

SENATE BILL NO. 25—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED DECEMBER 20, 2014

Referred to Committee on Education

SUMMARY—Revises provisions relating to public schools.
(BDR 34-316)

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

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

AN ACT relating to education; revising provisions governing the membership of the State Board of Education; revising certain duties of the Superintendent of Public Instruction, the Department of Education and the State Board; revising the membership of the Advisory Council on Parental Involvement and Family Engagement; revising provisions governing certain products used to clean in public schools; revising provisions relating to certain programs of distance education; revising provisions governing standards of content and performance for foreign and world language and any other course of study requested by the Superintendent of Public Instruction; revising provisions relating to certain hearings concerning the suspension or revocation of a license to teach; revising provisions concerning minimum standards for the maintenance and operation of certain educational institutions; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill prohibits a person who is elected to serve as an officer of
2 this State or any political subdivision thereof from also serving on the State Board
3 of Education. **Section 1** also prohibits a person who is appointed to serve for the
4 unexpired term of such an office from continuing to serve on the State Board, with
5 certain exceptions. **Section 3** of this bill removes certain requirements regarding the
6 use of environmentally sensitive cleaning and maintenance products in public



7 schools and authorizes the board of trustees of a school district to use a product that
8 is not an environmentally sensitive cleaning and maintenance product after posting
9 a notice of the product to be used on the Internet website maintained by the school
10 district. **Sections 4, 10, 11-13, 15, 17 and 18** of this bill replace references to the
11 terms “English” and “foreign language” with references to “English language arts”
12 and “foreign or world language” for consistency with currently accepted
13 terminology.

14 Existing law requires the Superintendent of Public Instruction to apportion the
15 State Distributive School Account in the State General Fund among the school
16 districts, charter schools and university schools for profoundly gifted pupils in
17 certain amounts based on a formula. This formula bases the State’s financial
18 obligation to programs of instruction partially on the number of pupils involved in
19 such programs. (NRS 387.121-387.126) **Sections 5, 6, 8 and 9** of this bill provide
20 that the apportionment for a pupil enrolled part-time in a program of distance
21 education is paid to the school district in which the pupil resides, or the charter
22 school in which the pupil is enrolled. The school district or charter school, as
23 applicable, is required to allocate a percentage of that amount to the school district
24 or charter school that provides the program of distance education in an amount
25 which must be set out in an agreement between them.

26 **Section 2.5** of this bill adds a member to the Advisory Council on Parental
27 Involvement and Family Engagement to represent the Nevada Parent Teacher
28 Association.

29 Because existing law gives the Governor authority over the budgets of the
30 Department of Education, **section 7** of this bill: (1) requires the Superintendent to
31 submit certain recommendations of the Department to the Governor instead of to
32 the State Board; and (2) removes the requirement that the State Board consider the
33 biennial budgets of the Department. **Sections 8 and 9** remove the requirement that
34 certain pupils obtain written permission from the board of trustees of a school
35 district or the governing body of a charter school before enrolling in certain part-
36 time programs of distance education.

37 **Section 12** requires the Council to Establish Academic Standards for Public
38 Schools to establish standards of content and performance for foreign and world
39 languages in addition to other subjects for which it is already required to do so.
40 **Section 13** requires the State Board to prescribe examinations that measure the
41 achievement and proficiency of pupils for grades 9, 10, 11 and 12 in certain
42 subjects to comply with federal law. (20 U.S.C. § 6311(b)(3)) **Section 14** of this
43 bill revises the manner in which the Department provides an informational
44 pamphlet concerning end-of-course examinations and college and career readiness
45 assessments so that the pamphlet is available electronically. **Section 14.5** of this bill
46 removes an incorrect reference to an organization.

47 **Section 16** of this bill allows the parties in a hearing concerning the suspension
48 or revocation of a license to teach to agree to extend the date by which the hearing
49 must be held. **Section 20** of this bill authorizes money in the Educational Trust
50 Account to be expended as authorized by the Interim Finance Committee when the
51 Legislature is not in session. **Section 21** of this bill repeals the requirements that:
52 (1) the State Board adopt and use an official seal in authentication of its acts; and
53 (2) the Department approve or disapprove lists of books for use in public school
54 libraries.



