

CHAPTER.....

AN ACT relating to education; removing provisions creating a 10-member elected State Board of Education; providing for the election and appointment of members to the State Board; 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; revising provisions governing the regional training programs for the professional development of teachers and administrators; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes the Department of Education which consists of the State Board of Education, the State Board for Career and Technical Education and the Superintendent of Public Instruction. (NRS 385.010) **Sections 6 and 55** of this bill remove the provisions creating the 10-member elected State Board of Education and provides for the election and appointment of members whose terms will commence on January 8, 2013.

Existing law creates the Commission on Educational Excellence, the Advisory Council on Parental Involvement, the Commission on Educational Technology, the Council to Establish Academic Standards for Public Schools, the Commission on Professional Standards in Education, the regional training programs for the professional development of teachers and administrators and the Statewide Council for the Coordination of the Regional Training Programs. (NRS 385.3784, 385.610, 388.790, 389.510, 391.011, 391.512, 391.516) **Sections 3.3, 3.5, 20, 27.5, 38.3 and 38.5** of this bill provide that the Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of those commissions, councils and programs are carried out by the commissions, councils and programs successfully.

Under existing law, the Superintendent of Public Instruction is appointed by the State Board to a term of 3 years. (NRS 385.150) **Section 8.5** of this bill provides for the appointment of the Superintendent by the Governor from a list of candidates submitted by the State Board. **Section 8.5** further provides that the Superintendent serves at the pleasure of the Governor and is in the Executive Department of State Government.

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

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

**Section 37** of this bill requires the Commission on Professional Standards in Education to submit an annual report to the State Board and the Legislative Committee on Education describing the status of the regulations adopted by the



Commission and a work plan designating the proposed activities of the Commission during the next year.

Existing law creates three regional training programs for the professional development of teachers and administrators and designates each of the 17 county school districts within the jurisdiction of one of the regional training programs. (NRS 391.512) **Section 47.5** of this bill removes the Churchill County School District from the jurisdiction of the Northeastern Nevada Regional Training Program, for which the Elko County School District serves as the fiscal agent, and places that School District within the jurisdiction of the Northwestern Nevada Regional Training Program, for which the Washoe County School District serves as the fiscal agent. **Section 58.7** of this bill requires the Elko County School District to transfer from the Northeastern Nevada Regional Training Program to the Washoe County School District for the Northwestern Nevada Regional Training Program an appropriate sum of money to reflect the addition of the Churchill County School District to the Northwestern Nevada Regional Training Program. **Section 38.7** of this bill requires the governing body of each regional training program for the professional development of teachers and administrators to establish an evaluation system for the teachers and other licensed educational personnel who participate in the program and prescribes the requirements of that evaluation system.

Section 23 of Assembly Bill No. 579 of this session provides for the funding of the regional training programs through the three school districts that serve as fiscal agents for the regional training programs. **Section 53.5** of this bill repeals section 23 of Assembly Bill No. 579. **Section 54.5** of this bill instead requires the Department of Education to transfer those sums to: (1) the three school districts that serve as fiscal agents for the regional training programs for the continued provision of professional development through their respective regional training programs; and (2) the Clark County School District and the Washoe County School District for the purchase of professional development for the teachers and administrators employed by those School Districts, which may include the purchase of professional development through the regional training program. **Section 54.5** also requires the Clark County School District and the Washoe County School District to provide written notice to the regional training program on or before August 1, 2011, for the 2011-2012 Fiscal Year, and March 1, 2012, for the 2012-2013 Fiscal Year if the School District will purchase professional development through the regional training program.

