

Amendment No. CA13

Conference Committee Amendment to (BDR 34-184)
Senate Bill No. 365 Second Reprint

Proposed by: Conference Committee

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold underlining is newly added transitory language.

CLP/KCR



Date: 6/6/2011

S.B. No. 365—Eliminates certain mandates pertaining to school districts and public schools in this State. (BDR 34-184)



SENATE BILL NO. 365—SENATOR MCGINNESS

MARCH 21, 2011

Referred to Committee on Education

SUMMARY—Eliminates certain mandates pertaining to school districts and public schools in this State. (BDR 34-184)

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

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

AN ACT relating to education; eliminating certain requirements imposed by statute on school districts and public schools in this State; ~~requiring~~ revising the requirements for the board of trustees of certain school districts to adopt a pilot program to provide a program of small learning communities in certain middle schools, junior high schools and high schools; extending the effective date for the implementation of academic plans for pupils enrolled in middle school or junior high school; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the board of trustees of each school district is required to adopt a
2 policy to engage certain administrators in the classroom. (NRS 391.235) **Section 21.5** of this
3 bill makes the adoption of such a policy permissive rather than mandatory.

4 Under existing federal law, a school which is served under Title I and which is identified
5 as needing improvement pursuant to the federal law is required to develop and implement a
6 school improvement plan. (20 U.S.C. § 6316(b)(3)) Also under existing federal law, a school
7 district which is served under Title I and which is identified as needing improvement pursuant
8 to the federal law is required to develop and implement a plan for improvement for the school
9 district. (20 U.S.C. § 6316(c)(7)) Under existing state law, the board of trustees of each school
10 district is required to prepare a plan to improve the achievement of pupils enrolled in the
11 school district. (NRS 385.348) ~~Also under existing law, the principal of each public school is~~
12 ~~required to prepare a plan to improve the achievement of pupils enrolled in the school.~~ This
13 bill repeals ~~both of those state statutory requirements relating to plans for improvement.~~ the
14 state statutory requirement for a school district to prepare a plan for improvement.

15 Under existing law, certain school districts in this State are required to adopt a policy
16 providing for the creation of small learning communities for certain pupils enrolled in middle
17 school or junior high school and high school. (NRS 388.171, 388.215) **Section 21.3** of this bill
18 requires the board of trustees of each school district which includes at least one high school
19 with an enrollment of 1,200 pupils or more to adopt a pilot program of small learning
20 communities for implementation in at least 50 percent of those high schools. **Section 36.3** of
21 this bill requires the board of trustees of each school district which includes at least one
22 middle school or junior high school with an enrollment of 500 pupils or more to adopt a pilot
23 program of small learning communities for pupils in their initial year of enrollment for

24 implementation in at least 50 percent of those schools. **Sections 36.5 and 38** of this bill
25 require both pilot programs to be implemented beginning with the 2013-2014 school year.

26 Under existing law, effective on July 1, 2011, an academic plan must be developed for
27 each pupil enrolled in middle school or junior high school in accordance with a policy adopted
28 by the board of trustees of the school district. **Section 36.5** of this bill extends the date for
29 adoption of such a policy to January 1, 2013, for implementation beginning with the 2013-
30 2014 school year.

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

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

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

3 **Sec. 3.** NRS 385.359 is hereby amended to read as follows:

4 385.359 1. The Bureau shall contract with a person or entity to:

5 (a) Review and analyze, in accordance with the standards prescribed by the
6 Committee pursuant to subsection 2 of NRS 218E.615, the:

7 (1) Annual report of accountability prepared by:

8 (I) The State Board pursuant to NRS 385.3469; and

9 (II) The board of trustees of each school district pursuant to NRS
10 385.347.

