of the Forum may receive the per diem allowance and travel expenses provided for state officers and employees generally for attending a meeting of the Forum or a seminar conducted by the Forum.

Sec. 10. 1. Each Senator shall appoint a member to the Nevada Youth Legislative Issues Forum created by section 3 of this act to an initial term commencing on ~~August~~ July 1, ~~2007,~~ 2008, and expiring on

June 30, ~~2008. For the purpose of making an appointment to an initial term pursuant to this subsection, a Senator may appoint a person who did not submit an application pursuant to section 4 of this act.~~ 2009.

2. The Forum shall hold its first meeting not later than October 1, ~~2007.~~ 2008. At the first meeting of the Forum, the members of the Forum shall elect a Chairman and a Vice Chairman who hold those positions until June 30, ~~2008.~~ 2009.

3. After the initial terms of office, sections 3 and 6 of this act govern the terms of office of the members of the Forum.

Sec. 11. ~~1.~~ This ~~section and section 10 of this~~ act ~~become~~ *becomes* effective upon passage and approval.

~~2. Sections 3 and 4 of this act become effective upon passage and approval for the purpose of appointing members to the Nevada Youth Legislative Issues Forum and on July 1, 2007, for all other purposes.~~

~~3. Sections 1, 2 and 5 to 9, inclusive, of this act become effective on July 1, 2007.~~

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 58.

Bill read third time.

Roll call on Assembly Bill No. 58:

YEAS—21.

NAYS—None.

Assembly Bill No. 58 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 71.

Bill read third time.

Roll call on Assembly Bill No. 71:

YEAS—21.

NAYS—None.

Assembly Bill No. 71 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 72.

Bill read third time.

Roll call on Assembly Bill No. 72:

YEAS—21.

NAYS—None.

Assembly Bill No. 72 having received a constitutional majority,  
Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 264.

Bill read third time.

Roll call on Assembly Bill No. 264:

YEAS—21.

NAYS—None.

Assembly Bill No. 264 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 267.

Bill read third time.

Roll call on Assembly Bill No. 267:

YEAS—21.

NAYS—None.

Assembly Bill No. 267 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 282.

Bill read third time.

Roll call on Assembly Bill No. 282:

YEAS—20.

NAYS—McGinness.

Assembly Bill No. 282 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 286.

Bill read third time.

Roll call on Assembly Bill No. 286:

YEAS—21.

NAYS—None.

Assembly Bill No. 286 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 294.

Bill read third time.

Roll call on Assembly Bill No. 294:

YEAS—21.

NAYS—None.

Assembly Bill No. 294 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 353.

Bill read third time.

Roll call on Assembly Bill No. 353:

YEAS—21.

NAYS—None.

Assembly Bill No. 353 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 380.

Bill read third time.

Remarks by Senators Coffin, Nolan and Titus.

Roll call on Assembly Bill No. 380:

YEAS—21.

NAYS—None.

Assembly Bill No. 380 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 381.

Bill read third time.

Roll call on Assembly Bill No. 381:

YEAS—21.

NAYS—None.

Assembly Bill No. 381 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 423.

Bill read third time.

Roll call on Assembly Bill No. 423:

YEAS—21.

NAYS—None.

Assembly Bill No. 423 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 482.

Bill read third time.

Roll call on Assembly Bill No. 482:

YEAS—21.

NAYS—None.



Assembly Bill No. 482 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 534.

Bill read third time.

Roll call on Assembly Bill No. 534:

YEAS—21.

NAYS—None.

Assembly Bill No. 534 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 541.

Bill read third time.

Roll call on Assembly Bill No. 541:

YEAS—21.

NAYS—None.

Assembly Bill No. 541 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 552.

Bill read third time.

Roll call on Assembly Bill No. 552:

YEAS—21.

NAYS—None.

Assembly Bill No. 552 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 560.

Bill read third time.

Roll call on Assembly Bill No. 560:

YEAS—21.

NAYS—None.

Assembly Bill No. 560 having received a constitutional majority,  
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 575.

Bill read third time.

Roll call on Assembly Bill No. 575:

YEAS—21.

NAYS—None.

Assembly Bill No. 575 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 589.

Bill read third time.

Remarks by Senators Carlton and Amodei.

Roll call on Assembly Bill No. 589:

YEAS—21.

NAYS—None.

Assembly Bill No. 589 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 6.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 6:

YEAS—20.

NAYS—Coffin.

Assembly Joint Resolution No. 6 having received a constitutional majority, Mr. President declared it passed, as amended.

Resolution ordered transmitted to the Assembly.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bill No. 34.

#### REMARKS FROM THE FLOOR

Senator Lee requested that his remarks be entered in the Journal.

