
SENATE BILL NO. 197—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMISSION’S COMMITTEE
TO STUDY THE GOVERNANCE AND OVERSIGHT OF THE
SYSTEM OF K-12 PUBLIC EDUCATION)

FEBRUARY 24, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing the system of governance and oversight of public education. (BDR 34-94)

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

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

AN ACT relating to education; creating the Nevada Commission on K-12 Public Education and prescribing the membership, duties and powers of the Commission; repealing the State Board of Education and providing for the election and appointment of Commissioners of the Nevada Commission on K-12 Public Education; revising the qualifications and duties of the Superintendent of Public Instruction; revising the components of the statewide plan to improve the academic achievement of pupils; repealing the Commission on Educational Excellence, the Commission on Educational Technology and the Council to Establish Academic Standards for Public Schools and transferring certain duties of those Commissions and the Council; revising the membership and duties of the Commission on Professional Standards in Education; repealing the Statewide Council for the Coordination of the Regional Training Programs and transferring certain duties of the Council to the Superintendent of Public Instruction; revising provisions governing the budgets of the regional training programs for the professional development of teachers and administrators; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law establishes the Department of Education which consists of the
2 State Board of Education, the State Board for Career and Technical Education and
3 the Superintendent of Public Instruction. (NRS 385.010) Commencing on
4 January 1, 2013, **sections 4-7** of this bill change the name of the State Board of
5 Education to the Nevada Commission on K-12 Public Education which is
6 composed of Commissioners of Education. **Sections 6 and 55** of this bill remove
7 the provisions creating the 10-member elected State Board and provides for the
8 election and appointment of Commissioners to the Nevada Commission on K-12
9 Public Education, whose terms will commence on January 1, 2013.

10 Existing law creates the Commission on Educational Excellence, the
11 Commission on Educational Technology and the Council to Establish Academic
12 Standards for Public Schools. **Sections 54 and 56** of this bill repeal these
13 Commissions and the Council effective July 1, 2011. **Sections 2, 15-19, 24-26, 28**
14 **and 30-35** of this bill transfer certain duties and responsibilities formerly assigned
15 to those entities to the Department and the State Board. **Sections 3, 21 and 27** of
16 this bill authorize the Department to appoint advisory committees to assist the
17 Department with those newly transferred duties and responsibilities.

18 **Sections 9-11** of this bill revise the qualifications and duties of the
19 Superintendent of Public Instruction to: (1) require the Superintendent to possess
20 the knowledge and ability to carry out the duties of the position; (2) provide that the
21 Superintendent is the educational leader for the system of K-12 public education in
22 this State; (3) require the Superintendent to enforce the observations of statutes and
23 regulations governing K-12 public education; and (4) request a plan of corrective
24 action if the Superintendent determines that a school district or charter school has
25 not complied with those statutes and regulations.

26 **Section 12** of this bill revises the plan to improve the academic achievement of
27 pupils enrolled in public schools, to require the State Board, in developing the plan,
28 to establish clearly defined goals and benchmarks for improving the achievement of
29 pupils and prescribes those goals and benchmarks.

30 Existing law establishes the Commission on Professional Standards in
31 Education. (NRS 391.011) **Sections 39 and 57** of this bill revise the membership of
32 the Commission, whose new terms will commence on January 1, 2012. **Section 37**
33 of this bill requires the Commission to submit an annual report to the State Board
34 and the Legislative Committee on Education describing the status of the regulations
35 adopted by the Commission and a work plan designating the proposed activities of
36 the Commission during the next year.

37 Existing law creates three regional training programs for the professional
38 development of teachers and administrators, the Statewide Council for the
39 Coordination of the Regional Training Programs and a governing body of each
40 regional training program. (NRS 391.500-391.556) **Sections 45 and 54** of this bill
41 remove the provisions creating the Statewide Council and transfers certain duties
42 and responsibilities to the Superintendent of Public Instruction. **Sections 38 and 47**
43 of this bill revise the manner in which the budgets of the regional training programs
44 are submitted, approved and revised to require the governing body of a regional
45 training program to submit a proposed budget for the program to the
46 Superintendent of Public Instruction for inclusion in the biennial budget of the
47 Department.



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

1 **Section 1.** Chapter 385 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *The State Board shall establish a program of*
4 *educational excellence designed exclusively for pupils enrolled in*
5 *kindergarten through grade 6 in public schools in this State based*
6 *upon:*

7 1. *The plan to improve the achievement of pupils prepared by*
8 *the State Board pursuant to NRS 385.34691;*

9 2. *The plan to improve the achievement of pupils prepared by*
10 *the board of trustees of each school district pursuant to*
11 *NRS 385.348;*

12 3. *The plan to improve the achievement of pupils prepared by*
13 *the principal of each school pursuant to NRS 385.357, which may*
14 *include a program of innovation, the turnaround plan for the*
15 *school implemented pursuant to NRS 385.37603 or the plan for*
16 *restructuring the school implemented pursuant to NRS 385.37607,*
17 *whichever is applicable for the school; and*

18 4. *Any other information that the State Board considers*
19 *relevant to the development of the program of educational*
20 *excellence.*

21 **Sec. 3.** 1. *The Department may appoint an advisory*
22 *committee consisting of persons who possess knowledge and*
23 *experience in programs, practices and strategies that have proven*
24 *effective in improving the academic achievement and proficiency*
25 *of pupils.*

26 2. *The advisory committee may include, without limitation:*

27 (a) *Administrators and principals employed by school districts*
28 *and charter schools;*

29 (b) *Representatives of the boards of trustees of school districts*
30 *and the governing bodies of charter schools;*

31 (c) *Teachers employed at public schools, including, without*
32 *limitation, charter schools;*

33 (d) *Representatives of the Nevada System of Higher*
34 *Education;*

35 (e) *Parents and legal guardians of pupils enrolled in public*
36 *schools, including, without limitation, charter schools; and*

37 (f) *Other persons as determined appropriate by the*
38 *Superintendent of Public Instruction who possess knowledge and*
39 *experience in programs, practices and strategies that have proven*
40 *effective in improving the academic achievement and proficiency*
41 *of pupils.*



1 3. *If created, the members of the advisory committee serve at*
2 *the pleasure of the Department and without compensation unless*
3 *an appropriation is made by the Legislature or money is otherwise*
4 *made available for that purpose.*

5 4. *If created, the advisory committee shall assist the*
6 *Department with the review, evaluation and approval of*
7 *applications for grants of money from the Account.*

8 **Sec. 4.** NRS 385.007 is hereby amended to read as follows:

9 385.007 As used in this title, unless the context otherwise
10 requires:

11 1. "Charter school" means a public school that is formed
12 pursuant to the provisions of NRS 386.500 to 386.610, inclusive.

13 2. "Department" means the Department of Education.

14 3. "Homeschooled child" means a child who receives
15 instruction at home and who is exempt from compulsory attendance
16 pursuant to NRS 392.070.

17 4. "Limited English proficient" has the meaning ascribed to it
18 in 20 U.S.C. § 7801(25).

19 5. *"Nevada Commission on K-12 Public Education" means*
20 *the Nevada Commission on K-12 Public Education created by*
21 *NRS 385.021.*

22 6. "Public schools" means all kindergartens and elementary
23 schools, junior high schools and middle schools, high schools,
24 charter schools and any other schools, classes and educational
25 programs which receive their support through public taxation and,
26 except for charter schools, whose textbooks and courses of study are
27 under the control of the ~~{State Board.~~

28 ~~—6. "State Board" means the State Board of Education.~~ *Nevada*
29 *Commission on K-12 Public Education.*

30 7. "University school for profoundly gifted pupils" has the
31 meaning ascribed to it in NRS 392A.040.

32 **Sec. 5.** NRS 385.017 is hereby amended to read as follows:

33 385.017 As used in NRS 385.017 to ~~{385.0265,}~~ **385.125,**
34 inclusive, unless the context otherwise requires ~~{~~

35 ~~—1. "Block" means the smallest geographical unit whose~~
36 ~~boundaries were designated by the Bureau of the Census of the~~
37 ~~United States Department of Commerce in its topographically~~
38 ~~integrated geographic encoding and referencing system.~~

39 ~~—2. "Block group" means a combination of blocks whose~~
40 ~~numbers begin with the same digit.~~

41 ~~—3. "Census tract" means a combination of block groups.~~

42 ~~—4. "Census voting district" means the voting district:~~

43 ~~—(a) Based on the geographic and population databases compiled~~
44 ~~by the Bureau of the Census of the United States Department of~~
45 ~~Commerce as validated and incorporated into the geographic~~



1 ~~information system by the Legislative Counsel Bureau for use by~~
2 ~~the Nevada Legislature; and~~

3 ~~—(b) Designated in the maps filed with the Office of the Secretary~~
4 ~~of State pursuant to NRS 385.0175.] , “Commissioner” means~~
5 ~~Commissioner of Public Education of the Nevada Commission on~~
6 ~~K-12 Public Education.~~

7 **Sec. 6.** NRS 385.021 is hereby amended to read as follows:

8 385.021 1. The ~~[State Board]~~ *Nevada Commission on K-12*
9 *Public Education is hereby created. The Nevada Commission on*
10 *K-12 Public Education* consists of ~~[10 members]~~ *the following*
11 *voting Commissioners:*

12 (a) *One Commissioner* elected by the registered voters ~~[within~~
13 ~~the districts]~~ *of each congressional district* described in NRS
14 ~~[385.0225 to 385.0265.]~~ *304.060 to 304.120, inclusive [*
15 ~~—2.] ;~~

16 (b) *One Commissioner appointed by the Governor;*

17 (c) *One Commissioner appointed by the Majority Leader of the*
18 *Senate; and*

19 (d) *One Commissioner appointed by the Speaker of the*
20 *Assembly.*

21 2. *In addition to the voting Commissioners described in*
22 *subsection 1, the Nevada Commission on K-12 Public Education*
23 *consists of the following four nonvoting Commissioners:*

24 (a) *One Commissioner who is a member of a board of trustees*
25 *of a school district appointed by the Nevada Association of School*
26 *Boards;*

27 (b) *One Commissioner who is the superintendent of schools of*
28 *a school district appointed by the Nevada Association of School*
29 *Superintendents;*

30 (c) *One Commissioner who represents the Nevada System of*
31 *Higher Education appointed by the Board of Regents of the*
32 *University of Nevada; and*

33 (d) *One Commissioner who is a pupil enrolled in a public*
34 *school in this State appointed by the Nevada Association of*
35 *Student Councils or its successor organization. In making the*
36 *appointments, the Nevada Association of Student Councils or its*
37 *successor organization shall solicit recommendations from its*
38 *members, the members of the Nevada Youth Legislature and the*
39 *members of any other statewide youth organizations that wish to*
40 *submit recommendations.*

41 3. Each ~~[member of the State Board]~~ *Commissioner elected*
42 *pursuant to paragraph (a) of subsection 1* must be a ~~[resident]~~
43 ~~qualified elector~~ *of the district from which that [member]*
44 *Commissioner is elected. [*



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

4 ~~4. [At the general election in 2004, and every 4 years~~
5 ~~thereafter, one member of the State Board must be elected for a term~~
6 ~~of 4 years from Districts Numbers 1, 3, 4, 7, 8 and 9.]~~ *Each*
7 *Commissioner appointed pursuant to paragraphs (b), (c) and (d)*
8 *of subsection 1 and each Commissioner appointed pursuant to*
9 *subsection 2 must be a resident of this State.*

10 5. *The appointing authorities shall ensure that the*
11 *Commissioners appointed pursuant to paragraphs (b), (c) and (d)*
12 *of subsection 1 represent the geographic diversity of this State and*
13 *that:*

14 (a) *One Commissioner is a teacher at a public school.*

15 (b) *One Commissioner is the parent or legal guardian of a*
16 *pupil enrolled in a public school.*

17 (c) *One Commissioner is a person active in a private business*
18 *or industry of this State.*

19 6. *After the initial terms, each Commissioner:*

20 (a) *Elected pursuant to paragraph (a) of subsection 1 serves a*
21 *term of 4 years. Such Commissioner may be elected to serve not*
22 *more than three terms but may be appointed to serve pursuant to*
23 *paragraph (b), (c) or (d) of subsection 1 or subsection 2 after*
24 *service as an elected Commissioner, notwithstanding the number*
25 *of terms the Commissioner served as an elected Commissioner.*

26 (b) *Appointed pursuant to paragraphs (b), (c) and (d) of*
27 *subsection 1 serves a term of 2 years. Commissioners may be*
28 *reappointed for additional terms of 2 years in the same manner as*
29 *the original appointments.*

30 (c) *Appointed pursuant to subsection 2 serves a term of 1 year.*
31 *Commissioners may be reappointed for additional terms of 1 year*
32 *in the same manner as the original appointments.*

33 7. If a vacancy occurs ~~[on the State Board,]~~ *during the term of:*

34 (a) *A Commissioner who was elected pursuant to paragraph*
35 *(a) of subsection 1, the Governor shall appoint a [member]*
36 *Commissioner to fill the vacancy until the next general election, at*
37 *which election a [member] Commissioner must be chosen for the*
38 *balance of the unexpired term. The appointee must be a [resident]*
39 *qualified elector of the district where the vacancy occurs.*

40 ~~[6. No member of the State Board may be elected to the office~~
41 ~~more than three times.]~~

42 (b) *A voting Commissioner appointed pursuant to paragraph*
43 *(b), (c) or (d) of subsection 1 or a nonvoting Commissioner*
44 *appointed pursuant to subsection 2, the vacancy must be filled in*



1 *the same manner as the original appointment for the remainder of*
2 *the unexpired term.*

3 **Sec. 7.** NRS 385.040 is hereby amended to read as follows:

4 385.040 1. The ~~[State Board of Education may]~~ *Nevada*
5 *Commission on K-12 Public Education shall* hold at least ~~[four]~~ **9**
6 *but not more than 12* regular meetings annually at the state capital.
7 The Secretary shall call all regular meetings.