11 (2) Plan to improve the achievement of pupils prepared by:

12 ~~(I) The ~~the~~ State Board pursuant to NRS 385.34691 ;~~ and

13 ~~(II) ~~The board of trustees of each school district pursuant to NRS~~~~
14 ~~385.348; and~~

15 ~~(III) ~~Each school pursuant to NRS 385.357 identified by the Bureau~~~~
16 ~~for review, if any, or if such a plan has not been prepared, the ~~any~~ turnaround~~
17 ~~plan for the schools identified by the Bureau, if any, implemented pursuant to NRS~~
18 ~~385.37603 or the plan for restructuring the school implemented pursuant to NRS~~
19 ~~385.37607, as applicable.~~

20 (b) Submit a written report to and consult with the State Board and the
21 Department regarding any methods by which the State Board may improve the
22 accuracy of the report of accountability required pursuant to NRS 385.3469 and the
23 plan to improve the achievement of pupils required pursuant to NRS 385.34691,
24 and the purposes for which the report and plan to improve are used.

25 (c) Submit a written report to and consult with each school district regarding
26 any methods by which the district may improve the accuracy of the report required
27 pursuant to subsection 2 of NRS 385.347 ~~[and the plan to improve the achievement~~
28 ~~of pupils required pursuant to NRS 385.348,]~~ and the purposes for which the report
29 ~~[and plan to improve are] is~~ used.

30 (d) If requested by the Bureau, submit a written report to and consult with
31 individual schools identified by the Bureau regarding any methods by which the
32 school may improve the accuracy of the information required to be reported for the
33 school pursuant to subsection 2 of NRS 385.347 and the:

34 (1) Plan to improve the achievement of pupils required pursuant to NRS
35 385.357;

36 (2) Turnaround plan for the school implemented pursuant to NRS
37 385.37603; or

38 (3) ~~(2)~~ Plan for restructuring the school implemented pursuant to NRS
39 385.37607,

40 whichever is applicable for the school.

1 (e) Submit written reports and any recommendations to the Committee and the
2 Bureau concerning:

3 (1) The effectiveness of the provisions of NRS 385.3455 to 385.391,
4 inclusive, in improving the accountability of the schools of this State;

5 (2) The status of each school district that is designated as demonstrating
6 need for improvement pursuant to NRS 385.377 and each school that is designated
7 as demonstrating need for improvement pursuant to NRS 385.3623; and

8 (3) Any other matter related to the accountability of the public schools of
9 this State, as deemed necessary by the Bureau.

10 2. The consultant with whom the Bureau contracts to perform the duties
11 required pursuant to subsection 1 must possess the experience and knowledge
12 necessary to perform those duties, as determined by the Committee.

13 Sec. 4. (Deleted by amendment.)

14 Sec. 4.5. (Deleted by amendment.)

15 Sec. 5. (Deleted by amendment.)

16 Sec. 5.5. (Deleted by amendment.)

17 Sec. 6. (Deleted by amendment.)

18 Sec. 6.5. (Deleted by amendment.)

19 Sec. 7. (Deleted by amendment.)

20 Sec. 7.5. (Deleted by amendment.)

21 Sec. 8. (Deleted by amendment.)

22 Sec. 8.5. (Deleted by amendment.)

23 Sec. 9. NRS 385.3785 is hereby amended to read as follows:

24 385.3785 1. The Commission shall:

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

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

30 (2) The ~~plan to improve the achievement of pupils prepared by the board~~
31 ~~of trustees of each school district pursuant to NRS 385.348;~~

32 ~~_____ (3) The} plan to improve the achievement of pupils prepared by the~~
33 ~~principal of each school pursuant to NRS 385.357, which may include a program of~~
34 ~~innovation, the~~ turnaround plan for the school implemented pursuant to NRS
35 385.37603 or the plan for restructuring the school implemented pursuant to NRS
36 385.37607, whichever is ~~is~~ applicable for the school; and

37 ~~{}(4)}~~ (3) Any other information that the Commission considers relevant to
38 the development of the program of educational excellence.