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

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

**Section 1.** Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 3.3 and 3.5 of this act.

**Secs. 2 and 3.** (Deleted by amendment.)



**Sec. 3.3.** *The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Commission set forth in NRS 385.3781 to 385.379, inclusive, are carried out by the Commission successfully.*

**Sec. 3.5.** *The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Advisory Council set forth in NRS 385.600, 385.610 and 385.620 are carried out by the Advisory Council successfully.*

**Secs. 4 and 5.** (Deleted by amendment.)

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

**385.021 1.** The State Board *is hereby created. The State Board* consists of ~~[10 members]~~ *the following voting members:*

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

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

(c) *One member appointed by the Governor, nominated by the Majority Leader of the Senate; and*

(d) *One member appointed by the Governor, nominated by the Speaker of the Assembly.*

**2.** *In addition to the voting members described in subsection 1, the State Board consists of the following four nonvoting members:*

(a) *One member appointed by the Governor who is a member of a board of trustees of a school district, nominated by the Nevada Association of School Boards;*

(b) *One member appointed by the Governor who is the superintendent of schools of a school district, nominated by the Nevada Association of School Superintendents;*

(c) *One member appointed by the Governor who represents the Nevada System of Higher Education, nominated by the Board of Regents of the University of Nevada; and*

(d) *One member appointed by the Governor who is a pupil enrolled in a public school in this State, nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature. After the initial term, the term of the member appointed pursuant to this paragraph commences on June 1 and expires on May 31 of the following year.*

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



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

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

*5. The Governor shall ensure that the members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the geographic diversity of this State and that:*

*(a) One member is a teacher at a public school selected from a list of three candidates provided by the Nevada State Education Association.*

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

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

*6. After the initial terms, each member:*

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

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

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

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

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

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



*(b) A voting member appointed pursuant to paragraph (b), (c) or (d) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.*

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

385.040 1. The State Board ~~[of Education may]~~ *shall* hold at least ~~[four]~~ *9 but not more than 12* regular meetings annually at the state capital. The Secretary shall call all regular meetings.

2. *At least one of the meetings of the State Board must include a discussion with the superintendents of the school districts, presidents of the boards of trustees of the school districts, representatives of the governing bodies of charter schools, representatives of the governing bodies of university schools for profoundly gifted pupils and the chairs of all boards, commissions and councils in the public education system in this State to discuss:*

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

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

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

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

3. The *State* Board may hold special meetings at such other times and places as the *State* Board may direct. The Secretary shall call special meetings upon the written request of the President or any three *voting* members of the *State* Board.

~~[3-]~~ 4. A majority of the ~~[Board]~~ *voting members of the State Board* constitutes a quorum for the transaction of business, and no action of the *State* Board is valid unless that action receives, at a legally called meeting, the approval of a majority of all ~~[board]~~ *voting* members.

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

**Sec. 8.5.** NRS 385.150 is hereby amended to read as follows:

385.150 ~~[1. The State Board shall appoint the] *The* Superintendent of Public Instruction [for a term of 3 years. The State Board may remove the Superintendent of Public Instruction from office for inefficiency, neglect of duty, malfeasance in office or for other just cause.] :~~

*1. Is appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor.*



2. ~~[A vacancy must be filled by the State Board for the remainder of the unexpired term.~~

~~3. The Superintendent of Public Instruction is] Is~~ in the unclassified service of the State.

**3. *Is in the Executive Department of State Government.***

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

385.230 1. The Superintendent of Public Instruction shall, ***in conjunction with the State Board, prepare an annual*** report ~~[to]~~ of the ~~[Governor biennially, on or before December 1, in the year~~



~~immediately preceding a regular session of the Legislature concerning matters relating to education in this state, including,] state of public education in this State. The report must include, without limitation [,-an] :~~

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

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

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

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

~~(d) A description of the goals and benchmarks for improving the academic achievement of pupils which are included in the plan to improve the achievement of pupils required by NRS 385.34691;~~

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

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

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

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

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

~~(j) A summary of the innovative educational programs implemented by public schools which have demonstrated the~~



*ability to improve the academic achievement of pupils, including, without limitation:*

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

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

*(3) Pupils with disabilities;*

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

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

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

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

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

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

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

(a) Must be prepared in consultation with:

(1) Employees of the Department;

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

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

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516, appointed by the Council; and

(b) May be prepared in consultation with:

(1) Representatives of institutions of higher education;

(2) Representatives of regional educational laboratories;

(3) Representatives of outside consultant groups;



(4) Representatives of the regional training programs for the professional development of teachers and administrators created by NRS 391.512;

(5) The Bureau; and

(6) Other persons who the State Board determines are appropriate.