8 2. *At least one of the meetings of the Nevada Commission on*
9 *K-12 Public Education must include a discussion with the*
10 *superintendents of the school districts, presidents of the boards of*
11 *trustees of the school districts, representatives of the governing*
12 *bodies of charter schools, representatives of the governing bodies*
13 *of university schools for profoundly gifted pupils and the chairs of*
14 *all boards, commissions and councils in the public education*
15 *system in this State to discuss:*

16 (a) *The goals and benchmarks of the State for improving the*
17 *academic achievement of pupils enrolled in public schools;*

18 (b) *The effects of those goals and benchmarks on the school*
19 *districts and public schools;*

20 (c) *The status of the school districts and public schools in*
21 *achieving the goals and benchmarks; and*

22 (d) *The status of any corrective actions imposed on a school*
23 *district or public school.*

24 3. The ~~[Board]~~ *Nevada Commission on K-12 Public*
25 *Education* may hold special meetings at such other times and places
26 as the ~~[Board]~~ *Commission* may direct. The Secretary shall call
27 special meetings upon the written request of the President or any
28 three ~~[members]~~ *voting Commissioners .* ~~[of the Board.~~

29 ~~—3.]~~ 4. A majority of the ~~[Board]~~ *voting Commissioners of the*
30 *Nevada Commission on K-12 Public Education* constitutes a
31 quorum for the transaction of business, and no action of the ~~[Board]~~
32 *Commission* is valid unless that action receives, at a legally called
33 meeting, the approval of a majority of all ~~[board members.]~~ *voting*
34 *Commissioners.*

35 **Sec. 8.** NRS 385.110 is hereby amended to read as follows:

36 385.110 1. Except as otherwise provided in subsections 2 and
37 3, the State Board shall prescribe and cause to be enforced the
38 courses of study for the public schools of this State. The courses of
39 study prescribed and enforced by the State Board must comply with
40 the standards of content and performance ~~[established by the~~
41 ~~Council to Establish Academic Standards for Public Schools]~~
42 *adopted by the State Board* pursuant to NRS 389.520.

43 2. For ~~[those]~~ *the* courses of study prescribed by the State
44 Board:



1 (a) High schools may have modified courses of study, subject to
2 the approval of the State Board; and

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

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

10 **Sec. 9.** NRS 385.160 is hereby amended to read as follows:

11 385.160 To be eligible to the Office of Superintendent of
12 Public Instruction, a person shall:

13 1. Have attained the age of 21 years at the time of his or her
14 appointment; ~~and~~

15 2. Hold a master's degree in the field of education or school
16 administration ~~;~~; *and*

17 3. *Possess the knowledge and ability to carry out the duties*
18 *required by this title and all other statutes and regulations*
19 *governing K-12 public education.*

20 **Sec. 10.** NRS 385.175 is hereby amended to read as follows:

21 385.175 The Superintendent of Public Instruction ~~shall~~ *is the*
22 *educational leader for the system of K-12 public education in this*
23 *State. The Superintendent of Public Instruction shall:*

24 1. Execute, direct or supervise all administrative, technical and
25 procedural activities of the Department in accordance with policies
26 prescribed by the State Board.

27 2. Employ personnel for the positions approved by the State
28 Board and necessary for the efficient operation of the Department.

29 3. Organize the Department in a manner which will assure
30 efficient operation and service.

31 4. Maintain liaison and coordinate activities with other state
32 agencies performing educational functions.

33 5. *Enforce the observance of this title and all other statutes*
34 *and regulations governing K-12 public education.*

35 6. *Request a plan of corrective action from the board of*
36 *trustees of a school district or the governing body of a charter*
37 *school if the Superintendent of Public Instruction determines that*
38 *the school district or charter school has not complied with a*
39 *requirement of this title or any other statute or regulation*
40 *governing K-12 public education. The plan of corrective action*
41 *must provide a timeline approved by the Superintendent of Public*
42 *Instruction for compliance with the statute or regulation.*

43 7. Perform such other duties as are prescribed by law.



1 **Sec. 11.** NRS 385.230 is hereby amended to read as follows:

2 385.230 1. The Superintendent of Public Instruction shall, *in*
3 *conjunction with the State Board, prepare an annual* report ~~to~~ of
4 the ~~the Governor biennially, on or before December 1, in the year~~
5 ~~immediately preceding a regular session of the Legislature~~
6 ~~concerning matters relating to education in this state, including,~~
7 *state of public education in this State. The report must include,*
8 without limitation ~~an~~:

9 (a) *An* analysis of each annual report of accountability prepared
10 by the State Board pursuant to NRS 385.3469 ~~in the immediately~~
11 ~~preceding 2 years.~~

12 ~~2. The Superintendent of Public Instruction shall report to the~~
13 ~~Legislature during each regular session of the Legislature~~
14 ~~concerning matters relating to education in this state, including,~~
15 ~~without limitation, an analysis of each annual report of~~
16 ~~accountability prepared by the State Board pursuant to NRS~~
17 ~~385.3469 in the immediately preceding 2 years.];~~

18 (b) *An update on the status of K-12 public education in this*
19 *State;*

20 (c) *A description of the most recent vision and mission*
21 *statements of the State Board and the Department, including,*
22 *without limitation, the progress made by the State Board and*
23 *Department in achieving those visions and missions;*

24 (d) *A description of the goals and benchmarks for improving*
25 *the academic achievement of pupils which are included in the plan*
26 *to improve the achievement of pupils required by NRS 385.3469I;*

27 (e) *An analysis of the progress the public schools have made in*
28 *the previous year toward achieving the goals and benchmarks for*
29 *improving the academic achievement of pupils;*

30 (f) *An analysis of whether the standards and examinations*
31 *adopted by the State Board adequately prepare pupils for success*
32 *in postsecondary educational institutions and in career and*
33 *workforce readiness;*

34 (g) *An analysis of the extent to which school districts and*
35 *charter schools recruit and retain effective teachers and*
36 *principals;*

37 (h) *An analysis of the ability of the automated system of*
38 *accountability information for Nevada established pursuant to*
39 *NRS 386.650 to link the achievement of pupils to the performance*
40 *of the individual teachers assigned to those pupils and to the*
41 *principals of the schools in which the pupils are enrolled;*

42 (i) *An analysis of the extent to which the lowest performing*
43 *public schools have improved the academic achievement of pupils*
44 *enrolled in those schools;*



1 (j) *A summary of the innovative educational programs*
2 *implemented by public schools which have demonstrated the*
3 *ability to improve the academic achievement of pupils, including,*
4 *without limitation:*

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

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

9 (3) *Pupils with disabilities;*

10 (4) *Pupils who are limited English proficient; and*

11 (5) *Pupils who are migratory children, as defined by the*
12 *State Board; and*

13 (k) *A description of any plan of corrective action requested by*
14 *the Superintendent of Public Instruction from the board of*
15 *trustees of a school district or the governing body of a charter*
16 *school and the status of that plan.*

17 2. *In odd-numbered years, the Superintendent of Public*
18 *Instruction shall present the report in person to the Governor and*
19 *each standing committee of the Legislature with primary*
20 *jurisdiction over matters relating to K-12 public education at the*
21 *beginning of each regular session of the Legislature.*

22 3. *In even-numbered years, the Superintendent of Public*
23 *Instruction shall, on or before January 31, submit a written copy*
24 *of the report to the Governor and to the Legislative Committee on*
25 *Education.*

26 **Sec. 12.** NRS 385.34691 is hereby amended to read as
27 follows:

28 385.34691 1. The State Board shall prepare a plan to improve
29 the achievement of pupils enrolled in the public schools in this
30 State. The plan:

31 (a) Must be prepared in consultation with:

32 (1) Employees of the Department;

33 (2) At least one employee of a school district in a county
34 whose population is 100,000 or more, appointed by the Nevada
35 Association of School Boards;

36 (3) At least one employee of a school district in a county
37 whose population is less than 100,000, appointed by the Nevada
38 Association of School Boards; and

39 (4) ~~[At least one representative of the Statewide Council for~~
40 ~~the Coordination of the Regional Training Programs created by NRS~~
41 ~~391.516, appointed by the Council;] *Representatives of the regional*~~
42 ~~*training programs for the professional development of teachers*~~
43 ~~*and administrators created by NRS 391.512; and*~~

44 (b) May be prepared in consultation with:

45 (1) Representatives of institutions of higher education;



- 1 (2) Representatives of regional educational laboratories;
- 2 (3) Representatives of outside consultant groups;
- 3 (4) ~~Representatives of the regional training programs for the~~
- 4 ~~professional development of teachers and administrators created by~~
- 5 ~~NRS 391.512;~~

6 ~~— (5)~~ The Bureau; and

7 ~~[(6)] (5)~~ Other persons who the State Board determines are

8 appropriate.

9 2. A plan to improve the achievement of pupils enrolled in

10 public schools in this State must include:

11 (a) A review and analysis of the data upon which the report

12 required pursuant to NRS 385.3469 is based and a review and

13 analysis of any data that is more recent than the data upon which the

14 report is based.

15 (b) The identification of any problems or factors common

16 among the school districts or charter schools in this State, as

17 revealed by the review and analysis.

18 (c) Strategies based upon scientifically based research, as

19 defined in 20 U.S.C. § 7801(37), that will strengthen the core

20 academic subjects, as set forth in NRS 389.018.

21 (d) Strategies to improve the academic achievement of pupils

22 enrolled in public schools in this State, including, without limitation,

23 strategies to:

24 (1) Instruct pupils who are not achieving to their fullest

25 potential, including, without limitation:

26 (I) The curriculum appropriate to improve achievement;

27 (II) The manner by which the instruction will improve the

28 achievement and proficiency of pupils on the examinations

29 administered pursuant to NRS 389.015 and 389.550; and

30 (III) An identification of the instruction and curriculum

31 that is specifically designed to improve the achievement and

32 proficiency of pupils in each group identified in paragraph (b) of

33 subsection 1 of NRS 385.361;

34 (2) Increase the rate of attendance of pupils and reduce the

35 number of pupils who drop out of school;

36 (3) Integrate technology into the instructional and

37 administrative programs of the school districts;

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

39 (5) Enhance the professional development offered for the

40 teachers and administrators employed at public schools in this State

41 to include the activities set forth in 20 U.S.C. § 7801(34) and to

42 address the specific needs of the pupils enrolled in public schools in

43 this State, as deemed appropriate by the State Board.