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

41 (c) Develop a concise application and simple procedures for the submission of
42 applications by public schools and consortiums of public schools, including,
43 without limitation, charter schools, for participation in a program of educational
44 excellence and for grants of money from the Account. Grants of money must be
45 made for programs designed for the achievement of pupils that are linked to the
46 plan to improve the achievement of pupils or for innovative programs, or both, or
47 that are linked to the turnaround plan for the school or the plan for restructuring the
48 school, if applicable, or for innovative programs, or both. The Commission shall
49 not award a grant of money from the Account for a program to provide full-day
50 kindergarten. All public schools and consortiums of public schools, including,
51 without limitation, charter schools, are eligible to submit such an application,
52 regardless of whether the schools have made adequate yearly progress or failed to

1 make adequate yearly progress. A public school or a consortium of public schools
2 selected for participation may be approved by the Commission for participation for
3 a period not to exceed 2 years, but may reapply.

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

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

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

19 (1) The specific levels of achievement expected of schools that participate;
20 and

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

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

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

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

34 (1) The achievement of pupils enrolled at each school that received money
35 from the allocation based upon measurable criteria ~~[, including, without limitation,
36 if applicable for the school, measurable criteria]~~ identified in as applicable, the:

37 (I) Plan to improve the achievement of pupils for the school prepared
38 pursuant to NRS 385.357;

39 (II) Turnaround plan for the school implemented pursuant to NRS
40 385.37603; or

41 (III) ~~[(II)]~~ Plan for restructuring the school implemented pursuant to
42 NRS 385.37607;

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

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

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

50 2. To the extent money is available, the Commission shall make allocations of
51 money to public schools and consortiums of public schools for effective programs
52 for grades 7 through 12 that are designed to improve the achievement of pupils and

1 effective programs of innovation for pupils. In making such allocations, the
2 Commission shall comply with the requirements of this section.

3 3. An application submitted pursuant to this section must include a written
4 statement which:

5 (a) Indicates whether the public school or consortium of public schools is
6 submitting the application for the continuation of an existing program or for the
7 establishment of a new program; and

8 (b) Identifies all other sources of money that the public school or consortium of
9 public schools has requested or received for the continuation or establishment of:

10 (1) The program for which the application is submitted; or

11 (2) A substantially similar program.

12 4. The Commission shall ensure, to the extent practicable, that grants of
13 money provided pursuant to this section reflect the economic and geographic
14 diversity of this State.

15 5. If a public school or consortium of public schools that receives money
16 pursuant to subsection 1 or 2:

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

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

22 (c) Does not implement the program for which the money was received, as
23 determined in an audit conducted pursuant to subsection 4 of NRS 385.3789 or an
24 evaluation conducted pursuant to subsection 3 of NRS 385.379,

25 over a 2-year period, the Commission may consider not awarding future
26 allocations of money to that public school or consortium of public schools.

27 6. On or before July 1 of each year, the Department shall provide a list of
28 priorities of public schools that indicates:

29 (a) The adequate yearly progress status of schools in the immediately
30 preceding year; and

31 (b) The public schools that are considered Title I eligible by the Department
32 based upon the poverty level of the pupils enrolled in a school in comparison to the
33 poverty level of the pupils in the school district as a whole,

34 for consideration by the Commission in its development of procedures for the
35 applications.

36 7. A public school, including, without limitation, a charter school, or a
37 consortium of public schools may request assistance from the school district in
38 which the school is located in preparing an application for a grant of money
39 pursuant to this section. A school district shall assist each public school or
40 consortium of public schools that requests assistance pursuant to this subsection to
41 ensure that the application of the school:

42 (a) Is based directly upon, as applicable, ~~[if applicable for the school,]~~ the:

43 (1) Plan to improve the achievement of pupils prepared for the school
44 pursuant to NRS 385.357;

45 (2) Turnaround plan for the school implemented pursuant to NRS
46 385.37603; or

47 (3) ~~(2)~~ Plan for restructuring the school implemented pursuant to NRS
48 385.37607;

49 (b) Is developed in accordance with the criteria established by the
50 Commission; and

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

1 ↪ A school district may make recommendations to the individual schools and
2 consortiums of public schools. Such schools and consortiums of public schools are
3 not required to follow the recommendations of a school district.