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

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

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

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

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

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

(I) The curriculum appropriate to improve achievement;

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

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

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

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

(4) Manage effectively the discipline of pupils; and

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

(e) Strategies designed to provide to the pupils enrolled in middle school, junior high school and high school, the teachers and



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

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

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

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

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

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

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

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

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

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

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

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



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

3. The State Board shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Governor;

(b) Committee;

(c) Bureau;



- (d) Board of Regents of the University of Nevada;
- (e) Council to Establish Academic Standards for Public Schools created by NRS 389.510;
- (f) Board of trustees of each school district; and
- (g) Governing body of each charter school.

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

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

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

(1) Annual report of accountability prepared by:

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

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

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

(I) The State Board pursuant to NRS 385.34691;

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

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

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

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

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



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

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

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

↳ whichever is applicable for the school.

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

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

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

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

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

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

385.3781 As used in NRS 385.3781 to 385.379, inclusive, *and section 3.3 of this act*, unless the context otherwise requires, the words and terms defined in NRS 385.3782 and 385.3783 have the meanings ascribed to them in those sections.

**Secs. 15-19.** (Deleted by amendment.)

**Sec. 19.5.** NRS 385.600 is hereby amended to read as follows:

385.600 As used in this section and NRS 385.610 and 385.620, *and section 3.5 of this act*, “Advisory Council” means the Advisory Council on Parental Involvement established pursuant to NRS 385.610.

**Sec. 20.** Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Commission set forth in NRS 388.780 to 388.805, inclusive, are carried out by the Commission successfully.*



**Secs. 21 and 22.** (Deleted by amendment.)

**Sec. 23.** NRS 388.780 is hereby amended to read as follows:

388.780 As used in NRS 388.780 to 388.805, inclusive, *and section 20 of this act*, unless the context otherwise requires, the words and terms defined in NRS 388.785 and 388.787 have the meanings ascribed to them in those sections.

**Secs. 24-27.** (Deleted by amendment.)

**Sec. 27.5.** Chapter 389 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Council set forth in NRS 389.500 to 389.570, inclusive, are carried out by the Council successfully.*

**Sec. 27.7.** NRS 389.500 is hereby amended to read as follows:

389.500 As used in NRS 389.500 to 389.570, inclusive, *and section 27.5 of this act*, “Council” means the Council to Establish Academic Standards for Public Schools.

**Secs. 28-35.** (Deleted by amendment.)

**Sec. 36.** Chapter 391 of NRS is hereby amended by adding thereto the provisions set forth as sections 37 to 38.7, inclusive, of this act.

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

- 1. A summary of the regulations adopted by the Commission and the status of those regulations;*
- 2. A work plan which designates the proposed activities of the Commission during the next year; and*
- 3. A description of the progress and status of each regulation relating to the licensure of educational personnel which the Commission is required to adopt pursuant to a legislative measure enacted within the two previous regular sessions of the Legislature or any special session of the Legislature occurring within that time. If the Commission has not adopted a required regulation, the Commission shall include in the report a detailed explanation describing the reasons each regulation was not adopted.*

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

**Sec. 38.3.** *The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Commission set forth in this chapter are carried out by the Commission successfully.*



**Sec. 38.5.** *The Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Statewide Council and the regional training programs set forth in NRS 391.500 to 391.556, inclusive, and section 38.7 of this act are carried out by the Statewide Council and the regional training programs successfully.*

**Sec. 38.7. 1.** *The governing body of each regional training program shall establish an evaluation system for the teachers and other licensed educational personnel who participate in the program. The evaluation system must include:*

*(a) Specific measures of the success of each teacher and other licensed person who participates in the training provided by the program; and*

*(b) Recommendations for follow-up for the teacher or other licensed person to strengthen his or her skills in the classroom or otherwise in his or her position of employment with the school district or charter school.*

*2. Each evaluation must be provided in written form to the person who is evaluated and the principal of the school at which the person is employed, if applicable, or, if the person is not supervised by a school principal, his or her direct supervisor.*

**Secs. 39-41.** (Deleted by amendment.)

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

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

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

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

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

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

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

391.500 As used in NRS 391.500 to 391.556, inclusive, *and sections 38.5 and 38.7 of this act*, unless the context otherwise requires, the words and terms defined in NRS 391.504 and 391.508 have the meanings ascribed to them in those sections.