Thank you Mr. President. As many of you know, I take pleasure in bicycle riding. This sport offers me things that I value, the solitude and opportunity to enjoy my body, nature and time to think.

Humbly, I come before you to discuss an issue, and I would appreciate your full attention. I have been thinking about something for some time on my rides. Mr. President, I rise to speak on a matter that has weighed heavily upon my mind for many months, I wish to speak about the deployment of the Nevada National Guard in Iraq. Now, I want to make it clear that I speak as a friend and admirer of the military. My father was a 20-year Air Force veteran. I was born in a hospital at Ruislip Air Force Base in Middlesex, England, and grew up on other bases around the Country. Our family takes pride in its military heritage.

Today, Nevada has 300 men and women of our National Guard deployed in Iraq. Over the course of this conflict, about 1,500 guardsmen have served there for some length of time. Two have been killed, and 200 injured.

Even though our Nation's foreign policy is developed by the President, with input from Congress, that should not stop us from expressing ourselves as citizens and State Legislators. By virtue of the office we hold, we speak for the citizens of Nevada.

Over the last few months, I have reluctantly come to the conclusion that it is no longer right for us to stay-the-course in Iraq. I ask you, as my colleagues, to join me in signing a letter addressed to our Governor, the Honorable Jim Gibbons. This letter urges him to join with the governors of the other 49 states in telling the President that we do not wish to send any more of our men and women of the National Guard to the Iraqi front. The letter also states our desire that

all those presently serving there be allowed to return home by Thanksgiving of this year. Even though I believe all our troops should return home before the end of the year, we have a responsibility to speak up on behalf of our National Guard who report directly to the Governor.

When this war first started, I believed, and I still do, that we had an enemy in Saddam Hussein, an enemy who would hurt our Nation and us personally if he had the opportunity to do so. I never debated the question of whether our President had received good or bad information. I knew that we were being threatened and that we needed to respond before others conspired together for our detriment.

Now, I do not impugn the motives of our President for anything that has happened. I pray for our Country and its leaders, especially our President. I pray that he may be led to make the right choices for our Nation. But, I do believe that this part of the conflict will not be won by our Guardsman. Iraq is in the throes of a civil war. We cannot sort this out for the Iraqi people.

I recognize the harm that can come if we quickly pull out. I believe that a worldwide solution needs to be instituted through the United Nations. We need to help Iraq meet its humanitarian needs through its own elected government. I believe that with this help, that government can build a new and free Iraq.

Mr. President, my goal for this letter is to express to the Governor our sense that Nevada has done all it could to protect this Nation when it needed us. We want to do our part for this Nation that we all love. We want freedom for everyone. But, we know that we must protect all our citizens, including those Guardsmen fighting in Iraq today.

My letter will ask Governor Gibbons to notify the governors of the other 49 states and the President that we want our National Guardsmen home by November of this year, 2007. We want them to be with their families on Thanksgiving Day. Now, my Senate colleagues, if you feel as I do, it would be my pleasure to have your signature next to mine on this letter. At 9:15 this morning, I met with our Governor to discuss this letter. I consider Jim Gibbons a friend of mine and felt it was only fair to let him know of my intentions.

I know our Governor is a patriot, and the blood that flows through his veins has been tested in battle. I believe he is probably the most experienced governor in our Nation in military issues: tried in combat, chair of the U.S. House Intelligence Committee and a man who has offered his life in military service. I believe none of the other 49 states has such a leader. I would hope that he can lead the other governors and bring the states into this debate with our President.

Currently, the Law states that the only power our Governor has is the ability to suggest an attempt to influence the deployment discussion of the President. Let it be noted that George W. Bush has assured us that no more than 50 percent of our many states Guardsmen will be deployed at a time, but even this is not set in concrete. Recently, the President requested that Idaho deploy 55 percent of its National Guard force on a temporary basis.

As many of you know, I believe in being subject to the President, Constitution and the laws of our Nation. This letter does not ask for civil disobedience; it has words such as "urge" and "ask." May 3 is the annual National Day of Prayer. I would hope that, today, you would pray for our soldiers in foreign lands. Pray for our leaders, and I think I will end this by saying, "Amen."

#### Senator Coffin requested that his remarks be entered in the Journal.

I am moved by the good Senator's remarks. Senator Lee, God bless you on this Day of Prayer. God bless you for speaking your mind and having the courage to speak your convictions on a matter of great anguish to our entire Country and an unspoken thought in this House as we deliberate, always trying to keep our international feelings and national politics out of our discussions. By doing so, in the remarks section of our agenda, you have carefully gone the path where we ought to be. I agree with you. I want to sign with you. I will take this moment to thank you for signing on to the bill which appropriates money for those Nevada National Guardsmen and Reservists, men and women and their families. The bill is pending in the Senate Committee on Finance. Sometimes we think there is not enough money for them, but how much can you pay for the life of a person who has given up their home life and gone to sacrifice on our behalf.