4 8. In carrying out the requirements of this section, the Commission shall
5 review and consider the programs of remedial study adopted by the Department
6 pursuant to NRS 385.389, the list of approved providers of supplemental
7 educational services maintained by the Department pursuant to NRS 385.384 and
8 the recommendations submitted by the Committee pursuant to NRS 218E.615
9 concerning programs, practices and strategies that have proven effective in
10 improving the academic achievement and proficiency of pupils.

11 9. The Commission shall not award a grant of money from the Account for a
12 program of remedial study that is available commercially unless that program has
13 been adopted by the Department pursuant to NRS 385.389.

14 10. If a consortium of public schools is formed for the purpose of submitting
15 an application pursuant to this section, the public schools within the consortium do
16 not need to be located within the same school district.

17 **Sec. 10.** (Deleted by amendment.)

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

19 **Sec. 11.5.** (Deleted by amendment.)

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

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

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

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

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

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

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

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

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

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

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

31 388.215 1. The board of trustees of each school district which includes at
32 least one high school with an enrollment of 1,200 pupils or more, including pupils
33 enrolled in ninth grade, shall adopt a ~~{policy for each of those high schools}~~ *pilot*
34 *program* to provide a program of small learning communities. The ~~{policy}~~ *pilot*
35 *program must be implemented in at least 50 percent of the high schools in the*
36 *school district with an enrollment of 1,200 pupils or more and* must require:

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

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

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

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

48 (e) The assignment of:

49 (1) Guidance counselors;

50 (2) At least one licensed school administrator; and

51 (3) Appropriate adult mentors,

52 ↪ specifically for the pupils enrolled in ninth grade.

1 2. The principal of ~~each~~ a high school in which 1,200 pupils or more are
2 enrolled, including pupils enrolled in ninth grade, *and which the board of trustees*
3 *of the school district has designated to participate in the pilot program adopted*
4 *pursuant to subsection 1* shall:

5 (a) Carry out a program of small learning communities in accordance with the
6 ~~policy prescribed by the board of trustees pursuant to subsection 1;~~ *pilot program;*
7 and

8 (b) Submit an annual report, on a date prescribed by the board of trustees, that
9 sets forth the specific strategies, programs and methods that are used to focus on the
10 pupils enrolled in ninth grade at the school.

11 **Sec. 21.5.** NRS 391.235 is hereby amended to read as follows:

12 391.235 1. The board of trustees of each school district ~~shall~~ *may* adopt a
13 policy that sets forth procedures and conditions for a program to engage
14 administrators employed by the school district at the district level in annual
15 classroom instruction, observation and other activities in a manner that is
16 appropriate for the responsibilities, position and duties of the administrators. ~~The~~
17 *If the board of trustees adopts such a policy, the* policy must require each
18 administrator employed by the school district at the district level to:

19 (a) If the administrator holds a license to teach, provide instruction in a core
20 academic subject in a classroom for at least 1 regularly scheduled full instructional
21 day in each school year; or

22 (b) If the administrator does not hold a license to teach:

23 (1) Personally observe a classroom for at least one-half of a regularly
24 scheduled full instructional day in each school year; or

25 (2) Otherwise participate in activities with pupils in the classroom in each
26 school year, including, without limitation, serving as a guest speaker in the
27 classroom, reading to pupils in elementary school and participating in career day.

28 2. ~~If~~ *If the board of trustees of a school district adopts a policy pursuant to*
29 *subsection 1, a* district-level administrator may choose a school within the school
30 district at which the administrator will carry out the ~~requirements~~ *provisions* of
31 this section.