44 (e) Strategies designed to provide to the pupils enrolled in

45 middle school, junior high school and high school, the teachers and



1 counselors who provide instruction to those pupils, and the parents
2 and guardians of those pupils information concerning:

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

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

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

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

13 (g) ~~For~~ *A timeline for carrying out the plan, including,*
14 *without limitation:*

15 (1) *The rate of improvement and progress which must be*
16 *attained annually in meeting the goals and benchmarks*
17 *established by the State Board pursuant to subsection 3; and*

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

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

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

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

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

43 (l) *Any additional plans addressing the achievement and*
44 *proficiency of pupils adopted by the Department.*

45 3. The State Board shall:



1 (a) *In developing the plan to improve the achievement of*
2 *pupils enrolled in public schools, establish clearly defined goals*
3 *and benchmarks for improving the achievement of pupils,*
4 *including, without limitation, goals for:*

5 (1) *Improving proficiency results in core academic*
6 *subjects;*

7 (2) *Increasing the number of pupils enrolled in public*
8 *middle schools and junior high schools, including, without*
9 *limitation, charter schools, who enter public high schools with the*
10 *skills necessary to succeed in high school;*

11 (3) *Improving the percentage of pupils who enroll in grade*
12 *9 and who graduate from a public high school, including, without*
13 *limitation, a charter school, with a standard or higher diploma*
14 *upon completion;*

15 (4) *Improving the performance of pupils on standardized*
16 *college entrance examinations;*

17 (5) *Increasing the percentage of pupils enrolled in high*
18 *schools who enter postsecondary educational institutions or who*
19 *are career and workforce ready; and*

20 (6) *Reengaging disengaged youth who have dropped out of*
21 *high school or who are at risk of dropping out of high school,*
22 *including, without limitation, a mechanism for tracking and*
23 *maintaining communication with those youth who have dropped*
24 *out of school or who are at risk of doing so;*

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

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

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

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

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

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

38 (a) Governor;

39 (b) Committee;

40 (c) Bureau;

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

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

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

45 ~~[(e)]~~ (f) Governing body of each charter school.



1 **Sec. 13.** NRS 385.359 is hereby amended to read as follows:

2 385.359 1. The Bureau ~~{shall contract with a person or~~
3 ~~entity}~~ *may, at the direction of the Committee, convene an advisory*
4 *group* to:

5 (a) Review and analyze, in accordance with the standards
6 prescribed by the Committee pursuant to subsection 2 of NRS
7 218E.615, the:

8 (1) Annual report of accountability prepared by:

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

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

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

13 (I) The State Board pursuant to NRS 385.34691;

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

16 (III) Each school pursuant to NRS 385.357 identified by
17 the Bureau for review, if any, or if such a plan has not been
18 prepared, the turnaround plan for the schools identified by the
19 Bureau, if any, implemented pursuant to NRS 385.37603 or the plan
20 for restructuring the school implemented pursuant to NRS
21 385.37607, as applicable.

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

28 (c) Submit a written report to and consult with each school
29 district regarding any methods by which the district may improve
30 the accuracy of the report required pursuant to subsection 2 of NRS
31 385.347 and the plan to improve the achievement of pupils required
32 pursuant to NRS 385.348, and the purposes for which the report and
33 plan to improve are used.

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

39 (1) Plan to improve the achievement of pupils required
40 pursuant to NRS 385.357;

41 (2) Turnaround plan for the school implemented pursuant to
42 NRS 385.37603; or

43 (3) Plan for restructuring the school implemented pursuant to
44 NRS 385.37607,

45 ↳ whichever is applicable for the school.



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

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

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

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

12 2. ~~[/The consultant with whom the Bureau contracts to perform
13 the duties required]~~ *If convened* pursuant to subsection 1, *an*
14 *advisory group* must *consist of members who* possess the
15 experience and knowledge necessary to perform those duties, as
16 determined by the Committee.

17 **Sec. 14.** NRS 385.3781 is hereby amended to read as follows:

18 385.3781 As used in NRS 385.3781 to 385.379, inclusive, *and*
19 *sections 2 and 3 of this act*, unless the context otherwise requires,
20 ~~[/the words and terms defined in NRS 385.3782 and 385.3783 have
21 the meanings ascribed to them in those sections.]/~~ *“Account” means*
22 *the Account for Programs for Innovation and the Prevention of*
23 *Remediation created by NRS 385.379.*

24 **Sec. 15.** NRS 385.3785 is hereby amended to read as follows:

25 385.3785 1. The ~~[/Commission]/~~ *Department* shall:

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

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

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

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

40 ~~/(4) Any other information that the Commission considers
41 relevant to the development of the program of educational
42 excellence.~~

43 ~~/(b)]~~ Identify programs, practices and strategies that have proven
44 effective in improving the academic achievement and proficiency of
45 pupils.



1 ~~(e)~~ (b) Develop a concise application and simple procedures
2 for the submission of applications by public schools and
3 consortiums of public schools, including, without limitation, charter
4 schools, for participation in a program of educational excellence and
5 for grants of money from the Account. Grants of money must be
6 made for programs designed for the achievement of pupils that are
7 linked to the plan to improve the achievement of pupils or for
8 innovative programs, or both, or that are linked to the turnaround
9 plan for the school or the plan for restructuring the school, if
10 applicable, or for innovative programs, or both. The ~~[Commission]~~
11 *Department* shall not award a grant of money from the Account for
12 a program to provide full-day kindergarten. All public schools and
13 consortiums of public schools, including, without limitation, charter
14 schools, are eligible to submit such an application, regardless of
15 whether the schools have made adequate yearly progress or failed to
16 make adequate yearly progress. A public school or a consortium of
17 public schools selected for participation may be approved by the
18 ~~[Commission]~~ *Department* for participation for a period not to
19 exceed 2 years, but may reapply.

20 ~~(d)~~ (c) Prescribe a long-range timeline for the review,
21 approval and evaluation of applications received from public
22 schools and consortiums of public schools that desire to participate
23 in the program.

24 ~~(e)~~ (d) Establish guidelines for the review, evaluation and
25 approval of applications for grants of money from the Account,
26 including, without limitation, consideration of the list of priorities of
27 public schools ~~[provided by the Department]~~ *developed* pursuant to
28 subsection 6. ~~[To ensure consistency in the review, evaluation and~~
29 ~~approval of applications, if the guidelines authorize the review and~~
30 ~~evaluation of applications by less than the entire membership of the~~
31 ~~Commission, money must not be allocated from the Account for a~~
32 ~~grant until the entire membership of the Commission has reviewed~~
33 ~~and approved the application for the grant.~~

34 ~~(f)~~ (e) Prescribe accountability measures to be carried out by a
35 public school that participates in the program if that public school
36 does not meet the annual measurable objectives established by the
37 State Board pursuant to NRS 385.361, including, without limitation:

38 (1) The specific levels of achievement expected of schools
39 that participate; and

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



1 ~~(e)~~ (f) Determine the amount of money that is available from
2 the Account for those public schools and consortiums of public
3 schools that are selected to participate in the program.

4 ~~(h) Allocate~~

5 (g) *Submit its recommendations for the allocations of* money
6 to public schools and consortiums of public schools from the
7 Account ~~[-Allocations]~~ *to the State Board for its review and*
8 *approval. Upon approval by the State Board, the allocations* must
9 be distributed not later than August 15 of each year.

10 ~~(i)~~ *Unless otherwise directed by the Legislature, the*
11 *allocation of money must not be made based upon a per pupil*
12 *formula but must be based upon:*

13 (1) *The priorities developed pursuant to subsection 6; and*

14 (2) *The assessed needs of each public school or each*
15 *consortium of public schools that submits an application.*

16 (h) Establish criteria for public schools and consortiums of
17 public schools that participate in the program and receive an
18 allocation of money from the Account to evaluate the effectiveness
19 of the allocation in improving the achievement of pupils, including,
20 without limitation, a detailed analysis of:

21 (1) The achievement of pupils enrolled at each school that
22 received money from the allocation based upon measurable criteria
23 identified in, as applicable, the:

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

26 (II) Turnaround plan for the school implemented pursuant
27 to NRS 385.37603; or

28 (III) Plan for restructuring the school implemented
29 pursuant to NRS 385.37607;

30 (2) If applicable, the effectiveness of the program of
31 innovation on the achievement of pupils and the overall
32 effectiveness for pupils and staff;

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

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

39 2. To the extent money is available ~~{}~~ *and based upon*
40 *approval by the State Board, the* ~~{Commission}~~ *Department* shall
41 make allocations of money to public schools and consortiums of
42 public schools for effective programs for grades 7 through 12 that
43 are designed to improve the achievement of pupils and effective
44 programs of innovation for pupils. In making such allocations, the



1 ~~Commission~~ Department shall comply with the requirements of
2 this section.

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

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

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

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

12 (2) A substantially similar program.

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

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

18 (a) Does not meet the criteria for effectiveness as prescribed in
19 paragraph ~~(g)~~ (h) of subsection 1;

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

24 (c) Does not implement the program for which the money was
25 received, as determined in an audit conducted pursuant to subsection
26 4 of NRS 385.3789 or an evaluation conducted pursuant to
27 subsection 3 of NRS 385.379,

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

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

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

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

39 ➔ for consideration ~~[by the Commission]~~ in its development of
40 procedures for the applications.

41 7. A public school, including, without limitation, a charter
42 school, or a consortium of public schools may request assistance
43 from the school district in which the school is located in preparing
44 an application for a grant of money pursuant to this section. A
45 school district shall assist each public school or consortium of



1 public schools that requests assistance pursuant to this subsection to
2 ensure that the application of the school:

3 (a) Is based directly upon, as applicable, the:

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

6 (2) Turnaround plan for the school implemented pursuant to
7 NRS 385.37603; or

8 (3) Plan for restructuring the school implemented pursuant to
9 NRS 385.37607;

10 (b) Is developed in accordance with the criteria established by
11 the ~~{Commission;}~~ *Department*; and

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

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

18 8. In carrying out the requirements of this section, the
19 ~~{Commission}~~ *Department* shall review and consider the programs
20 of remedial study adopted by the Department pursuant to NRS
21 385.389, the list of approved providers of supplemental educational
22 services maintained by the Department pursuant to NRS 385.384
23 and the recommendations submitted by the Committee pursuant to
24 NRS 218E.615 concerning programs, practices and strategies that
25 have proven effective in improving the academic achievement and
26 proficiency of pupils.

27 9. The ~~{Commission}~~ *Department* shall not award a grant of
28 money from the Account for a program of remedial study that is
29 available commercially unless that program has been adopted by the
30 Department pursuant to NRS 385.389.

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

35 **Sec. 16.** NRS 385.3787 is hereby amended to read as follows:

36 385.3787 1. A public school or consortium of public schools
37 that receives an allocation of money from the Account shall:

38 (a) Account for the money separately;

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

43 (c) Submit an evaluation of the effectiveness of the allocation in
44 improving the achievement of pupils in kindergarten through grade
45 6 or pupils in grades 7 through 12, as applicable, in accordance with



1 the criteria for evaluation established by the ~~Commission~~
2 *Department* pursuant to NRS 385.3785.

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

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

9 (b) Use the money to adjust the schedules of salaries and
10 benefits of the employees of the school district or public school, as
11 applicable.

12 **Sec. 17.** NRS 385.3789 is hereby amended to read as follows:

13 385.3789 1. The ~~Commission~~ *Department* shall prepare an
14 annual report that describes the distribution of money to the public
15 schools and consortiums of public schools and the programs for
16 which money was allocated from the Account, including, without
17 limitation, the total amount of money allocated:

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

20 (b) To each public school;

21 (c) To schools included on the list of priorities of schools
22 ~~provided~~ *developed* by the Department pursuant to NRS 385.3785;

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

26 (e) For programs that provide instructional support and have an
27 indirect effect on pupils, including, without limitation, the provision
28 of professional development for educational personnel and the
29 employment of administrators; and

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

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

33 (2) Whether the ~~Commission~~ *Department* considers the
34 program to be innovative;

35 (3) Whether the program includes the provision of
36 professional development other than professional development that
37 is related to carrying out a program that provides services directly to
38 pupils;

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

40 (5) The full-time personnel necessary to implement the
41 program, if any.

42 ↪ The report must be submitted on or before September 1 of each
43 year to the entities identified in subsection 3.

44 2. The ~~Commission~~ *Department* shall:

45 (a) Prepare an annual report that describes:



1 (1) The activities of the ~~Commission;~~ *Department in*
2 *carrying out the provisions of NRS 385.3781 to 385.379, inclusive,*
3 *and sections 2 and 3 of this act;*

4 (2) An analysis of the progress of the public schools in
5 carrying out the plans to improve the achievement of pupils; and

6 (3) An analysis of the progress of the public schools and
7 consortiums of public schools that received an allocation of money
8 from the Account in improving the achievement of pupils.