**Secs. 45-47.** (Deleted by amendment.)

**Sec. 47.5.** NRS 391.512 is hereby amended to read as follows:

391.512 1. There are hereby created the Southern Nevada Regional Training Program, the Northeastern Nevada Regional



Training Program and the Northwestern Nevada Regional Training Program. The governing body of each regional training program shall establish and operate a:

(a) Regional training program for the professional development of teachers and administrators.

(b) Nevada Early Literacy Intervention Program through the regional training program established pursuant to paragraph (a).

2. Except as otherwise provided in subsection 5, the Southern Nevada Regional Training Program must primarily provide services to teachers and administrators who are employed by school districts in:

- (a) Clark County;
- (b) Esmeralda County;
- (c) Lincoln County;
- (d) Mineral County; and
- (e) Nye County.

3. Except as otherwise provided in subsection 5, the Northeastern Nevada Regional Training Program must primarily provide services to teachers and administrators who are employed by school districts in:

- (a) ~~Churchill County;~~
- ~~(b)~~ Elko County;
- ~~(e)~~ (b) Eureka County;
- ~~(d)~~ (c) Lander County;
- ~~(e)~~ (d) Humboldt County;
- ~~(f)~~ (e) Pershing County; and
- ~~(e)~~ (f) White Pine County.

4. Except as otherwise provided in subsection 5, the Northwestern Nevada Regional Training Program must primarily provide services to teachers and administrators who are employed by school districts in:

- (a) Carson City;
- (b) *Churchill County;*
- (c) Douglas County;
- ~~(e)~~ (d) Lyon County;
- ~~(d)~~ (e) Storey County; and
- ~~(e)~~ (f) Washoe County.

5. Each regional training program shall, when practicable, make reasonable accommodations for the attendance of teachers and administrators who are employed by school districts outside the primary jurisdiction of the regional training program.

6. The board of trustees of the:



(a) Clark County School District shall serve as the fiscal agent for the Southern Nevada Regional Training Program.

(b) Elko County School District shall serve as the fiscal agent for the Northeastern Nevada Regional Training Program.

(c) Washoe County School District shall serve as the fiscal agent for the Northwestern Nevada Regional Training Program.

↳ As fiscal agent, each school district is responsible for the payment, collection and holding of all money received from this State for the maintenance and support of the regional training program and Nevada Early Literacy Intervention Program established and operated by the applicable governing body.

**Sec. 48.** NRS 391.544 is hereby amended to read as follows:

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

(a) Training for teachers *and other licensed educational personnel* in the **[standards]** :

(1) *Standards* established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520 **[H]**;

(2) *The curriculum and instruction required for the common core state standards adopted by the State Board;*

(3) *Curriculum and instruction recommended by the Teachers and Leaders Council of Nevada; and*

(4) *Culturally relevant pedagogy, taking into account cultural diversity and demographic differences throughout this State.*

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

(1) Phonemic awareness;

(2) Phonics;

(3) Vocabulary;

(4) Fluency;

(5) Comprehension; and

(6) Motivation.

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

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



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

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

2. The training required pursuant to subsection 1 must:

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

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

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

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

(2) Pupils who are limited English proficient.

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

(a) The standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520;

(b) Fundamental reading skills; and

(c) Other training listed in subsection 1.