32 3. ~~If~~ *If the board of trustees of a school district adopts a policy pursuant*
33 *to subsection 1, an* administrator who provides instruction pursuant to paragraph
34 (a) of subsection 1 must be assigned as a substitute teacher for the full instructional
35 day in which the administrator carries out the ~~requirements~~ *provisions* of this
36 section.

37 4. The provisions of this section do not apply to administrators who are
38 employed by a school district to provide administrative service at the school level,
39 including, without limitation, a principal or vice principal.

40 5. As used in this section, “core academic subject” means the core academic
41 subjects designated pursuant to NRS 389.018.

42 **Sec. 22.** NRS 391.298 is hereby amended to read as follows:

43 391.298 If the board of trustees of a school district or the superintendent of
44 schools of a school district schedules a day or days for the professional
45 development of teachers or administrators employed by the school district:

46 1. The primary focus of that scheduled professional development must be to
47 improve the achievement of the pupils enrolled in the school district ~~as set forth~~
48 in the:

49 ~~(a) Plan to improve the achievement of pupils enrolled in the school district~~
50 ~~prepared pursuant to NRS 385.348;~~

51 ~~(b) Plan to improve the achievement of pupils prepared pursuant to NRS~~
52 385.357;

1 ~~(e)~~ (b) Turnaround plan for the school implemented pursuant to NRS
2 385.37603; or
3 ~~(d)~~ (c) Plan for restructuring the school implemented pursuant to NRS
4 385.37607
5 as applicable.

6 2. The scheduled professional development must be structured so that
7 teachers attend professional development that is designed for the specific subject
8 areas or grades taught by those teachers.

9 **Sec. 23.** NRS 391.540 is hereby amended to read as follows:

10 391.540 1. The governing body of each regional training program shall:

11 (a) Adopt a training model, taking into consideration other model programs,
12 including, without limitation, the program used by the Geographic Alliance in
13 Nevada.

14 (b) Assess the training needs of teachers and administrators who are employed
15 by the school districts within the primary jurisdiction of the regional training
16 program and adopt priorities of training for the program based upon the assessment
17 of needs. The board of trustees of each such school district may submit
18 recommendations to the appropriate governing body for the types of training that
19 should be offered by the regional training program.

20 (c) In making the assessment required by paragraph (b) ~~[, review the plans to~~
21 ~~improve the achievement of pupils prepared pursuant to NRS 385.348 by the school~~
22 ~~districts within the primary jurisdiction of the regional training program]~~ and ~~[,]~~ as
23 deemed necessary by the governing body, review the:

24 (1) Plans to improve the achievement of pupils prepared pursuant to NRS
25 385.357;

26 (2) Turnaround plans for schools implemented pursuant to NRS
27 385.37603; and

28 (3) ~~(2)~~ Plans for restructuring schools implemented pursuant to NRS
29 385.37607,

30 for individual schools within the primary jurisdiction of the regional training
31 program ~~[which are required to implement a turnaround plan or plan for~~
32 ~~restructuring.]~~

33 (d) Prepare a 5-year plan for the regional training program, which includes,
34 without limitation:

35 (1) An assessment of the training needs of teachers and administrators who
36 are employed by the school districts within the primary jurisdiction of the regional
37 training program; and

38 (2) Specific details of the training that will be offered by the regional
39 training program for the first 2 years covered by the plan.

40 (e) Review the 5-year plan on an annual basis and make revisions to the plan as
41 are necessary to serve the training needs of teachers and administrators employed
42 by the school districts within the primary jurisdiction of the regional training
43 program.