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

11 3. The ~~Commission;~~ *Department* shall *post the reports*
12 *required by this section on the Internet website maintained by the*
13 *Department and* submit the reports ~~required by this section~~ to the:

14 (a) State Board;

15 (b) Governor;

16 (c) Committee;

17 (d) Bureau;

18 (e) Interim Finance Committee; ~~and~~

19 (f) Board of trustees of each school district ~~;~~;

20 (g) *Governing body of each charter school; and*

21 (h) *Superintendent of Public Instruction.*

22 4. The Legislative Auditor shall audit biennially the programs
23 for which public schools and consortiums of public schools receive
24 an allocation of money. The audit:

25 (a) Must include:

26 (1) A review of the amount of time it takes for a public
27 school or consortium of public schools to receive an allocation of
28 money after the ~~Commission;~~ *Department* makes the award;

29 (2) A determination of whether a public school or consortium
30 of public schools that received an allocation of money used the
31 money to implement the program for which the money was
32 allocated; and

33 (3) Any recommendations for the most efficient and
34 economical use of the money allocated by the ~~Commission;~~
35 *Department* to public schools and consortiums of public schools.

36 (b) May include a representative sample of programs, based
37 upon geographic location and type of program.

38 5. The Legislative Auditor shall report the results of each
39 biennial audit conducted pursuant to subsection 4 to the entities
40 prescribed in subsection 3.

41 **Sec. 18.** NRS 385.379 is hereby amended to read as follows:

42 385.379 1. The Account for Programs for Innovation and the
43 Prevention of Remediation is hereby created in the State General
44 Fund, to be administered by the Superintendent of Public
45 Instruction. The Superintendent of Public Instruction may accept



1 gifts and grants of money from any source for deposit in the
2 Account. Any money from gifts and grants may be expended in
3 accordance with the terms and conditions of the gift or grant, or in
4 accordance with subsection 2 or 3. The interest and income earned
5 on the sum of:

6 (a) The money in the Account; and

7 (b) Unexpended appropriations made to the Account from the
8 State General Fund,

9 ➔ must be credited to the Account. Any money remaining in the
10 Account at the end of a fiscal year does not revert to the State
11 General Fund, and the balance in the Account must be carried
12 forward to the next fiscal year.

13 2. Except as otherwise provided in ~~[NRS 385.3784 and]~~
14 subsection 3, the money in the Account may only be used for the
15 allocation of money to public schools and consortiums of public
16 schools whose applications are approved by the ~~[Commission]~~
17 **Department** pursuant to NRS 385.3785.

18 3. Upon the ~~[request]~~ **approval** of the ~~[Commission:]~~ **State**
19 **Board:**

20 (a) Not more than \$50,000 in the Account may be used each
21 biennium to pay ~~for~~

22 ~~—— (1) The expenses incurred by members of the Commission to~~
23 ~~travel to the public schools and consortiums of public schools that~~
24 ~~received allocations of money from the Account; and~~

25 ~~—— (2) The] the~~ costs incurred by the ~~[Commission]~~ **Department**
26 to hold meetings or conferences for representatives of public schools
27 and consortiums of schools that received allocations of money from
28 the Account to discuss or display, or both, programs, practices and
29 strategies that have proven effective in improving the academic
30 achievement and proficiency of pupils.

31 (b) Not more than \$450,000 in the Account may be used each
32 biennium to pay for an evaluation of the programs for which money
33 was allocated from the Account. If the ~~[Commission]~~ **Department**
34 uses money in the Account for such an evaluation, the
35 ~~[Commission]~~ **Department** shall ensure that:

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

38 (2) Upon selection of the consultant, the ~~[Commission]~~
39 **Department** receives approval of the consultant and the plan for the
40 evaluation from the Committee;

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

44 (4) The evaluation includes an identification of the programs
45 for which money was allocated from the Account that did not



1 improve the achievement of pupils as described in the approved
2 application for the grant;

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

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

10 **Sec. 19.** NRS 385.389 is hereby amended to read as follows:

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

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

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

20 ➤ In adopting these programs of remedial study, the Department
21 shall consider the recommendations submitted by the Committee
22 pursuant to NRS 218E.615 and programs of remedial study that
23 have proven to be successful in improving the academic
24 achievement of pupils.

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

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

42 **Sec. 20.** Chapter 388 of NRS is hereby amended by adding
43 thereto the provisions set forth as sections 21 and 22 of this act.

44 **Sec. 21. 1. *The Department may appoint an advisory***
45 ***committee consisting of persons who possess knowledge and***



1 *experience in the application of educational technology and the*
2 *manner in which such technology is used in the classroom to*
3 *improve the academic achievement of pupils.*

4 2. *The advisory committee may include, without limitation:*

5 (a) *Administrators and principals employed by school districts*
6 *and charter schools;*

7 (b) *Representatives of the boards of trustees of school districts*
8 *and the governing bodies of charter schools;*

9 (c) *Teachers employed at public schools, including, without*
10 *limitation, charter schools;*

11 (d) *Representatives of school libraries;*

12 (e) *Representatives of the Nevada System of Higher*
13 *Education;*

14 (f) *Representatives of private business and industry;*

15 (g) *Parents and legal guardians of pupils enrolled in public*
16 *schools, including, without limitation, charter schools; and*

17 (h) *Other persons as determined appropriate by the*
18 *Superintendent of Public Instruction who possess knowledge and*
19 *experience in the application of educational technology.*

20 3. *If created, the members of the advisory committee serve at*
21 *the pleasure of the Department and without compensation unless*
22 *an appropriation is made by the Legislature or money is otherwise*
23 *made available for that purpose.*

24 4. *If created, the advisory committee shall assist the*
25 *Department with:*

26 (a) *The preparation, review and revision of the plan for the use*
27 *of educational technology in the public schools of this State*
28 *established pursuant to NRS 388.795.*

29 (b) *The review of the applications for grants of money from*
30 *the Trust Fund for Educational Technology created by*
31 *NRS 388.800.*

32 **Sec. 22.** 1. *The Department shall prepare an annual report*
33 *on the allocation of money from the Trust Fund for Educational*
34 *Technology created by NRS 388.800 or from money appropriated*
35 *by the Legislature for educational technology. The report must*
36 *include, without limitation:*

37 (a) *An identification of each school district and charter school*
38 *that was awarded a grant of money and the amount of the grant;*
39 *and*

40 (b) *An analysis of the progress of each school district and*
41 *charter school in carrying out the plan for the use of educational*
42 *technology.*

43 2. *The Department shall post the report prepared pursuant to*
44 *subsection 1 on the Internet website maintained by the*
45 *Department and submit the report to the:*



- 1 (a) *State Board;*
- 2 (b) *Governor;*
- 3 (c) *Committee;*
- 4 (d) *Legislative Bureau of Educational Accountability and*
- 5 *Program Evaluation;*
- 6 (e) *Interim Finance Committee;*
- 7 (f) *Board of trustees of each school district;*
- 8 (g) *Governing body of each charter school; and*
- 9 (h) *Superintendent of Public Instruction.*

10 **Sec. 23.** NRS 388.780 is hereby amended to read as follows:
11 388.780 As used in NRS 388.780 to 388.805, inclusive, *and*
12 *sections 21 and 22 of this act*, unless the context otherwise requires,
13 ~~[the words and terms defined in NRS 388.785 and 388.787 have the~~
14 ~~meanings ascribed to them in those sections.]~~ *“Committee” means*
15 *the Legislative Committee on Education created by*
16 *NRS 218E.605.*

17 **Sec. 24.** NRS 388.795 is hereby amended to read as follows:
18 388.795 1. The ~~[Commission]~~ *Department* shall establish a
19 plan for the use of educational technology in the public schools of
20 this State ~~[]~~ *for review and approval by the State Board.* In
21 preparing the plan, the ~~[Commission]~~ *Department* shall consider:

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

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

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

28 (d) The results of the assessment of needs conducted pursuant to
29 subsection ~~[6; and]~~ 5;

30 (e) *A list of priorities for the use of educational technology in*
31 *the public schools of this State, including, without limitation,*
32 *charter schools; and*

33 (f) Any other information that the ~~[Commission]~~ *Department* or
34 the Committee deems relevant to the preparation of the plan.

35 2. The plan established by the ~~[Commission]~~ *Department* must
36 include recommendations for methods to:

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

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

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



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

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

7 ~~3. The Department shall provide:~~

8 ~~—(a) Administrative support;~~

9 ~~—(b) Equipment; and~~

10 ~~—(c) Office space;~~

11 ~~as is necessary for the Commission to carry out the provisions of~~
12 ~~this section.~~

13 ~~4.]~~ The following entities shall cooperate with the
14 ~~Commission] Department~~ in carrying out the provisions of this
15 section:

16 (a) ~~The State Board.~~

17 ~~(b)]~~ The board of trustees of each school district.

18 ~~(e)] (b)~~ The superintendent of schools of each school district.

19 ~~(d) The Department.~~

20 ~~5.] (c) The governing body of each charter school.~~

21 4. The ~~Commission] Department~~ shall:

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

28 (b) ~~Allocate] Establish criteria for determining the allocation~~
29 ~~of money from the Trust Fund for Educational Technology~~
30 ~~created by NRS 388.800 and any money appropriated by the~~
31 ~~Legislature for educational technology. Unless otherwise directed~~
32 ~~by the Legislature, the allocations of money must not be made~~
33 ~~based upon a per pupil formula but must be based upon:~~

34 (1) *The priorities included in the plan pursuant to*
35 *subsection 1; and*

36 (2) *The assessed needs of each school district or charter*
37 *school that submits an application.*

38 (c) *Submit its recommendations for the allocations of money to*
39 *the school districts and charter schools from the Trust Fund for*
40 *Educational Technology created by NRS 388.800 and any money*
41 *appropriated by the Legislature for educational technology to the*
42 *State Board for its review and approval.*

43 (d) *Upon approval by the State Board, make allocations of*
44 *money to the school districts and charter schools from the*
45 *Trust Fund for Educational Technology created [pursuant to] by*



1 NRS 388.800 and any money appropriated by the Legislature for
2 educational technology, subject to any priorities for such allocation
3 established by the Legislature.

4 ~~{(e)}~~ (e) Establish criteria for the board of trustees of a school
5 district *and the governing body of a charter school* that receives an
6 allocation of money from the ~~{Commission}~~ *Department* to:

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

10 (3) Provide training, installation and technical support related
11 to the use of educational technology within the *school* district ~~{~~
12 ~~{d)}~~ *or charter school*.

13 (f) Submit to the Governor ~~{}~~ *and* the Committee ~~{and the~~
14 ~~Department its}~~ *the* plan for the use of educational technology in the
15 public schools of this State *approved by the State Board* and any
16 recommendations *of the State Board* for legislation.

17 ~~{(e)}~~ (g) Review the plan annually and make revisions as ~~{it~~
18 ~~deems necessary or as directed by the Committee or the Department.~~

19 ~~—(f) In addition to the recommendations set forth in the plan~~
20 ~~pursuant to subsection 2, make further recommendations to the~~
21 ~~Committee and the Department as the Commission}~~ *the State Board*
22 deems necessary.

23 ~~{6.}~~ 5. During the spring semester of each even-numbered
24 school year, the ~~{Commission}~~ *Department* shall conduct an
25 assessment of the needs of each school district *and charter school*
26 relating to educational technology. In conducting the assessment,
27 the ~~{Commission}~~ *Department* shall consider:

28 (a) The recommendations set forth in the plan pursuant to
29 subsection 2;

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

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

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

37 ~~{~~ The ~~{Commission}~~ *Department* shall submit a final written report
38 of the assessment to the ~~{Superintendent of Public Instruction}~~ *State*
39 *Board* on or before April 1 of each even-numbered year.

40 ~~{7.}~~ 6. The Superintendent of Public Instruction shall prepare a
41 written compilation of the results of the assessment conducted by
42 the ~~{Commission}~~ *Department* and transmit the written compilation
43 on or before June 1 of each even-numbered year to the Legislative
44 Committee on Education and to the Director of the Legislative



1 Counsel Bureau for transmission to the next regular session of the
2 Legislature.

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

11 ~~9.]~~ 7. As used in this section, "public school" includes the
12 Caliente Youth Center, the Nevada Youth Training Center and any
13 other state facility for the detention of children that is operated
14 pursuant to title 5 of NRS.

15 **Sec. 25.** NRS 388.800 is hereby amended to read as follows:

16 388.800 1. The Trust Fund for Educational Technology is
17 hereby created in the State General Fund. The Trust Fund must be
18 administered by the Superintendent of Public Instruction. The
19 Superintendent may accept gifts and grants of money from any
20 source for deposit in the Trust Fund. Any such money may be
21 expended in accordance with the terms and conditions of the gift or
22 grant, or in accordance with subsection 3.