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

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

5. A regional training program may contract with the board of trustees of a school district that is served by the regional training program as set forth in NRS 391.512 to provide professional development to the teachers and administrators employed by the school district that is in addition to the training required by this section. Any training provided pursuant to this subsection must



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

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

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

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

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

1. The number of teachers and administrators employed by the school district who received training through the program ~~[- and]~~, *including, without limitation, the type of training received.*

2. An evaluation of whether that training included the ~~[standards]~~ :

(a) *Standards* of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520 ~~[-]~~;

(b) *The curriculum and instruction required for the common core standards adopted by the State Board;*

(c) *The curriculum and instruction recommended by the Teachers and Leaders Council of Nevada; and*

(d) *Culturally relevant pedagogy, taking into account cultural diversity and demographic differences throughout this State.*

3. *An evaluation of the effectiveness of the training on improving the quality of instruction and the achievement of pupils.*

**Secs. 51 and 52.** (Deleted by amendment.)

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

218E.625 1. The Legislative Bureau of Educational Accountability and Program Evaluation is hereby created within the Fiscal Analysis Division of the Legislative Counsel Bureau. The Fiscal Analysts shall appoint to the Legislative Bureau of Educational Accountability and Program Evaluation a Chief and such other personnel as the Fiscal Analysts determine are necessary for the Bureau to carry out its duties pursuant to this section.

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

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



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

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

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

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

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

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

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

(2) At the request of the Legislature.

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

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

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

4. Except as otherwise provided in this subsection or NRS 239.0115, any information obtained by the Bureau pursuant to this section shall be deemed a work product that is confidential pursuant to NRS 218F.150. The Bureau may, at the discretion of the Chief



and after submission to the Legislature or Legislative Commission, as appropriate, publish reports of its findings pursuant to paragraphs (a) and (b) of subsection 2.

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

**Sec. 53.5.** Section 23 of Assembly Bill No. 579 of this session is hereby repealed.

**Sec. 54.** NRS 385.017, 385.0175, 385.018, 385.019, 385.0225, 385.023, 385.0235, 385.024, 385.0245, 385.025, 385.0255, 385.0257, 385.026 and 385.0265 are hereby repealed.

**Sec. 54.5.** 1. The Department of Education shall transfer the following sums from the Account for Programs for Innovation and the Prevention of Remediation created by NRS 385.379 to the school districts specified in this subsection:

	FY 2012	FY 2013
Clark County School District	\$1,450,005	\$1,450,005
Elko County School District	\$1,335,736	\$1,335,736
Washoe County School District	\$1,154,698	\$1,154,698
Total	\$3,940,439	\$3,940,439

2. The Department of Education shall transfer the following sums from the Account for Programs for Innovation and the Prevention of Remediation created by NRS 385.379 to the school districts specified in this subsection:

	FY 2012	FY 2013
Clark County School District	\$2,533,351	\$2,533,351
Washoe County School District	\$987,158	\$987,158
Total	\$3,520,509	\$3,520,509

3. A school district that receives an allocation pursuant to subsection 1 shall serve as fiscal agent for the respective regional training program for the professional development of teachers and administrators. As fiscal agent, each school district is responsible for the payment, collection and holding of all money received from this State for the maintenance and support of the regional training program for the professional development of teachers and administrators and the Nevada Early Literacy Intervention Program established and operated by the applicable governing body. The Clark County School District and the Washoe County School District shall not use any of the money allocated pursuant to subsection 1 for the purchase of professional development to the teachers and administrators that it employs, other than the money



which is allocated for the administration and overhead of the regional training program.

4. The Clark County School District and the Washoe County School District shall use the money allocated to the school district pursuant to subsection 2 for the provision of professional development for teachers and administrators employed by that school district, which may include, without limitation, the provision of professional development through the regional training program for the professional development of teachers and administrators. If the Clark County School District or the Washoe County School District elects to use all or a portion of the money allocated pursuant to subsection 2 to purchase professional development services from the regional training program for the professional development of teachers and administrators, the School District shall provide written notice to the regional training program on or before August 1, 2011, for the 2011-2012 Fiscal Year, and March 1, 2012, for the 2012-2013 Fiscal Year.

5. On or before February 1, 2013, the Clark County School District and the Washoe County School District shall each submit a report to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature which describes:

(a) The professional development purchased by the School District from the allocation made pursuant to subsection 2; and

(b) The effectiveness of the professional development purchased pursuant to subsection 2 on improving the quality of instruction and the achievement of pupils in the School District.