44 2. The Department, the Nevada System of Higher Education and the board of
45 trustees of a school district may request the governing body of the regional training
46 program that serves the school district to provide training, participate in a program
47 or otherwise perform a service that is in addition to the duties of the regional
48 training program that are set forth in the plan adopted pursuant to this section or
49 otherwise required by statute. An entity may not represent that a regional training
50 program will perform certain duties or otherwise obligate the regional training
51 program as part of an application by that entity for a grant unless the entity has first
52 obtained the written confirmation of the governing body of the regional training

1 program to perform those duties or obligations. The governing body of a regional
2 training program may, but is not required to, grant a request pursuant to this
3 subsection.

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

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

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

7 **Sec. 27.** (Deleted by amendment.)

8 **Sec. 28.** (Deleted by amendment.)

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

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

11 **Sec. 31.** (Deleted by amendment.)

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

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

14 **Sec. 34.** (Deleted by amendment.)

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

16 **Sec. 36.** (Deleted by amendment.)

17 **Sec. 36.3.** Section 3 of chapter 311, Statutes of Nevada 2009, at page 1332, is
18 hereby amended to read as follows:

19 Sec. 3. 1. The board of trustees of each school district which
20 includes at least one middle school or junior high school with an enrollment
21 of 500 pupils or more shall adopt a ~~{policy for each of those middle schools~~
22 ~~and junior high schools}~~ *pilot program* to provide a program of small
23 learning communities for pupils enrolled in the grade level at which those
24 middle schools or junior high schools initially enroll pupils. The ~~{policy}~~
25 *pilot program must be implemented in at least 50 percent of the middle*
26 *schools and junior high schools in the school district with an enrollment*
27 *of 500 pupils or more and* must require:

28 (a) Where practicable, the designation of a separate area
29 geographically within the middle school or junior high school where the
30 pupils enrolled in their initial year at the middle school or junior high
31 school attend classes;

32 (b) The collection and maintenance of information relating to pupils
33 enrolled in their initial year at the middle school or junior high school,
34 including, without limitation, credits earned, attendance, truancy and
35 indicators that a pupil may be at risk of dropping out of middle school or
36 junior high school;

37 (c) Based upon the information collected pursuant to paragraph (b), the
38 timely identification of any special needs of a pupil enrolled in his initial
39 year at the middle school or junior high school, including, without
40 limitation, any need for programs of remedial study for a particular subject
41 area and appropriate counseling;

42 (d) Methods to increase the involvement of parents and legal guardians
43 of pupils enrolled in their initial year in a middle school or junior high
44 school in the education of their children; and

45 (e) The assignment of:

46 (1) Guidance counselors;

47 (2) At least one licensed school administrator or his designee; and

48 (3) Appropriate adult mentors,

49 ↪ specifically for the pupils enrolled in their initial year at the middle
50 school or junior high school.

51 2. The principal of ~~{each}~~ *a* middle school or junior high school in
52 which 500 pupils or more are enrolled *and which the board of trustees of*

1 *the school district has designated to participate in the pilot program*
2 *adopted pursuant to subsection 1* shall:

3 (a) Carry out a program of small learning communities in accordance
4 with the ~~[policy prescribed by the board of trustees pursuant to subsection~~
5 ~~+] pilot program;~~ and

6 (b) Submit an annual report, on a date prescribed by the board of
7 trustees, that sets forth the specific strategies, programs and methods which
8 are used to focus on the pupils enrolled in their initial year at the middle
9 school or junior high school, including, without limitation, the program of
10 mentoring provided pursuant to section 5 of this act.

11 **Sec. 36.5.** Section 7 of chapter 311, Statutes of Nevada 2009, at page 1334, is
12 hereby amended to read as follows:

13 Sec. 7. 1. *The board of trustees of each school district shall adopt*
14 *the policy required by section 2 of this act not later than January 1, 2013,*
15 *for implementation beginning with the 2013-2014 School Year. On or*
16 *before June 1, 2012, the board of trustees of each school district shall*
17 *provide a report to the Superintendent of Public Instruction on the status*
18 *of the adoption of the policy required by section 2 of this act, including,*
19 *without limitation, a plan for the implementation of that policy beginning*
20 *with the 2013-2014 School Year. On or before July 1, 2012, the*
21 *Superintendent of Public Instruction shall compile the reports and*
22 *provide a report of the compilation to the Legislative Committee on*
23 *Education.*