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

1 **Section 1.** NRS 385.021 is hereby amended to read as follows:

2 385.021 1. The State Board of Education is hereby created.
3 The State Board consists of the following voting members:

4 (a) One member elected by the registered voters of each
5 congressional district described in NRS 304.060 to 304.120,
6 inclusive;

7 (b) One member appointed by the Governor;

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

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

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

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

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

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

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

29 3. Each member of the State Board elected pursuant to
30 paragraph (a) of subsection 1 must be a qualified elector of the
31 district from which that member is elected.

32 4. Each member appointed pursuant to paragraphs (b), (c) and
33 (d) of subsection 1 and each member appointed pursuant to
34 subsection 2 must be a resident of this State.

35 5. *Except as otherwise provided in paragraphs (a) and (c) of*
36 *subsection 2, a person who is elected to serve as an officer of this*
37 *State or any political subdivision thereof or a person appointed to*
38 *serve for the unexpired term of such an office may not serve or*
39 *continue to serve on the State Board.*

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



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

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

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

8 ~~[6.]~~ 7. After the initial terms, each member:

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

15 (b) Appointed pursuant to paragraphs (b), (c) and (d) of
16 subsection 1 serves a term of 2 years ~~[.]~~, *except that each member*
17 *continues to serve until a successor is appointed.* A member may
18 be reappointed for additional terms of 2 years in the same manner as
19 the original appointment.

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

23 ~~[7.]~~ 8. If a vacancy occurs during the term of:

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

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

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

34 **Sec. 2.5.** NRS 385.610 is hereby amended to read as follows:

35 385.610 1. The Superintendent of Public Instruction shall
36 establish an Advisory Council on Parental Involvement and Family
37 Engagement. The Advisory Council is composed of ~~[10]~~ 11
38 members.

39 2. The Superintendent of Public Instruction shall appoint the
40 following members to the Advisory Council:

41 (a) Two parents or legal guardians of pupils enrolled in public
42 schools;

43 (b) Two teachers in public schools;

44 (c) One administrator of a public school;

45 (d) One representative of a private business or industry;



1 (e) One member of the board of trustees of a school district in a
2 county whose population is 100,000 or more; ~~and~~

3 (f) One member of the board of trustees of a school district in a
4 county whose population is less than 100,000 ~~;~~ *and*

5 *(g) One member who is the President of the Board of*
6 *Managers of the Nevada Parent Teacher Association or its*
7 *successor organization, or a designee nominated by the President.*

8 ↪ The Superintendent of Public Instruction shall, to the extent
9 practicable, ensure that the members the Superintendent appoints to
10 the Advisory Council reflect the ethnic, economic and geographic
11 diversity of this State.

12 3. The Speaker of the Assembly shall appoint one member of
13 the Assembly to the Advisory Council.

14 4. The Majority Leader of the Senate shall appoint one member
15 of the Senate to the Advisory Council.

16 5. The Advisory Council shall elect a Chair and Vice Chair
17 from among its members. The Chair and Vice Chair serve a term of
18 1 year.

19 6. After the initial terms:

20 (a) The term of each member of the Advisory Council who is
21 appointed by the Superintendent of Public Instruction is 3 years.

22 (b) The term of each member of the Advisory Council who is
23 appointed by the Speaker of the Assembly and the Majority Leader
24 of the Senate is 2 years.

25 7. The Department shall provide:

26 (a) Administrative support to the Advisory Council; and

27 (b) All information that is necessary for the Advisory Council to
28 carry out its duties.

29 8. For each day or portion of a day during which a member of
30 the Advisory Council who is a Legislator attends a meeting of
31 the Advisory Council or is otherwise engaged in the business of the
32 Advisory Council, except during a regular or special session of the
33 Legislature, the member is entitled to receive the:

34 (a) Compensation provided for a majority of the members of the
35 Legislature during the first 60 days of the preceding regular session;

36 (b) Per diem allowance provided for state officers generally; and

37 (c) Travel expenses provided pursuant to NRS 218A.655.

38 ↪ The compensation, per diem allowances and travel expenses of
39 the legislative members of the Advisory Council must be paid from
40 the Legislative Fund.

41 9. A member of the Advisory Council who is not a Legislator
42 is entitled to receive the per diem allowance and travel expenses
43 provided for state officers and employees generally for each day or
44 portion of a day during which the member attends a meeting of the
45 Advisory Council or is otherwise engaged in the business of the



1 Advisory Council. The per diem allowance and travel expenses for
2 the members of the Advisory Council who are not Legislators must
3 be paid by the Department.