23 2. The interest and income earned on the money in the Trust
24 Fund must be credited to the Trust Fund.

25 3. The money in the Trust Fund may be used only for the
26 distribution of money to school districts *and charter schools* to be
27 used in kindergarten through 12th grade to obtain and maintain
28 hardware and software for computer systems, equipment for transfer
29 of data by modem through connection to telephone lines, and other
30 educational technology as may be approved by the ~~Commission]~~
31 *State Board* for use in classrooms.

32 **Sec. 26.** NRS 388.805 is hereby amended to read as follows:

33 388.805 The ~~Department shall, in consultation with the~~
34 ~~Commission,]~~ *State Board shall* adopt regulations that establish a
35 program whereby school districts *and charter schools* may apply to
36 the ~~Commission on Educational Technology]~~ *Department* for
37 money from the Trust Fund for Educational Technology ~~]~~ *created*
38 *by NRS 388.800.*

39 **Sec. 27.** Chapter 389 of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 *1. The Department may appoint an advisory committee*
42 *consisting of persons who possess knowledge and experience in*
43 *the academic standards for this State and any national academic*
44 *standards.*

45 *2. The advisory committee may include, without limitation:*



- 1 (a) *The Superintendent of Public Instruction;*
- 2 (b) *Representatives of the boards of trustees of school districts*
- 3 *and the governing bodies of charter schools;*
- 4 (c) *Teachers employed at public schools, including, without*
- 5 *limitation, charter schools;*
- 6 (d) *Representatives of the regional training programs for the*
- 7 *professional development of teachers and administrators created*
- 8 *by NRS 391.512;*
- 9 (e) *Representatives of private business and industry;*
- 10 (f) *Representatives of the Colleges of Education within the*
- 11 *Nevada System of Higher Education;*
- 12 (g) *Representatives of professional educational organizations*
- 13 *that are knowledgeable in the subject areas of the academic*
- 14 *standards; and*
- 15 (h) *Other persons as determined appropriate by the*
- 16 *Superintendent of Public Instruction who possess knowledge and*
- 17 *experience in the academic standards for this State and any*
- 18 *national academic standards.*

19 3. *If created, the members of the advisory committee serve at*

20 *the pleasure of the Department and without compensation unless*

21 *an appropriation is made by the Legislature or money is otherwise*

22 *available for that purpose.*

23 4. *If created, the advisory committee shall assist the*

24 *Department with its proposal for review by the State Board of the*

25 *standards of content and performance in the courses of study*

26 *prescribed pursuant to subsection 1 of NRS 389.520.*

27 **Sec. 28.** NRS 389.012 is hereby amended to read as follows:

28 389.012 1. The State Board shall:

29 (a) In accordance with guidelines established by the National

30 Assessment Governing Board and National Center for Education

31 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the

32 regulations adopted pursuant thereto, adopt regulations requiring the

33 schools of this State that are selected by the National Assessment

34 Governing Board or the National Center for Education Statistics to

35 participate in the examinations of the National Assessment of

36 Educational Progress.

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

- 38 (1) Governor;
- 39 (2) Board of trustees of each school district of this State;
- 40 (3) Legislative Committee on Education created pursuant to
- 41 NRS 218E.605; and
- 42 (4) Legislative Bureau of Educational Accountability and
- 43 Program Evaluation created pursuant to NRS 218E.625.



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

4 (1) The results of pupils throughout this country who
5 participated in the examinations of the National Assessment of
6 Educational Progress; and

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

9 2. If the report required by subsection 1 indicates that the
10 percentage of pupils enrolled in the public schools in this State who
11 are proficient on the National Assessment of Educational Progress
12 differs by more than 10 percent of the pupils who are proficient on
13 the examinations administered pursuant to NRS 389.550 and the
14 high school proficiency examination administered pursuant to NRS
15 389.015, the Department shall prepare a written report describing
16 the discrepancy. The report must include, without limitation, a
17 comparison and evaluation of:

18 (a) The standards of content and performance for English and
19 mathematics established pursuant to NRS 389.520 with the
20 standards for English and mathematics that are tested on the
21 National Assessment.

22 (b) The standards for proficiency established for the National
23 Assessment with the standards for proficiency established for the
24 examinations that are administered pursuant to NRS 389.550 and
25 the high school proficiency examination administered pursuant to
26 NRS 389.015.

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

29 (a) Governor;

30 (b) Legislative Committee on Education; *and*

31 (c) Legislative Bureau of Educational Accountability and
32 Program Evaluation . ~~}; and~~

33 ~~—(d) Council to Establish Academic Standards for Public~~
34 ~~Schools.}~~

35 4. The ~~[Council to Establish Academic Standards for Public~~
36 ~~Schools shall review and evaluate the report provided to the Council~~
37 ~~pursuant to subsection 3 to]~~ *Department shall* identify any
38 discrepancies in the standards of content and performance
39 ~~[established by the Council]~~ *adopted by the State Board pursuant*
40 *to NRS 389.520* that require revision and a timeline for carrying out
41 the revision, if necessary. The ~~[Council]~~ *Department* shall submit a
42 written report of its review and evaluation to the Legislative
43 Committee on Education and Legislative Bureau of Educational
44 Accountability and Program Evaluation.



1 **Sec. 29.** NRS 389.019 is hereby amended to read as follows:

2 389.019 Except as otherwise provided in NRS 389.180, boards
3 of trustees of school districts in this State shall enforce in schools:

4 1. The standards of content and performance ~~{established by~~
5 ~~the Council to Establish Academic Standards for Public Schools}~~
6 *adopted by the State Board pursuant to NRS 389.520* and the
7 courses of study related to those standards; and

8 2. ~~{The}~~ *Any other* courses of study prescribed and adopted by
9 the State Board.

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

11 389.520 1. The ~~{Council}~~ *Department* shall:

12 (a) ~~{Establish}~~ *Propose for review by the State Board* standards
13 of content and performance, including, without limitation, a
14 prescription of the resulting level of achievement, for the grade
15 levels set forth in subsection 3, based upon the content of each
16 course, that is expected of pupils for the following courses of study:

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

18 (2) Mathematics;

19 (3) Science;

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

22 (5) The arts;

23 (6) Computer education and technology;

24 (7) Health; and

25 (8) Physical education.

26 (b) ~~{Establish}~~ *Propose for review by the State Board* a
27 schedule for the periodic review and, if necessary, revision of the
28 standards of content and performance. The review must include,
29 without limitation, the review required pursuant to NRS 389.570 of
30 the results of pupils on the examinations administered pursuant to
31 NRS 389.550.

32 (c) ~~{Assign}~~ *Propose for review by the State Board an*
33 *Assignment of* priorities to the standards of content and
34 performance relative to importance and degree of emphasis and
35 revise the standards, if necessary, based upon the priorities.

36 2. The standards for computer education and technology must
37 include a policy for the ethical, safe and secure use of computers
38 and other electronic devices. The policy must include, without
39 limitation:

40 (a) The ethical use of computers and other electronic devices,
41 including, without limitation:

42 (1) Rules of conduct for the acceptable use of the Internet
43 and other electronic devices; and

44 (2) Methods to ensure the prevention of:

45 (I) Cyber-bullying;



- 1 (II) Plagiarism; and
2 (III) The theft of information or data in an electronic
3 form;
4 (b) The safe use of computers and other electronic devices,
5 including, without limitation, methods to:
6 (1) Avoid harassment, cyber-bullying and other unwanted
7 electronic communication, including, without limitation,
8 communication with on-line predators;
9 (2) Recognize when an on-line electronic communication is
10 dangerous or potentially dangerous; and
11 (3) Report a dangerous or potentially dangerous on-line
12 electronic communication to the appropriate school personnel;
13 (c) The secure use of computers and other electronic devices,
14 including, without limitation:
15 (1) Methods to maintain the security of personal identifying
16 information and financial information, including, without limitation,
17 identifying unsolicited electronic communication which is sent for
18 the purpose of obtaining such personal and financial information for
19 an unlawful purpose;
20 (2) The necessity for secure passwords or other unique
21 identifiers;
22 (3) The effects of a computer contaminant;
23 (4) Methods to identify unsolicited commercial material; and
24 (5) The dangers associated with social networking Internet
25 sites; and
26 (d) A designation of the level of detail of instruction as
27 appropriate for the grade level of pupils who receive the instruction.
28 3. The ~~{Council}~~ *Department* shall ~~{establish}~~ *propose for*
29 *review by the State Board* standards of content and performance for
30 each grade level in kindergarten and grades 1 to 8, inclusive, for
31 English and mathematics. The ~~{Council}~~ *Department* shall
32 ~~{establish}~~ *propose for review by the State Board* standards of
33 content and performance for the grade levels selected by the
34 ~~{Council}~~ *State Board* for the other courses of study prescribed in
35 subsection 1.
36 4. The ~~{Council}~~ *Department* shall ~~{forward}~~ *submit* to the
37 State Board the standards of content and performance ~~{established}~~
38 *proposed* by the ~~{Council}~~ *Department* for each course of study.
39 The State Board shall:
40 (a) ~~{Adopt}~~ *Review* the *proposed* standards for each course of
41 study ~~{, as submitted by the Council; or~~
42 ~~—(b) If the State Board objects to the standards for a course of~~
43 ~~study or a particular grade level for a course of study, return those~~
44 ~~standards to the Council with a written explanation setting forth the~~
45 ~~reason for the objection.~~



1 ~~5. If the State Board returns to the Council the standards of~~
2 ~~content and performance for a course of study or a grade level, the~~
3 ~~Council shall:~~

4 ~~—(a) Consider the objection provided by the State Board and~~
5 ~~determine whether to revise the standards based upon the objection;~~
6 ~~and~~

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

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

11 ~~—6. The Council shall work in cooperation with the State Board~~
12 ~~to prescribe the examinations required by NRS 389.550.~~

13 ~~—7.] ;~~

14 *(b) Based upon its review, revise the proposed standards as it*
15 *deems necessary; and*

16 *(c) Adopt the standards or the revised standards, as applicable,*
17 *for each course of study.*

18 **5.** As used in this section:

19 (a) “Computer contaminant” has the meaning ascribed to it in
20 NRS 205.4737.

21 (b) “Cyber-bullying” has the meaning ascribed to it in
22 NRS 388.123.

23 (c) “Electronic communication” has the meaning ascribed to it
24 in NRS 388.124.

25 **Sec. 31.** NRS 389.540 is hereby amended to read as follows:

26 389.540 The board of trustees of each school district shall
27 conduct a periodic review of the courses of study offered in the
28 public schools of the school district to determine whether the
29 courses of study comply with the standards of content and
30 performance ~~[established]~~ *adopted* by the ~~[Council]~~ *State Board*
31 pursuant to NRS 389.520 and if revision of the courses of study is
32 necessary to ensure compliance.

33 **Sec. 32.** NRS 389.550 is hereby amended to read as follows:

34 389.550 1. The State Board shall ~~[, in consultation with the~~
35 ~~Council,]~~ prescribe examinations that comply with 20 U.S.C. §
36 6311(b)(3) and that measure the achievement and proficiency of
37 pupils:

38 (a) For grades 3, 4, 5, 6, 7 and 8 in the standards of content
39 ~~[established]~~ *adopted* by the ~~[Council]~~ *State Board pursuant to*
40 *NRS 389.520* for the subjects of English and mathematics.

41 (b) For grades 5 and 8, in the standards of content ~~[established]~~
42 *adopted* by the ~~[Council]~~ *State Board pursuant to NRS 389.520* for
43 the subject of science.



1 ↪ The examinations prescribed pursuant to this subsection must be
2 written, developed, printed and scored by a nationally recognized
3 testing company.

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

8 3. The board of trustees of each school district and the
9 governing body of each charter school shall administer the
10 examinations prescribed by the State Board. The examinations must
11 be:

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

15 (b) Administered in each school in accordance with uniform
16 procedures adopted by the State Board. The Department shall
17 monitor the school districts and individual schools to ensure
18 compliance with the uniform procedures.

19 (c) Administered in each school in accordance with the plan
20 adopted pursuant to NRS 389.616 by the Department and with the
21 plan adopted pursuant to NRS 389.620 by the board of trustees of
22 the school district in which the examinations are administered. The
23 Department shall monitor the compliance of school districts and
24 individual schools with:

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

26 (2) The plan adopted by the board of trustees of the
27 applicable school district, to the extent that the plan adopted by the
28 board of trustees of the school district is consistent with the plan
29 adopted by the Department.