Senator Lee, I admire you. This comes from the heart. I suspect there is much admiration for you for taking this serious position. I stand with you on your comments regarding the Governor. The Governor supports our appropriation bill for the troops. I hope, soon, we will have a vote on it in committee. Thank you very much.

Senator Raggio requested that his remarks be entered in the Journal.

We could have an extended discussion this morning because I take exception, respectfully, to the remarks of the good Senator concerning who should dictate the operation of the conflict that we are engaged in. I do not support that concept.

I believe we have a serious situation where Islamic fanaticism is equally as bad as fascism or anything we have fought against in previous conflicts. I believe firmly that the United States Constitution indicates that the President is the Commander in Chief, no matter which party he belongs to.

This war has become, in Congress, a partisan divide, and I do not want to see it become a partisan divide here. I am not going to erase in my mind the memories of people jumping out of the buildings in New York City on September 11 nor of any of the other atrocities that have been inflicted upon our troops, our American citizens, as well as the citizens of the countries of Iraq and Afghanistan.

Rather than have an extended debate here, perhaps, we can set a time for us to discuss both sides of this issue. I want to see our troops come home, particularly our National Guard. But, I do not want to do anything or to participate in anything that sends a message to the other side in this war against terrorism that somehow we are willing to give up, that somehow we are willing to concede. I do not want to send a signal that we do not have the will to fight against this atrocious ideology that wants to kill everyone except those who share their faith. I invite us to have an extended debate at sometime. I defer to the Commander in Chief and not to the Congress or the people in this body to dictate the course of this conflict.

I extend my prayers to those Americans, Nevadans and others who are engaged in this conflict and to their families, and to everyone who has given a great sacrifice including injuries and the loss of life to this cause.

Senator Amodei requested that his remarks be entered in the Journal.

Thank you, Mr. President. Chastised by jersey number 22 and, without objection from my colleagues, I would like the following remarks entered in the Journal.

Last night the Senate was victorious in the biennial softball game with a score of 16 to 12 against the Assembly. The record is now 5 wins and 1 loss for the Senate under the management of Sergeant at Arms Sam Palazzolo.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Amodei, the privilege of the floor of the Senate Chamber for this day was extended to Helaine Jesse and B. J. North.

On request of Senator Beers, the privilege of the floor of the Senate Chamber for this day was extended to the following students and chaperones from the St. Elizabeth Ann Seton School: Andrew Canonico, Jerrad Peterson, David Teich, Drake Fletcher, Kyle Weston, Michael Klausmeier, B.J. Jaojoco, Rommel Pinlac, Nick Sandoval, Tony Romo, Glen Tobin, Matt Lemieux, Connor Marshall, Robert Mitchell, Adam Fitzgerald, Roberto Orellano, Kyle Del Rosario, John Michael Hansen, Jordan Turner, Gordon Quisenberry, Celina DeLeon, Angelica Licos, Maika Abdallah, Anna Boyle, Taylor Tobin, Julianna Pedri, Victoria Meyer, Aimee Galang, Natalie Marra, Alexandra Brizzolara, Kirsten Slattery, Maria Arellano, Allyssa Nevis, Paulina Castro, Haley Buss, Marissa Tompkins; chaperones: Mr. Buss, Mr. Curtin, Mrs. Flanagan and Mrs Pietrek.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers from the Cannan Elementary School: Christina Avila, Govany Ayala,

Salvador Barajas, Chaldean Cohen, Everado Garcia, Tanganika Hunt, Jameelah Lewis, Samuel Mendoza, Jennifer Orellana, Misitonise Poasa, Maya Quezada, Alfredo Romero, Aldo Serrano, Ramon Torrecillas, Keyah Whatley, Maya Yanez, Shawnique Williams, Destine Rodriguez, Noemi Medina, Michael Barroga, Belen Espinoza, Brandon Gonzalez, Ricardo Martinez, Juan Guerrero, Consuelo Herrera, Alicia Landeros, Irvin Maldonado, Deniset Mata, Maireny Medina, Andres Medina, Jordan Mitchell, Mykelti Mitchell, Jose Murillo, Angelo Nash, Jorge Nolasco, Angel Perez, Katherine Pintor, Selena Rojas, Alberto Ruiz, Alejandra Vargas; teachers: Jeffrey Falker and Darrow Brown.

Senator Raggio moved that the Senate adjourn until Monday, May 7, 2007, at 11 a.m. and that it do so in memory of Marjorie Barrick as requested by Senator Titus and also in memory of Sergeant Henry Prendes of the Las Vegas Metropolitan Police Department as requested by Senator Nolan.

Motion carried.

Senate adjourned at 11:59 a.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*