4 **Sec. 3.** NRS 386.4195 is hereby amended to read as follows:

5 386.4195 1. ~~[The Department of Education shall, in~~
6 ~~consultation with each school district, the State Department of~~
7 ~~Conservation and Natural Resources, the Department of Health and~~
8 ~~Human Services and other interested parties, including, without~~
9 ~~limitation, representatives of the cleaning and maintenance product~~
10 ~~industry, nongovernmental agencies and organizations, and parents~~
11 ~~and legal guardians of pupils enrolled in the school district, adopt~~
12 ~~regulations setting forth the standards for environmentally sensitive~~
13 ~~cleaning and maintenance products for use in the cleaning of all~~
14 ~~floor surfaces in the public schools.~~

15 ~~—2. The Department shall provide a sample list of approved~~
16 ~~environmentally sensitive cleaning and maintenance products for~~
17 ~~use in the cleaning of all floor surfaces to each school district based~~
18 ~~upon the standards prescribed pursuant to subsection 1.~~

19 ~~—3. The Department shall, at least every 2 years, review and may~~
20 ~~amend the sample list developed pursuant to subsection 2 as~~
21 ~~necessary.~~

22 ~~—4.]~~ Except as otherwise provided in ~~[subsections 6 and 7,]~~
23 *subsection 2*, each school district shall ensure that the public
24 schools within the school district use only environmentally sensitive
25 cleaning and maintenance products in the cleaning of all floor
26 surfaces in the public schools within the school district . ~~[in~~
27 ~~accordance with the regulations adopted pursuant to subsection 1.~~

28 ~~—5. The board of trustees of a school district may consult with~~
29 ~~persons who are knowledgeable and have experience in~~
30 ~~environmentally sensitive cleaning and maintenance products to~~
31 ~~determine if the board of trustees should:~~

32 ~~—(a) Submit a written request to the Department pursuant to~~
33 ~~subsection 6 or 7.~~

34 ~~—(b) Use any other environmentally sensitive cleaning and~~
35 ~~maintenance products in the public schools within the school district~~
36 ~~pursuant to subsection 9.~~

37 ~~—6.]~~ **2.** If the board of trustees of a school district determines that
38 the costs associated with the purchase or use of environmentally
39 sensitive cleaning and maintenance products for use in the cleaning
40 of floor surfaces are unreasonable and would place an undue burden
41 on the efficient operation of the school district or a particular school
42 within the school district, the board of trustees may ~~[submit a~~
43 ~~written request to the Department for a waiver from purchasing and~~
44 ~~using environmentally sensitive]~~ , *after posting notice of the*
45 *product to be used on the Internet website maintained by the*



1 *school district, purchase and use a* cleaning and maintenance
2 ~~[products for use]~~ *product that is not an environmentally sensitive*
3 *cleaning and maintenance product* in the cleaning of floor surfaces
4 for the school district as a whole or for a particular school or schools
5 within the school district.

6 ~~[7.— If the board of trustees of a school district determines that~~
7 ~~an environmentally sensitive cleaning and maintenance product for~~
8 ~~use in the cleaning of floor surfaces which is not included in the~~
9 ~~sample list developed pursuant to subsection 2 is more economically~~
10 ~~feasible or is a more effective environmentally sensitive cleaning~~
11 ~~and maintenance product, the board of trustees may submit a written~~
12 ~~request to the Department for a waiver to purchase and use such an~~
13 ~~environmentally sensitive cleaning and maintenance product that~~
14 ~~complies with the standards prescribed pursuant to subsection 1.~~

15 ~~—8. If a waiver is granted by the Department pursuant to~~
16 ~~subsection 6 or 7, the waiver is effective for 1 year after the date of~~
17 ~~its approval and a renewal may be requested on an annual basis in~~
18 ~~the manner set forth in subsection 6 or 7, as applicable.~~

19 ~~—9.]~~ 3. In addition to the environmentally sensitive cleaning and
20 maintenance products for use in the cleaning of floor surfaces in the
21 public schools within the school district required pursuant to
22 subsection 1, the board of trustees of a school district may use
23 environmentally sensitive cleaning products for use in the cleaning
24 of any other surfaces.