30 **Sec. 33.** NRS 389.560 is hereby amended to read as follows:

31 389.560 1. The State Board shall adopt regulations that
32 require the board of trustees of each school district and the
33 governing body of each charter school to submit to the
34 Superintendent of Public Instruction ~~[,]~~ and the Department, ~~and~~
35 ~~the Council,]~~ in the form and manner prescribed by the
36 Superintendent, the results of the examinations administered
37 pursuant to NRS 389.550. The State Board shall not include in the
38 regulations any provision that would violate the confidentiality of
39 the test scores of an individual pupil.

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

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



1 (b) The percentage of pupils who have demonstrated
2 proficiency, as defined by the Department, and took the
3 examinations with modifications or accommodations, if such
4 reporting does not violate the confidentiality of the test scores of any
5 individual pupil.

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

11 4. On or before July 1 of each year, each school district and
12 each charter school shall report to the Department the following
13 information for each examination administered in the public schools
14 in the school district or charter school:

15 (a) The examination administered;

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

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

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

22 ➔ On or before September 1 of each year, the Department shall
23 transmit to the Budget Division of the Department of
24 Administration and the Fiscal Analysis Division of the Legislative
25 Counsel Bureau the information submitted to the Department
26 pursuant to this subsection.

27 5. The superintendent of schools of each school district and the
28 governing body of each charter school shall certify that the number
29 of pupils who took the examinations is equal to the number of pupils
30 who are enrolled in each school in the school district or in the
31 charter school who are required to take the examinations.

32 6. In addition to the information required by subsection 4, the
33 Superintendent of Public Instruction shall:

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

37 (b) Reconcile the number of pupils who were required to take
38 the examinations with the number of pupils who were exempt from
39 taking the examinations or absent from school on the day that the
40 examinations were administered.

41 **Sec. 34.** NRS 389.570 is hereby amended to read as follows:

42 389.570 1. The ~~Council~~ *Department* shall review the
43 results of pupils on the examinations administered pursuant to NRS
44 389.550, including, without limitation, for each school in a school
45 district and each charter school that is located within a school



1 district, a review of the results for the current school year and a
2 comparison of the progress, if any, made by the pupils enrolled in
3 the school from preceding school years.

4 2. After the completion of the review pursuant to subsection 1,
5 the ~~{Council}~~ *Department* shall evaluate:

6 (a) Whether the standards of content and performance
7 ~~{established}~~ *adopted* by the ~~{Council}~~ *State Board pursuant to*
8 *NRS 389.520* require revision; and

9 (b) The success of pupils, as measured by the results of the
10 examinations, in achieving the standards of performance
11 ~~{established}~~ *adopted* by the ~~{Council}~~ *State Board pursuant to*
12 *NRS 389.520*.

13 3. The ~~{Council}~~ *Department* shall report the results of the
14 evaluation conducted pursuant to subsection 2 to the State Board
15 and the Legislative Committee on Education.

16 **Sec. 35.** NRS 390.140 is hereby amended to read as follows:

17 390.140 1. The State Board shall make the final selection of
18 all textbooks to be used in the public schools in this State, except for
19 charter schools. If a textbook proposed for selection is in a subject
20 area for which standards of content have been ~~{established}~~ *adopted*
21 by the ~~{Council to Establish Academic Standards for Public~~
22 ~~Schools}~~ *State Board* pursuant to NRS 389.520, the State Board
23 shall not select the textbook unless the State Board determines that
24 the textbook adequately supports the standards for that subject area.

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

31 **Sec. 36.** Chapter 391 of NRS is hereby amended by adding
32 thereto the provisions set forth as sections 37 and 38 of this act.

33 **Sec. 37.** *On or before December 1 of each year, the*
34 *Commission shall submit a written report to the State Board and*
35 *the Legislative Committee on Education. The report must include,*
36 *without limitation:*

37 1. *A summary of the regulations adopted by the Commission*
38 *and the status of those regulations;*

39 2. *A work plan which designates the proposed activities of the*
40 *Commission during the next year; and*

41 3. *A description of the progress and status of each regulation*
42 *relating to the licensure of educational personnel which the*
43 *Commission is required to adopt pursuant to a legislative measure*
44 *enacted within the two previous regular sessions of the Legislature*
45 *or any special session of the Legislature occurring within that*



1 *time. If the Commission has not adopted a required regulation, the*
2 *Commission shall include in the report a detailed explanation*
3 *describing the reasons each regulation was not adopted.*

4 **Sec. 38. 1.** *If the governing body of a regional training*
5 *program determines that a revision of the budget for the program*
6 *is necessary because of changed conditions, the governing body*
7 *may request a revision of the budget, on a form prescribed by the*
8 *Superintendent of Public Instruction, and submit the proposed*
9 *revised budget to the Superintendent of Public Instruction with a*
10 *request for a revision of the budget for the remainder of the fiscal*
11 *year.*

12 **2.** *Upon receipt of a request pursuant to subsection 1, the*
13 *Superintendent of Public Instruction shall determine whether a*
14 *request for a revision of a work program pursuant to NRS 353.220*
15 *is necessary.*

16 **3.** *In addition to any authorizations that may be required*
17 *pursuant to NRS 353.220, if a request for a revision for a work*
18 *program is made, before encumbering any appropriated or*
19 *authorized money, every request submitted pursuant to subsection*
20 *1 must be approved or disapproved in writing by the*
21 *Superintendent of Public Instruction.*

22 **Sec. 39.** NRS 391.011 is hereby amended to read as follows:

23 391.011 1. The Commission on Professional Standards in
24 Education, consisting of ~~{nine}~~ *ten* members ~~{appointed by the~~
25 ~~Governor.}~~ *is hereby created. The Commission consists of the*
26 *following members:*

27 (a) *Five members appointed by the Governor;*

28 (b) *Two members appointed by the Majority Leader of the*
29 *Senate;*

30 (c) *Two members appointed by the Speaker of the Assembly;*
31 *and*

32 (d) *The Superintendent of Public Instruction or his or her*
33 *designee, who shall serve as an ex officio nonvoting member of*
34 *the Commission.*

35 2. ~~{Four members of the Commission must be teachers who~~
36 ~~teach in the classroom.}~~ *The Governor shall appoint five members*
37 *as follows:*

38 (a) *One who teaches in a {secondary} high school { } ,*
39 *including, without limitation, a charter school;*

40 (b) *One who teaches in a middle school or junior high school { }*
41 *, including, without limitation, a charter school;*

42 (c) *One who teaches in an elementary school { } , including,*
43 *without limitation, a charter school;*

44 (d) *One who teaches special education { } ; and*



1 (e) *One who is a parent or legal guardian of a pupil enrolled*
2 *in a public school in this State, including, without limitation, a*
3 *charter school, and who is not otherwise affiliated with the system*
4 *of public education in this State.*

5 *↳ Of the four teachers appointed pursuant to this subsection, one*
6 *must teach at a private school licensed pursuant to chapter 394 of*
7 *NRS.*

8 3. The ~~[remaining]~~ *Majority Leader of the Senate and the*
9 *Speaker of the Assembly shall ensure that the members* ~~[of the~~
10 ~~Commission must]~~ *appointed pursuant to paragraphs (b) and (c)*
11 *of subsection 1 include:*

12 (a) One counselor or psychologist employed by a school district.

13 (b) Two administrators of schools, *including, without*
14 *limitation, charter schools,* at least one of whom must be a
15 principal of a school.

16 (c) The dean of the College of Education at one of the
17 universities in the Nevada System of Higher Education, or a
18 representative of one of the Colleges of Education nominated by
19 such a dean for appointment. ~~[by the Governor.~~

20 ~~—(d) One member who is a representative of the general public.]~~

21 4. ~~[The appointments of a counselor, the administrators and~~
22 ~~three of the four teachers must be made from a list of names of at~~
23 ~~least three persons for each position that is submitted to the~~
24 ~~Governor:~~

25 ~~—(a) For the counselor and teachers, by an employee organization~~
26 ~~representing the majority of counselors and the majority of teachers~~
27 ~~in the State of Nevada who teach in the educational level from~~
28 ~~which the appointment is being made; or~~

29 ~~—(b) For administrators, by an organization of administrators for~~
30 ~~schools in which the majority of administrators of schools in this~~
31 ~~State have membership.~~

32 ~~—5. One member of the Commission who is a teacher,~~
33 ~~administrator, counselor or psychologist must be employed by a~~
34 ~~private school licensed pursuant to chapter 394 of NRS.]~~ *The*
35 *appointing authorities shall ensure that the members appointed*
36 *pursuant to subsection 1 represent the geographic diversity of this*
37 *State.*

38 **Sec. 40.** NRS 391.013 is hereby amended to read as follows:

39 391.013 No member of the Commission who is a teacher,
40 counselor ~~[.]~~ *or* administrator ~~[or representative of the general~~
41 ~~public]~~ may serve more than two terms.

42 **Sec. 41.** NRS 391.015 is hereby amended to read as follows:

43 391.015 1. The Commission shall elect one of its *voting*
44 members as President, to serve at the pleasure of the Commission.



1 2. The *designee of the* Superintendent of Public Instruction ~~for~~
2 ~~the Superintendent's designee~~ shall serve as the nonvoting
3 Secretary to the Commission. The Secretary shall coordinate the
4 activities of the Commission.

5 **Sec. 42.** NRS 391.027 is hereby amended to read as follows:

6 391.027 1. The State Board may disapprove any regulation
7 adopted by the Commission. ~~if the regulation:~~

8 ~~—(a) Threatens the efficient operation of the public schools in this~~
9 ~~State; or~~

10 ~~—(b) Creates an undue financial hardship for any teacher,~~
11 ~~administrator or other educational personnel or any county school~~
12 ~~district.]~~

13 2. A regulation shall be deemed approved if the State Board
14 does not disapprove the regulation within 90 days after it is adopted
15 by the Commission.

16 **Sec. 43.** NRS 391.038 is hereby amended to read as follows:

17 391.038 1. The State Board, in consultation with educational
18 institutions in this State which offer courses of study and training
19 for the education of teachers, the board of trustees of each school
20 district in this State and other educational personnel, shall review
21 and evaluate a course of study and training offered by an
22 educational institution which is designed to provide the education
23 required for:

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

25 (b) The renewal of licenses of teachers or other educational
26 personnel; or

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

28 ➔ If the course of study and training meets the requirements
29 established by the State Board, it must be approved by the State
30 Board. The State Board shall not approve a course of study or
31 training unless the course of study and training provides instruction,
32 to the extent deemed necessary by the State Board, in the standards
33 of content and performance ~~prescribed~~ *adopted* by the ~~Council to~~
34 ~~Establish Academic Standards for Public Schools~~ *State Board*
35 pursuant to NRS 389.520.

36 2. The State Board may review and evaluate such courses of
37 study and training itself or may recognize a course of study and
38 training approved by a national agency for accreditation acceptable
39 to the Board.

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

43 4. The State Board, in consultation with educational
44 institutions in this State which offer courses of study and training
45 for the education of teachers and other educational personnel, and



1 the Nevada Association of Colleges for Teacher Education and the
2 Nevada Association of Teacher Educators, shall adopt regulations
3 governing the approval by the State Board of courses of study and
4 training which are accredited by the National Council for
5 Accreditation of Teacher Education, and those which are not so
6 accredited.