24 2. *The board of trustees of each school district which includes at*
25 *least one middle school or junior high school with an enrollment of 500*
26 *pupils or more shall adopt the pilot program required by section 3 of this*
27 *act not later than January 1, 2013, for implementation beginning with the*
28 *2013-2014 School Year. On or before June 1, 2012, the board of trustees*
29 *of each such school district shall provide a report to the Superintendent*
30 *of Public Instruction on the status of the adoption of the pilot program*
31 *required by section 3 of this act, including, without limitation, a plan for*
32 *the implementation of the pilot program beginning with the 2013-2014*
33 *School Year. On or before July 1, 2012, the Superintendent of Public*
34 *Instruction shall compile the reports and provide a report of the*
35 *compilation to the Legislative Committee on Education.*

36 3. The board of trustees of each school district shall adopt the policies
37 required by sections ~~[2, 3]~~ 5 and 6 of this act not later than January 1,
38 2011, for implementation beginning with the 2011-2012 School Year.

39 ~~[2]~~ 4. On or before June 1, 2010, the board of trustees of each school
40 district shall provide a report to the Superintendent of Public Instruction on
41 the status of the adoption of the policies required by sections ~~[2, 3]~~ 5 and 6
42 of this act, including, without limitation, a plan for implementation of those
43 policies beginning with the 2011-2012 School Year. On or before July 1,
44 2010, the Superintendent of Public Instruction shall compile the reports and
45 provide a report of the compilation to the Legislative Committee on
46 Education.

47 **Sec. 36.7.** Section 8 of chapter 311, Statutes of Nevada 2009, at page 1334, is
48 hereby amended to read as follows:

49 Sec. 8. 1. This section and section 7 of this act become effective on
50 July 1, 2009.

51 2. Sections ~~[2 to] 4, 5 and 6~~ ~~[inclusive,]~~ of this act become effective
52 on July 1, 2009, for the purpose of adopting the policies required by

1 sections ~~[2, 3,]~~ 5 and 6 of this act and on July 1, 2011, for all other
2 purposes.

3 *3. Section 2 of this act becomes effective on July 1, 2009, for the*
4 *purpose of adopting the policy required by that section and on July 1,*
5 *2013, for all other purposes.*

6 *4. Section 3 of this act becomes effective on July 1, 2011, for the*
7 *purposes of adopting the pilot program required by that section and on*
8 *July 1, 2013, for all other purposes.*

9 **Sec. 37.** NRS 385.348 ~~and 385.357 are~~ is hereby repealed.

10 **Sec. 37.5.** (Deleted by amendment.)

11 **Sec. 38.** 1. This section and section 36.7 of this act become effective upon
12 passage and approval.

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

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

TEXT OF REPEALED ~~[SECTIONS]~~ SECTION

**385.348 Plan by school district to improve achievement of pupils:
Preparation; contents; submission; annual review.**

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 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 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.

~~§ 385.357 Plan to improve achievement of pupils for individual schools; duties of school support team in preparing plan; annual review; process for submission and approval of plan; timeline for carrying out plan. Effective July 1, 2010.~~

~~1. Except as otherwise provided in NRS 385.37603 and 385.37607, 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 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 group of pupils identified in paragraph (b) of subsection 1 of that section who are enrolled in the school to ensure that each 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 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(24) 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.~~

~~2. 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 and a support team has been established for the school, the support team shall review the plan and make revisions to the most recent plan for improvement of the school pursuant to NRS 385.36127. If the school is a Title I school that has been designated as demonstrating need for improvement, the support team established for the school 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 support team, outside experts.~~

~~6. On or before November 1 of each year, the principal of each school 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 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.]~~