25 ~~[10.— The regulations adopted by the Department must not~~
26 ~~prohibit the use of any disinfectant, sanitizer, antimicrobial product~~
27 ~~or other cleaning product when necessary to protect the health and~~
28 ~~welfare of the pupils enrolled in a school within the school district~~
29 ~~and the educational personnel of the school district.~~

30 ~~—11.]~~ 4. As used in this section, “environmentally sensitive
31 cleaning and maintenance products” means cleaning and
32 maintenance products that reduce the chemicals, hazardous wastes
33 and other environmental hazards to which pupils and school
34 personnel may be exposed.

35 **Sec. 4.** NRS 386.590 is hereby amended to read as follows:

36 386.590 1. Except as otherwise provided in this subsection,
37 at least 70 percent of the teachers who provide instruction at a
38 charter school must be licensed teachers. If a charter school is a
39 vocational school, the charter school shall, to the extent practicable,
40 ensure that at least 70 percent of the teachers who provide
41 instruction at the school are licensed teachers, but in no event may
42 more than 50 percent of the teachers who provide instruction at the
43 school be unlicensed teachers.

44 2. A governing body of a charter school shall employ:



1 (a) If the charter school offers instruction in kindergarten or
2 grade 1, 2, 3, 4, 5, 6, 7 or 8, a licensed teacher to teach pupils who
3 are enrolled in those grades. If required by subsection 3 or 4, such a
4 teacher must possess the qualifications required by 20 U.S.C. §
5 6319(a).

6 (b) If the charter school offers instruction in grade 9, 10, 11 or
7 12, a licensed teacher to teach pupils who are enrolled in those
8 grades for the subjects set forth in subsection 4. If required by
9 subsection 3 or 4, such a teacher must possess the qualifications
10 required by 20 U.S.C. § 6319(a).

11 (c) In addition to the requirements of paragraphs (a) and (b):

12 (1) If a charter school specializes in arts and humanities,
13 physical education or health education, a licensed teacher to teach
14 those courses of study.

15 (2) If a charter school specializes in the construction industry
16 or other building industry, licensed teachers to teach courses of
17 study relating to the industry if those teachers are employed
18 full-time.

19 (3) If a charter school specializes in the construction industry
20 or other building industry and the school offers courses of study in
21 computer education, technology or business, licensed teachers to
22 teach those courses of study if those teachers are employed
23 full-time.

24 3. A person who is initially hired by the governing body of a
25 charter school on or after January 8, 2002, to teach in a program
26 supported with money from Title I must possess the qualifications
27 required by 20 U.S.C. § 6319(a). For the purposes of this
28 subsection, a person is not "initially hired" if the person has been
29 employed as a teacher by another school district or charter school in
30 this State without an interruption in employment before the date of
31 hire by his or her current employer.

32 4. A teacher who is employed by a charter school, regardless of
33 the date of hire, must, on or before July 1, 2006, possess the
34 qualifications required by 20 U.S.C. § 6319(a) if the teacher teaches
35 one or more of the following subjects:

- 36 (a) English ~~[, reading or]~~ language arts;
37 (b) Mathematics;
38 (c) Science;
39 (d) ~~[Foreign]~~ *A foreign or world* language;
40 (e) Civics or government;
41 (f) Economics;
42 (g) Geography;
43 (h) History; or
44 (i) The arts.



1 5. Except as otherwise provided in NRS 386.588, a charter
2 school may employ a person who is not licensed pursuant to the
3 provisions of chapter 391 of NRS to teach a course of study for
4 which a licensed teacher is not required pursuant to subsections 2, 3
5 and 4 if the person has:

6 (a) A degree, a license or a certificate in the field for which the
7 person is employed to teach at the charter school; and

8 (b) At least 2 years of experience in that field.

9 6. Except as otherwise provided in NRS 386.588, a charter
10 school shall employ such administrators for the school as it deems
11 necessary. A person employed as an administrator must possess:

12 (a) A valid teacher's license issued pursuant to chapter 391 of
13 NRS with an administrative endorsement;

14 (b) A master's degree in school administration, public
15 administration or business administration; or

16 (c) At least 5 years of experience in school administration,
17 public administration or business administration and a baccalaureate
18 degree.