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

10 **Sec. 44.** NRS 391.500 is hereby amended to read as follows:

11 391.500 As used in NRS 391.500 to 391.556, inclusive, *and*
12 *section 38 of this act*, unless the context otherwise requires, ~~the~~
13 ~~words and terms defined in NRS 391.504 and 391.508 have the~~
14 ~~meanings ascribed to them in those sections.]~~ *“regional training*
15 *program” means a regional training program for the professional*
16 *development of teachers and administrators created pursuant to*
17 *NRS 391.512.*

18 **Sec. 45.** NRS 391.520 is hereby amended to read as follows:

19 391.520 1. The ~~[Statewide Council shall meet not less than~~
20 ~~four times per year.~~

21 ~~—2. The Statewide Council]~~ *Superintendent of Public*
22 *Instruction* shall:

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

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

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

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

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

44 ~~[3.]~~ *(f) Submit the uniform standards adopted by paragraph*
45 *(a), the results of the long-range planning conducted pursuant to*



1 *paragraph (d) and the uniform procedures adopted pursuant to*
2 *paragraph (e) to the State Board for its review and approval.*

3 (g) *Hold at least four meetings to seek assistance in carrying*
4 *out the duties required by this section. The meetings must include*
5 *participation by:*

6 (1) *The coordinator hired by the governing body of each*
7 *regional training program pursuant to NRS 391.532;*

8 (2) *At least one member of the governing body of each*
9 *regional training program;*

10 (3) *At least one representative from the Nevada State*
11 *Education Association, or its successor organization, who is*
12 *appointed by the President of the Association;*

13 (4) *At least one representative from a College of Education*
14 *within the Nevada System of Higher Education; and*

15 (5) *Any other representatives the Superintendent of Public*
16 *Instruction determines is appropriate.*

17 2. The ~~{Statewide Council}~~ *Superintendent of Public*
18 *Instruction* may:

19 (a) Accept gifts and grants from any source for use by the
20 ~~{Statewide Council}~~ *Superintendent of Public Instruction* in
21 carrying out ~~{its}~~ *his or her* duties pursuant to this section and
22 accept gifts and grants from any source on behalf of one or more
23 regional training programs to assist with the training provided
24 pursuant to NRS 391.544; and

25 (b) Comply with applicable federal laws and regulations
26 governing the provision of federal grants to assist the ~~{Statewide~~
27 ~~Council}~~ *Superintendent of Public Instruction* in carrying out ~~{its}~~
28 *his or her* duties pursuant to this section and comply with applicable
29 federal laws and regulations governing the provision of federal
30 grants to assist with the training provided pursuant to NRS 391.544,
31 including, without limitation, providing money from the budget of
32 the ~~{Statewide Council}~~ *Department* to match the money received
33 from a federal grant.

34 **Sec. 46.** NRS 391.532 is hereby amended to read as follows:

35 391.532 1. The governing body of each regional training
36 program shall:

37 (a) Employ or otherwise contract with a coordinator of the
38 program, who serves at the pleasure of the governing body.

39 (b) Set the salary or other compensation of the coordinator.

40 2. The coordinator of each regional training program shall:

41 (a) ~~{Serve on the Statewide Council};~~

42 ~~—(b)}~~ Assist in the evaluation of the regional training program, as
43 directed by the governing body; and

44 ~~{(e)}~~ (b) Perform such other duties as directed by the governing
45 body.



1 **Sec. 47.** NRS 391.536 is hereby amended to read as follows:

2 391.536 1. ~~{On an annual basis, the}~~ *On or before the*
3 *deadline prescribed by the Superintendent of Public Instruction,*
4 *the governing body of each regional training program shall* ~~{review~~
5 ~~the budget for the program and}~~ *submit a proposed budget* ~~for the~~
6 *program* to the ~~{Legislative Committee on Education.}~~
7 *Superintendent for inclusion in the biennial budget of the*
8 *Department on a form prescribed by the Superintendent. The*
9 *Superintendent of Public Instruction shall transmit the proposed*
10 *budget of each regional training program to the State Board for*
11 *review.*

12 2. *The State Board may deny any portion of a proposed*
13 *budget submitted by a regional training program. If the State*
14 *Board denies a portion of a proposed budget, the State Board shall*
15 *provide a written report to the governing body of the regional*
16 *training program that submitted the proposed budget describing*
17 *the reasons for the denial. The governing body of the regional*
18 *training program may revise the proposed budget and resubmit the*
19 *revised proposed budget with revisions to the State Board for*
20 *review and approval. If the State Board again denies a portion of*
21 *the proposed budget, the State Board shall submit a copy of the*
22 *written report describing the reasons for the denial to the:*

23 (a) *Governing body of the regional training program that*
24 *submitted the proposed revised budget;*

25 (b) *Governor;*

26 (c) *Director of the Legislative Counsel Bureau for transmittal*
27 *to the next regular session of the Legislature;*

28 (d) *Legislative Committee on Education; and*

29 (e) *Legislative Bureau of Educational Accountability and*
30 *Program Evaluation.*

31 3. The proposed budget *of a regional training program* must
32 include, without limitation, the amount of money requested by the
33 governing body to pay for the salary or other compensation of the
34 coordinator of the program hired pursuant to NRS 391.532. ~~{In~~
35 ~~even-numbered years, the proposed budget must be submitted to the~~
36 ~~Legislative Committee on Education at least 4 months before the~~
37 ~~commencement of the next regular session of the Legislature.~~

38 ~~—2.}~~ 4. The governing body of a regional training program may:

39 (a) Accept gifts and grants from any source to assist the
40 governing body in providing the training required by NRS 391.544.

41 (b) Comply with applicable federal laws and regulations
42 governing the provision of federal grants to assist with the training
43 provided pursuant to NRS 391.544, including, without limitation,
44 providing money from the budget of the governing body to match
45 the money received from a federal grant.



1 **Sec. 48.** NRS 391.544 is hereby amended to read as follows:
2 391.544 1. Based upon the assessment of needs for training
3 within the region and priorities of training adopted by the governing
4 body pursuant to NRS 391.540, each regional training program must
5 provide:

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

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

- 13 (1) Phonemic awareness;
- 14 (2) Phonics;
- 15 (3) Vocabulary;
- 16 (4) Fluency;
- 17 (5) Comprehension; and
- 18 (6) Motivation.

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

20 (1) Training for teachers and school administrators in the
21 assessment and measurement of pupil achievement and the effective
22 methods to analyze the test results and scores of pupils to improve
23 the achievement and proficiency of pupils.

24 (2) Training for teachers in specific content areas to enable
25 the teachers to provide a higher level of instruction in their
26 respective fields of teaching. Such training must include instruction
27 in effective methods to teach in a content area provided by teachers
28 who are considered masters in that content area.

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

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

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

38 (b) Include appropriate procedures to ensure follow-up training
39 for teachers and administrators who have received training through
40 the program.

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

42 (1) Pupils with disabilities who participate in programs of
43 special education; and

44 (2) Pupils who are limited English proficient.



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

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

8 (b) Fundamental reading skills; and

9 (c) Other training listed in subsection 1.

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

13 4. A regional training program may include model classrooms
14 that demonstrate the use of educational technology for teaching and
15 learning.

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

24 6. To the extent money is available from legislative
25 appropriation or otherwise, a regional training program may provide
26 training to paraprofessionals.

27 **Sec. 49.** NRS 391.552 is hereby amended to read as follows:

28 391.552 The governing body of each regional training program
29 shall:

30 1. Establish a method for the evaluation of the success of the
31 regional training program, including, without limitation, the Nevada
32 Early Literacy Intervention Program. The method must be consistent
33 with the uniform procedures adopted by the ~~[Statewide Council]~~
34 *Superintendent of Public Instruction* pursuant to NRS 391.520.

35 2. On or before September 1 of each year, submit an annual
36 report to the State Board, the Commission, the Legislative
37 Committee on Education and the Legislative Bureau of Educational
38 Accountability and Program Evaluation that includes:

39 (a) The priorities for training adopted by the governing body
40 pursuant to NRS 391.540.

41 (b) The type of training offered through the program in the
42 immediately preceding year.

43 (c) The number of teachers and administrators who received
44 training through the program in the immediately preceding year.



1 (d) The number of paraprofessionals, if any, who received
2 training through the program in the immediately preceding year.

3 (e) An evaluation of the success of the program, including,
4 without limitation, the Nevada Early Literacy Intervention Program,
5 in accordance with the method established pursuant to subsection 1.

6 (f) A description of the gifts and grants, if any, received by the
7 governing body in the immediately preceding year and the gifts and
8 grants, if any, received by the ~~{Statewide Council}~~ *Superintendent*
9 *of Public Instruction* during the immediately preceding year on
10 behalf of the regional training program. The description must
11 include the manner in which the gifts and grants were expended.

12 (g) The 5-year plan for the program prepared pursuant to NRS
13 391.540 and any revisions to the plan made by the governing body
14 in the immediately preceding year.

15 **Sec. 50.** NRS 391.556 is hereby amended to read as follows:

16 391.556 The board of trustees of each school district shall
17 submit an annual report to the State Board, the Commission, the
18 Legislative Committee on Education and the Legislative Bureau of
19 Educational Accountability and Program Evaluation that includes
20 for the immediately preceding year:

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

23 2. An evaluation of whether that training included the
24 standards of content and performance ~~{established}~~ *adopted* by the
25 ~~{Council to Establish Academic Standards for Public Schools}~~ *State*
26 *Board* pursuant to NRS 389.520.

27 **Sec. 51.** NRS 396.5195 is hereby amended to read as follows:

28 396.5195 The Board of Regents shall, in cooperation with the
29 State Board and the ~~{Council to Establish Academic Standards for~~
30 ~~Public Schools,}~~ *Department*, ensure that students enrolled in a
31 program developed by the System for the education of teachers are
32 provided instruction regarding the standards of content and
33 performance required of pupils enrolled in high schools in this State.

34 **Sec. 52.** NRS 218E.615 is hereby amended to read as follows:

35 218E.615 1. The Committee may:

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

38 (1) Programs to enhance accountability in education;

39 (2) Legislative measures regarding education;

40 (3) The progress made by this State, the school districts and
41 the public schools in this State in satisfying the goals and objectives
42 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
43 et seq., and the annual measurable objectives established by the
44 State Board of Education pursuant to NRS 385.361;

45 (4) Methods of financing public education;



1 (5) The condition of public education in the elementary and
2 secondary schools;

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

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

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

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

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

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

16 2. The Committee shall:

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

21 (b) For the purposes set forth in NRS 385.389, recommend to
22 the Department of Education programs of remedial study for each
23 subject tested on the examinations administered pursuant to NRS
24 389.015. In recommending these programs of remedial study, the
25 Committee shall consider programs of remedial study that have
26 proven to be successful in improving the academic achievement of
27 pupils.

28 (c) Recommend to the Department of Education providers of
29 supplemental educational services for inclusion on the list of
30 approved providers prepared by the Department pursuant to NRS
31 385.384. In recommending providers, the Committee shall consider
32 providers with a demonstrated record of effectiveness in improving
33 the academic achievement of pupils.

34 (d) For the purposes set forth in NRS 385.3785, recommend to
35 the ~~{Commission on Educational Excellence created by NRS~~
36 ~~385.3784}~~ **Department** programs, practices and strategies that have
37 proven effective in improving the academic achievement and
38 proficiency of pupils.

39 **Sec. 53.** NRS 218E.625 is hereby amended to read as follows:

40 218E.625 1. The Legislative Bureau of Educational
41 Accountability and Program Evaluation is hereby created within the
42 Fiscal Analysis Division of the Legislative Counsel Bureau. The
43 Fiscal Analysts shall appoint to the Legislative Bureau of
44 Educational Accountability and Program Evaluation a Chief and



1 such other personnel as the Fiscal Analysts determine are necessary
2 for the Bureau to carry out its duties pursuant to this section.

3 2. The Bureau shall, as the Fiscal Analysts determine is
4 necessary or at the request of the Committee:

5 (a) Collect and analyze data and issue written reports
6 concerning:

7 (1) The effectiveness of the provisions of NRS 385.3455 to
8 385.391, inclusive, in improving the accountability of the schools of
9 this State;

10 (2) The statewide program to reduce the ratio of pupils per
11 class per licensed teacher prescribed in NRS 388.700, 388.710 and
12 388.720;

13 (3) The statewide program to educate persons with
14 disabilities that is set forth in chapter 395 of NRS;

15 (4) The results of the examinations of the National
16 Assessment of Educational Progress that are administered pursuant
17 to NRS 389.012; and

18 (5) Any program or legislative measure, the purpose of
19 which is to reform the system of education within this State.

20 (b) Conduct studies and analyses to evaluate the performance
21 and progress of the system of public education within this State.
22 Such studies and analyses may be conducted:

23 (1) As the Fiscal Analysts determine are necessary; or

24 (2) At the request of the Legislature.

25 ↪ This paragraph does not prohibit the Bureau from contracting
26 with a person or entity to conduct studies and analyses on behalf of
27 the Bureau.