6. Any balance of the transfers made by subsections 1 and 2 remaining at the end of the 2011-2012 Fiscal Year must be added to the money received by the school districts for the 2012-2013 Fiscal Year and may be expended as that money is expended. Any remaining balance of the transfers made by subsections 1 and 2 for the 2012-2013 Fiscal Year, including any money added from the transfer for the previous fiscal year, must not be committed for expenditure after June 30, 2013, by the entity to which the transfer is made or any entity to which money from the transfer is granted or otherwise transferred in any manner, and any portion of the transferred money remaining must not be spent for any purpose after September 20, 2013, by the entity to which the money was transferred, and must be reverted to the State General Fund on or before September 20, 2013.



**Sec. 55.** 1. The terms of all members of the State Board of Education who are incumbent on January 7, 2013, expire on that date.

2. On or before January 8, 2013, the Governor shall appoint the members to the State Board of Education in accordance with the qualifications set forth in NRS 385.021, as amended by section 6 of this act, as follows:

(a) Three voting members pursuant to paragraphs (b), (c) and (d) of subsection 1 of NRS 385.021, as amended by section 6 of this act, to initial terms commencing on January 8, 2013, and expiring on January 5, 2015.

(b) Three nonvoting members pursuant to paragraphs (a), (b) and (c) of subsection 2 of NRS 385.021, as amended by section 6 of this act, to initial terms commencing on January 8, 2013, and expiring on January 6, 2014.

(c) One nonvoting member pursuant to paragraph (d) of subsection 2 of NRS 385.021, as amended by section 6 of this act, to an initial term commencing on January 8, 2013, and expiring on May 31, 2014.

**Secs. 56 and 57.** (Deleted by amendment.)

**Sec. 58.** 1. The State Board of Education shall review any vision and mission statements adopted by the State Board and revise those statements, as determined necessary by the State Board, to ensure that the pupils enrolled in public schools in this State have access to a high quality education and are fully prepared for the future and for competing successfully in a global economy and to help guide and accelerate Nevada's K-12 public education system into the future. In its review and revision, the State Board shall review the vision and mission statements for K-12 public education developed by state entities responsible for public education in other states.

2. On or before July 1, 2013, the State Board of Education shall submit the revised vision and mission statements developed pursuant to subsection 1 to the:

(a) Governor; and

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

3. The State Board of Education shall post on its Internet website the revised vision and mission statements developed pursuant to subsection 1.

**Sec. 58.5.** 1. The Superintendent of Public Instruction who was appointed pursuant to NRS 385.150 to a term expiring in March



2013 continues to serve for the remainder of the unexpired term. If a vacancy occurs before the expiration of that term, the Governor shall appoint the Superintendent of Public Instruction in accordance with NRS 385.150, as amended by section 8.5 of this act, for the remainder of the unexpired term.

2. If a vacancy does not occur pursuant to subsection 1, upon the expiration of the current term of the Superintendent of Public Instruction, the Governor shall appoint the Superintendent of Public Instruction pursuant to NRS 385.150, as amended by section 8.5 of this act.

**Sec. 58.7.** 1. Not later than July 1, 2011, the Elko County School District shall transfer from the Northeastern Nevada Regional Training Program to the Washoe County School District for the Northwestern Nevada Regional Training Program an appropriate sum of money to reflect the changes made by NRS 391.512, as amended by section 47.5 of this act.

2. Commencing on July 1, 2011, the Churchill County School District shall be within the jurisdiction of the Northwestern Nevada Regional Training Program as set forth in NRS 391.512, as amended by section 47.5 of this act.

**Secs. 59-63.** (Deleted by amendment.)

**Sec. 64.** 1. This section and sections 53.5 and 58.7 of this act become effective upon passage and approval.

2. Sections 1 to 5, inclusive, 8 to 53, inclusive, 47.5, 54.5 to 57, inclusive, and 58.5 to 63, inclusive, of this act become effective on July 1, 2011.

3. Section 54 of this act becomes effective on November 7, 2012.

4. Section 6 of this act becomes effective on January 1, 2012, for the purpose of filing for office and for nominating and electing members of the State Board of Education and on January 8, 2013, for all other purposes.

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