19 7. Except as otherwise provided in subsection 8, the portion of
20 the salary or other compensation of an administrator employed by a
21 charter school that is derived from public funds must not exceed the
22 salary or other compensation, as applicable, of the highest paid
23 administrator in a comparable position in the school district in
24 which the charter school is located. For purposes of determining the
25 salary or other compensation of the highest paid administrator in a
26 comparable position in the school district, the salary or other
27 compensation of the superintendent of schools of that school district
28 must not be included in the determination.

29 8. If the salary or other compensation paid to an administrator
30 employed by a charter school from public funds exceeds the
31 maximum amount prescribed in subsection 7, the sponsor of the
32 charter school shall conduct an audit of the salary or compensation.
33 The audit must include, without limitation, a review of the reasons
34 set forth by the governing body of the charter school for the
35 salary or other compensation and the interests of the public in using
36 public funds to pay that salary or compensation. If the sponsor
37 determines that the payment of the salary or other compensation
38 from public funds is justified, the sponsor shall provide written
39 documentation of its determination to the governing body of the
40 charter school and to the Department. If the sponsor determines that
41 the payment of the salary or other compensation from public funds
42 is not justified, the governing body of the charter school shall reduce
43 the salary or compensation paid to the administrator from public
44 funds to an amount not to exceed the maximum amount prescribed
45 in subsection 7.



1 9. A charter school shall not employ a person pursuant to this
2 section if the person's license to teach or provide other educational
3 services has been revoked or suspended in this State or another
4 state.

5 10. On or before November 15 of each year, a charter school
6 shall submit to the Department, in a format prescribed by the
7 Superintendent of Public Instruction, the following information for
8 each person who is licensed pursuant to chapter 391 of NRS and
9 who is employed by the governing body on October 1 of that year:

10 (a) The amount of salary or compensation of the licensed
11 person, including, without limitation, verification of compliance
12 with subsection 7, if applicable to that person; and

13 (b) The designated assignment, as that term is defined by the
14 Department, of the licensed person.

15 **Sec. 5.** NRS 387.1233 is hereby amended to read as follows:

16 387.1233 1. Except as otherwise provided in subsection 2,
17 basic support of each school district must be computed by:

18 (a) Multiplying the basic support guarantee per pupil established
19 for that school district for that school year by the sum of:

20 (1) Six-tenths the count of pupils enrolled in the kindergarten
21 department on the last day of the first school month of the school
22 district for the school year, including, without limitation, the count
23 of pupils who reside in the county and are enrolled in any charter
24 school on the last day of the first school month of the school district
25 for the school year.

26 (2) The count of pupils enrolled in grades 1 to 12, inclusive,
27 on the last day of the first school month of the school district for the
28 school year, including, without limitation, the count of pupils who
29 reside in the county and are enrolled in any charter school on the last
30 day of the first school month of the school district for the school
31 year and the count of pupils who are enrolled in a university school
32 for profoundly gifted pupils located in the county.

33 (3) The count of pupils not included under subparagraph (1)
34 or (2) who are enrolled full-time in a program of distance education
35 provided by that school district or a charter school located within
36 that school district on the last day of the first school month of the
37 school district for the school year.

38 (4) The count of pupils who reside in the county and are
39 enrolled:

40 (I) In a public school of the school district and are
41 concurrently enrolled part-time in a program of distance education
42 provided by another school district or a charter school on the last
43 day of the first school month of the school district for the school
44 year . ~~[-, expressed as a percentage of the total time services are
45 provided to those pupils per school day in proportion to the total~~



~~time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).]~~

(II) In a charter school and are concurrently enrolled part-time in a program of distance education provided by a school district or another charter school on the last day of the first school month of the school district for the school year . ~~[, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).]~~

(5) The count of pupils not included under subparagraph (1), (2), (3) or (4), who are receiving special education pursuant to the provisions of NRS 388.440 to 388.520, inclusive, on the last day of the first school month of the school district for the school year, excluding the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to subsection 1 of NRS 388.475 on that day.

(6) Six-tenths the count of pupils who have not attained the age of 5 years and who are receiving special education pursuant to subsection 1 of NRS 388.475 on the last day of the first school month of the school district for the school year.

(7) The count of children detained in facilities for the detention of children, alternative programs and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550, 388.560 and 388.570 on the last day of the first school month of the school district for the school year.

(8) The count of pupils who are enrolled in classes for at least one semester pursuant to subsection 5 of NRS 386.560, subsection 5 of NRS 386.580 or subsection 3 of NRS 392.070, expressed as a percentage of the total time services are provided to those pupils per school day in proportion to the total time services are provided during a school day to pupils who are counted pursuant to subparagraph (2).