28 (c) On or before ~~December 31~~ *October 1* of each even-
29 numbered year, submit a written report of its findings pursuant to
30 paragraphs (a) and (b) to the Director of the Legislative Counsel
31 Bureau for transmission to the next regular session of the
32 Legislature. The Bureau shall, on or before ~~December 31~~
33 *October 1* of each odd-numbered year, submit a written report of its
34 findings pursuant to paragraphs (a) and (b) to the Director of the
35 Legislative Counsel Bureau for transmission to the Legislative
36 Commission ~~and to the Legislative Committee on Education.~~

37 3. The Bureau may, pursuant to NRS 218F.620, require a
38 school, a school district, the Nevada System of Higher Education or
39 the Department of Education to submit to the Bureau books, papers,
40 records and other information that the Chief of the Bureau
41 determines are necessary to carry out the duties of the Bureau
42 pursuant to this section. An entity whom the Bureau requests to
43 produce records or other information shall provide the records or
44 other information in any readily available format specified by the
45 Bureau.



1 4. Except as otherwise provided in this subsection or NRS
2 239.0115, any information obtained by the Bureau pursuant to this
3 section shall be deemed a work product that is confidential pursuant
4 to NRS 218F.150. The Bureau may, at the discretion of the Chief
5 and after submission to the Legislature or Legislative Commission,
6 as appropriate, publish reports of its findings pursuant to paragraphs
7 (a) and (b) of subsection 2.

8 5. This section does not prohibit the Department of Education
9 or the State Board of Education from conducting analyses,
10 submitting reports or otherwise reviewing educational programs in
11 this State.

12 **Sec. 54.** 1. NRS 385.3782, 385.3783, 385.3784, 388.785,
13 388.787, 388.790, 389.500, 389.510, 389.530, 391.504, 391.508 and
14 391.516 are hereby repealed.

15 2. NRS 385.0175, 385.018, 385.019, 385.0225, 385.023,
16 385.0235, 385.024, 385.0245, 385.025, 385.0255, 385.0257,
17 385.026 and 385.0265 are hereby repealed.

18 **Sec. 55.** 1. The terms of all members of the State Board of
19 Education who are incumbent on December 31, 2012, expire on that
20 date.

21 2. On or before January 1, 2013, the Governor, the Majority
22 Leader of the Senate and the Speaker of the Assembly shall each
23 appoint one member to the Nevada Commission on K-12 Public
24 Education who meets the qualifications set forth in NRS 385.021, as
25 amended by section 6 of this act, to an initial term commencing on
26 January 1, 2013, and expiring on December 31, 2014.

27 3. On or before January 1, 2013, the Nevada Association of
28 School Boards shall appoint one member to the Nevada
29 Commission on K-12 Public Education who meets the qualifications
30 set forth in paragraph (a) of subsection 2 of NRS 385.021, as
31 amended by section 6 of this act, to an initial term commencing on
32 January 1, 2013, and expiring on December 31, 2013.

33 4. On or before January 1, 2013, the Nevada Association of
34 School Superintendents shall appoint one member to the Nevada
35 Commission on K-12 Public Education who meets the qualifications
36 set forth in paragraph (b) of subsection 2 of NRS 385.021, as
37 amended by section 6 of this act, to an initial term commencing on
38 January 1, 2013, and expiring on December 31, 2013.

39 5. On or before January 1, 2013, the Board of Regents of the
40 University of Nevada shall appoint one member to the Nevada
41 Commission on K-12 Public Education who meets the qualifications
42 set forth in paragraph (c) of subsection 2 of NRS 385.021, as
43 amended by section 6 of this act, to an initial term commencing on
44 January 1, 2013, and expiring on December 31, 2013.



1 6. On or before January 1, 2013, the Nevada Association of
2 Student Councils or its successor organization shall appoint one
3 member to the Nevada Commission on K-12 Public Education who
4 meets the qualifications set forth in paragraph (d) of subsection 2 of
5 NRS 385.021, as amended by section 6 of this act, to an initial term
6 commencing on January 1, 2013, and expiring on December 31,
7 2013.

8 **Sec. 56.** The terms of all members appointed to the:

9 1. Commission on Educational Excellence created by NRS
10 385.3784 who are incumbent on June 30, 2011;

11 2. Commission on Educational Technology created by NRS
12 388.790 who are incumbent on June 30, 2011;

13 3. Council to Establish Academic Standards for Public Schools
14 created by NRS 389.510 who are incumbent on June 30, 2011; and

15 4. Statewide Council for the Coordination of the Regional
16 Training Programs created by NRS 391.516 who are incumbent on
17 June 30, 2011;

18 ➤ expire on that date.

19 **Sec. 57.** 1. The terms of all members appointed to the
20 Commission on Professional Standards in Education created by
21 NRS 391.011 who are incumbent on December 31, 2011, expire on
22 that date.

23 2. On or before January 1, 2012, the Governor shall appoint to
24 the Commission on Professional Standards in Education:

25 (a) Two members who meet the qualifications set forth in NRS
26 391.011, as amended by section 39 of this act, to initial terms
27 commencing on January 1, 2012, and expiring on December 31,
28 2012.

29 (b) Three members who meet the qualifications set forth in NRS
30 391.011, as amended by section 39 of this act, to initial terms
31 commencing on January 1, 2012, and expiring on December 31,
32 2014.

33 3. On or before January 1, 2012, the Majority Leader of the
34 Senate and the Speaker of the Assembly shall each appoint to the
35 Commission on Professional Standards in Education:

36 (a) One member who meets the qualifications set forth in NRS
37 391.011, as amended by section 39 of this act, to an initial term
38 commencing on January 1, 2012, and expiring on December 31,
39 2012.

40 (b) One member who meets the qualifications set forth in NRS
41 391.011, as amended by section 39 of this act, to an initial term
42 commencing on January 1, 2012, and expiring on December 31,
43 2014.

44 **Sec. 58.** 1. The Nevada Commission on K-12 Public
45 Education shall review any vision and mission statements adopted



1 by the former State Board of Education and revise those statements,
2 as determined necessary by the Commission, to ensure that the
3 pupils enrolled in public schools in this State have access to a high
4 quality education and are fully prepared for the future and for
5 competing successfully in a global economy and to help guide and
6 accelerate Nevada's K-12 public education system into the future. In
7 its review and revision, the Commission shall review the vision and
8 mission statements for K-12 public education developed by state
9 entities responsible for public education in other states.

10 2. On or before July 1, 2013, the Nevada Commission on K-12
11 Public Education shall submit the revised vision and mission
12 statements developed pursuant to subsection 1 to the:

13 (a) Governor; and

14 (b) Director of the Legislative Counsel Bureau for transmission
15 to the next regular session of the Legislature and to the Legislative
16 Committee on Education.

17 3. The Nevada Commission on K-12 Public Education shall
18 post on its Internet website the revised vision and mission
19 statements developed pursuant to subsection 1.

20 **Sec. 59.** The Legislative Bureau of Educational Accountability
21 and Program Evaluation shall assist the Legislative Committee on
22 Education in monitoring the status of the progress of the changes
23 and reformations to the system of K-12 Public Education as set forth
24 in sections 1 to 59, inclusive, of this act, including, without
25 limitation, an analysis of the effectiveness of the changes and
26 reformations.

27 **Sec. 60.** 1. The Legislative Counsel shall, in preparing the:

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

38 (b) Supplements to the Nevada Administrative Code,
39 appropriately change any references to an officer, agency or other
40 entity whose name has been changed or whose responsibilities have
41 been transferred pursuant to the provisions of this act to refer to the
42 appropriate officer, agency or other entity.

43 2. Any references in a bill or resolution passed by the 76th
44 Session of the Nevada Legislature to an officer, agency or other
45 entity whose name has been changed or whose responsibilities have



1 been transferred pursuant to the provisions of this act to another
2 officer, agency or other entity shall be deemed to refer to the officer,
3 agency or other entity to which the responsibility is transferred.

4 3. The provisions of this section apply to:

5 (a) The change of the name of the State Board of Education to
6 the Nevada Commission on K-12 Public Education;

7 (b) The change of the term "member" when that term is in
8 reference to a person who serves on the State Board of Education to
9 the term "Commissioner";

10 (c) The repeal of the Commission on Educational Excellence
11 and the transfer of any duties from the Commission on Educational
12 Excellence;

13 (d) The repeal of the Commission on Educational Technology
14 and the transfer of any duties from the Commission on Educational
15 Technology;

16 (e) The repeal of the Council to Establish Academic Standards
17 for Public Schools and the transfer of any duties from the Council to
18 Establish Academic Standards for Public Schools;

19 (f) The repeal of the Statewide Council for the Coordination of
20 the Regional Training Programs and the transfer of any duties from
21 the Statewide Council for the Coordination of the Regional Training
22 Programs; and

23 (g) Any other entity whose name has been changed or whose
24 responsibilities have been transferred pursuant to the provisions of
25 this act.

26 **Sec. 61.** 1. Any administrative regulation adopted by an
27 officer, agency or other entity whose name has been changed or
28 whose responsibilities have been transferred pursuant to the
29 provisions of this act to another officer, agency or other entity
30 remain in force until amended by the officer, agency or other entity
31 to which the responsibility for the adoption of the regulations is
32 transferred.

33 2. Any contracts or other agreements entered into by an officer,
34 agency or other entity whose name has been changed or whose
35 responsibilities have been transferred pursuant to the provisions of
36 this act to another officer, agency or other entity are binding upon
37 the officer, agency or other entity to which the responsibility for the
38 administration of the provisions of the contract or other agreement
39 has been transferred. Such contracts and other agreements may be
40 enforced by the officer, agency or other entity to which the
41 responsibility for the enforcement of the provisions of the contract
42 or other agreement has been transferred.

43 3. Any actions taken by an officer, agency or other entity
44 whose name has been changed or whose responsibilities have been
45 transferred pursuant to the provisions of this act to another officer,



1 agency or other entity remain in effect as if taken by the officer,
2 agency or other entity to which the responsibility for the
3 enforcement of such actions was transferred.

4 **Sec. 62.** A charter school that is approved to operate as a State
5 Board of Education-sponsored charter school on or before
6 December 31, 2012, shall be deemed to be sponsored by the Nevada
7 Commission on K-12 Public Education commencing on January 1,
8 2013, and the written charter of the charter school will remain in
9 effect until the expiration of the written charter, unless the written
10 charter is revoked by the Nevada Commission on K-12 Public
11 Education pursuant to NRS 386.535. Before expiration of the
12 written charter, such a charter school may apply to the Nevada
13 Commission on K-12 Public Education for renewal of its written
14 charter pursuant to NRS 386.530.

15 **Sec. 63.** The Secretary of State shall not accept declarations of
16 candidacy or acceptances of candidacy from a person seeking office
17 as a member of the State Board of Education from any of the
18 districts identified in NRS 385.0225 to 385.0265, inclusive.

19 **Sec. 64.** 1. This section and section 56 of this act become
20 effective upon passage and approval.

21 2. Sections 1 to 3, inclusive, 8 to 38, inclusive, 42 to 53,
22 inclusive, subsection 1 of section 54, 55, 57, and 59 to 62, inclusive,
23 of this act become effective on July 1, 2011.

24 3. Section 39 of this act becomes effective on October 1, 2011,
25 for purposes of making appointments to the Commission on
26 Professional Standards in Education pursuant to section 57 of this
27 act and on January 1, 2012, for all other purposes.

28 4. Sections 40, 41 and 63 of this act become effective on
29 January 1, 2012.

30 5. Subsection 2 of section 54 of this act becomes effective on
31 January 1, 2013.

32 6. Section 6 of this act becomes effective on January 1, 2012,
33 for the purposes of filing a declaration or acceptance of candidacy
34 for the office of Commissioner of the Nevada Commission on K-12
35 Public Education on the ballot for the 2012 General Election and on
36 January 1, 2013, for all other purposes.

37 7. Sections 4, 5, 7 and 58 of this act become effective on
38 January 1, 2013.



LEADLINES OF REPEALED SECTIONS

385.0175 Maps of districts: Duties of Director of Legislative Counsel Bureau.

385.018 Maps of districts: Duties of Secretary of State.

385.019 Attachment of omitted area to appropriate district.

385.0225 District 1.

385.023 District 2.

385.0235 District 3.

385.024 District 4.

385.0245 District 5.

385.025 District 6.

385.0255 District 7.

385.0257 District 8.

385.026 District 9.

385.0265 District 10.

385.3782 "Account" defined.

385.3783 "Commission" defined.

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

388.785 "Commission" defined.

388.787 "Committee" defined.

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

389.500 "Council" defined.

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

389.530 Council to Establish Academic Standards: Duty of Department to provide support; assistance from other state agencies.

391.504 "Regional training program" defined.

391.508 "Statewide Council" defined.

391.516 Statewide Council for the Coordination of the Regional Training Programs: Creation; membership; terms; compensation; administrative support authorized.