(b) Multiplying the number of special education program units maintained and operated by the amount per program established for that school year.

(c) Adding the amounts computed in paragraphs (a) and (b).

2. Except as otherwise provided in subsection 4, if the enrollment of pupils in a school district or a charter school that is located within the school district on the last day of the first school month of the school district for the school year is less than or equal to 95 percent of the enrollment of pupils in the same school district or charter school on the last day of the first school month of the school district for the immediately preceding school year, the largest number from among the immediately preceding 2 school years must be used for purposes of apportioning money from the State



1 Distributive School Account to that school district or charter school
2 pursuant to NRS 387.124.

3 3. Except as otherwise provided in subsection 4, if the
4 enrollment of pupils in a school district or a charter school that is
5 located within the school district on the last day of the first school
6 month of the school district for the school year is more than 95
7 percent of the enrollment of pupils in the same school district or
8 charter school on the last day of the first school month of the school
9 district for the immediately preceding school year, the larger
10 enrollment number from the current year or the immediately
11 preceding school year must be used for purposes of apportioning
12 money from the State Distributive School Account to that school
13 district or charter school pursuant to NRS 387.124.

14 4. If the Department determines that a school district or charter
15 school deliberately causes a decline in the enrollment of pupils in
16 the school district or charter school to receive a higher
17 apportionment pursuant to subsection 2 or 3, including, without
18 limitation, by eliminating grades or moving into smaller facilities,
19 the enrollment number from the current school year must be used
20 for purposes of apportioning money from the State Distributive
21 School Account to that school district or charter school pursuant to
22 NRS 387.124.

23 5. Pupils who are excused from attendance at examinations or
24 have completed their work in accordance with the rules of the board
25 of trustees must be credited with attendance during that period.

26 6. Pupils who are incarcerated in a facility or institution
27 operated by the Department of Corrections must not be counted for
28 the purpose of computing basic support pursuant to this section. The
29 average daily attendance for such pupils must be reported to the
30 Department of Education.

31 7. Pupils who are enrolled in courses which are approved by
32 the Department as meeting the requirements for an adult to earn a
33 high school diploma must not be counted for the purpose of
34 computing basic support pursuant to this section.

35 **Sec. 6.** NRS 387.124 is hereby amended to read as follows:

36 387.124 Except as otherwise provided in this section and
37 NRS 387.528:

38 1. On or before August 1, November 1, February 1 and May 1
39 of each year, the Superintendent of Public Instruction shall
40 apportion the State Distributive School Account in the State General
41 Fund among the several county school districts, charter schools and
42 university schools for profoundly gifted pupils in amounts
43 approximating one-fourth of their respective yearly apportionments
44 less any amount set aside as a reserve. Except as otherwise provided
45 in NRS 387.1244, the apportionment to a school district, computed



1 on a yearly basis, equals the difference between the basic support
2 and the local funds available pursuant to NRS 387.1235, minus all
3 the funds attributable to pupils who reside in the county but attend a
4 charter school, all the funds attributable to pupils who reside in the
5 county and are enrolled full-time or part-time in a program of
6 distance education provided by another school district or a charter
7 school and all the funds attributable to pupils who are enrolled in a
8 university school for profoundly gifted pupils located in the county.
9 No apportionment may be made to a school district if the amount of
10 the local funds exceeds the amount of basic support.

11 2. Except as otherwise provided in subsection 3 and NRS
12 387.1244, the apportionment to a charter school, computed on a
13 yearly basis, is equal to the sum of the basic support per pupil in the
14 county in which the pupil resides plus the amount of local funds
15 available per pupil pursuant to NRS 387.1235 and all other funds
16 available for public schools in the county in which the pupil resides
17 minus the sponsorship fee prescribed by NRS 386.570 and minus all
18 the funds attributable to pupils who are enrolled in the charter
19 school but are concurrently enrolled part-time in a program of
20 distance education provided by a school district or another charter
21 school. If the apportionment per pupil to a charter school is more
22 than the amount to be apportioned to the school district in which a
23 pupil who is enrolled in the charter school resides, the school district
24 in which the pupil resides shall pay the difference directly to the
25 charter school.

26 3. Except as otherwise provided in NRS 387.1244, the
27 apportionment to a charter school that is sponsored by the State
28 Public Charter School Authority or by a college or university within
29 the Nevada System of Higher Education, computed on a yearly
30 basis, is equal to the sum of the basic support per pupil in the county
31 in which the pupil resides plus the amount of local funds available
32 per pupil pursuant to NRS 387.1235 and all other funds available for
33 public schools in the county in which the pupil resides, minus the
34 sponsorship fee prescribed by NRS 386.570 and minus all funds
35 attributable to pupils who are enrolled in the charter school but are
36 concurrently enrolled part-time in a program of distance education
37 provided by a school district or another charter school.

38 4. Except as otherwise provided in NRS 387.1244, in addition
39 to the apportionments made pursuant to this section, *if a pupil is*
40 *enrolled part-time in a program of distance education and part-*
41 *time in a:*

42 *(a) Public school other than a charter school,* an
43 apportionment must be made to ~~fa school district or charter school~~
44 ~~that provides a program of distance education for each pupil who is~~
45 ~~enrolled part time in the program. The amount of the apportionment~~



1 ~~must be equal to the percentage of the total time services are~~
2 ~~provided to the pupil through the program of distance education per~~
3 ~~school day in proportion to the total time services are provided~~
4 ~~during a school day to pupils who are counted pursuant to~~
5 ~~subparagraph (2) of paragraph (a) of subsection 1 of NRS 387.1233~~
6 ~~for] the school district in which the pupil resides. *The school district*~~
7 ~~*in which the pupil resides shall allocate a percentage of the*~~
8 ~~*apportionment to the school district or charter school that provides*~~
9 ~~*the program of distance education in the amount set forth in the*~~
10 ~~*agreement entered into pursuant to NRS 388.854.*~~

11 *(b) Charter school, an apportionment must be made to the*
12 *charter school in which the pupil is enrolled. The charter school*
13 *in which the pupil is enrolled shall allocate a percentage of the*
14 *apportionment to the school district or charter school that provides*
15 *the program of distance education in the amount set forth in the*
16 *agreement entered into pursuant to NRS 388.858.*

17 5. The governing body of a charter school may submit a
18 written request to the Superintendent of Public Instruction to
19 receive, in the first year of operation of the charter school, an
20 apportionment 30 days before the apportionment is required to be
21 made pursuant to subsection 1. Upon receipt of such a request, the
22 Superintendent of Public Instruction may make the apportionment
23 30 days before the apportionment is required to be made. A charter
24 school may receive all four apportionments in advance in its first
25 year of operation.

26 6. Except as otherwise provided in NRS 387.1244, the
27 apportionment to a university school for profoundly gifted pupils,
28 computed on a yearly basis, is equal to the sum of the basic support
29 per pupil in the county in which the university school is located plus
30 the amount of local funds available per pupil pursuant to NRS
31 387.1235 and all other funds available for public schools in the
32 county in which the university school is located. If the
33 apportionment per pupil to a university school for profoundly gifted
34 pupils is more than the amount to be apportioned to the school
35 district in which the university school is located, the school district
36 shall pay the difference directly to the university school. The
37 governing body of a university school for profoundly gifted pupils
38 may submit a written request to the Superintendent of Public
39 Instruction to receive, in the first year of operation of the university
40 school, an apportionment 30 days before the apportionment is
41 required to be made pursuant to subsection 1. Upon receipt of such a
42 request, the Superintendent of Public Instruction may make the
43 apportionment 30 days before the apportionment is required to be
44 made. A university school for profoundly gifted pupils may receive
45 all four apportionments in advance in its first year of operation.



1 7. The Superintendent of Public Instruction shall apportion, on
2 or before August 1 of each year, the money designated as the
3 "Nutrition State Match" pursuant to NRS 387.105 to those school
4 districts that participate in the National School Lunch Program, 42
5 U.S.C. §§ 1751 et seq. The apportionment to a school district must
6 be directly related to the district's reimbursements for the Program
7 as compared with the total amount of reimbursements for all school
8 districts in this State that participate in the Program.

9 8. If the State Controller finds that such an action is needed to
10 maintain the balance in the State General Fund at a level sufficient
11 to pay the other appropriations from it, the State Controller may pay
12 out the apportionments monthly, each approximately one-twelfth of
13 the yearly apportionment less any amount set aside as a reserve. If
14 such action is needed, the State Controller shall submit a report to
15 the Department of Administration and the Fiscal Analysis Division
16 of the Legislative Counsel Bureau documenting reasons for the
17 action.

18 **Sec. 7.** NRS 387.3035 is hereby amended to read as follows:

19 387.3035 The Department shall:

20 1. Determine the apportionment of all state school money to
21 schools of the State as prescribed by law.

22 2. Develop for public schools of the State a uniform system of
23 budgeting and accounting. The system must provide for the separate
24 reporting of expenditures for each:

25 (a) School district; and

26 (b) School within a school district.

27 ↪ Upon approval of the State Board, the system is mandatory for all
28 public schools in this State and must be enforced as provided in
29 subsection 2 of NRS 387.3037.

30 3. Carry on a continuing study of school finance in the State,
31 particularly the method by which schools are financed on the state
32 level, and make such recommendations to the Superintendent of
33 Public Instruction for submission to the ~~[State Board]~~ **Governor** as
34 the Department deems advisable.

35 4. Recommend to the Superintendent of Public Instruction for
36 submission to the ~~[State Board]~~ **Governor** such changes in
37 budgetary and financial procedures as the studies may show to be
38 advisable.

39 5. Perform such other statistical and financial duties pertaining
40 to the administration and finances of the schools of the State as may
41 be required by the Superintendent of Public Instruction.

42 6. Prepare for the Superintendent of Public Instruction the
43 biennial budgets of the Department for ~~consideration by the State~~
44 ~~Board and~~ submission to the Governor.



Sec. 8. NRS 388.854 is hereby amended to read as follows:

388.854 1. Before a pupil may enroll full-time in a program of distance education that is provided by a school district other than the school district in which the pupil resides, ~~the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. Before a pupil who is enrolled in a public school of a school district may enroll part time in a program of distance education that is provided by a charter school,~~ the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. Except as otherwise provided in NRS 388.850 or other specific statute, a board of trustees from whom permission is requested pursuant to this subsection shall grant the requested permission.

2. A pupil who enrolls part-time in a program of distance education that is provided by a school district other than the school district in which the pupil resides or ~~enrolls full-time in a program of distance education~~ that is provided by a charter school is not required to obtain the approval of the board of trustees of the school district in which the pupil resides.

3. If the board of trustees of a school district grants permission *for a pupil to enroll full-time in a program of distance education pursuant to subsection 1 [] or if a pupil enrolls part-time in a program of distance education pursuant to subsection 2,* the board of trustees *of the school district in which the pupil resides* shall enter into a written agreement with the board of trustees *of the school district or the* governing body *[] of the charter school,* as applicable, that provides the program of distance education. *If the pupil enrolls part-time in a program of distance education, the agreement must include, without limitation, the amount of the apportionment provided to the school district where the pupil resides that will be allocated pursuant to paragraph (a) of subsection 4 of NRS 387.124 to the school district or charter school, as applicable, that provides the program of distance education.*

4. A separate agreement must be prepared for each year that a pupil enrolls in a program of distance education. If permission is granted pursuant to subsection 1, the written agreement required by this subsection is not a condition precedent to the pupil's enrollment in the program of distance education.

5. *If the school district in which the pupil resides and the board of trustees of the school district or governing body of the charter school, as applicable, that provides the program of distance education in which the pupil is enrolled part-time are unable to reach an agreement as required pursuant to subsection 3, the Superintendent of Public Instruction will determine the*



1 *amount of the apportionment which the school district where the*
2 *pupil resides will be required to allocate pursuant to paragraph (a)*
3 *of subsection 4 of NRS 387.124 to the school district or charter*
4 *school, as applicable, that provides the program of distance*
5 *education.*

6 **Sec. 9.** NRS 388.858 is hereby amended to read as follows:

7 388.858 1. If a pupil is enrolled in a charter school, the pupil
8 may enroll full-time in a program of distance education only if the
9 charter school in which the pupil is enrolled provides the program of
10 distance education.

11 2. ~~{Before a}~~ A pupil who is enrolled in a charter school may
12 enroll part-time in a program of distance education that is provided
13 by a school district or another charter school ~~{, the pupil must}~~ *and*
14 *is not required to* obtain the ~~{written permission}~~ *approval* of the
15 governing body of the charter school in which the pupil is enrolled.

16 3. If ~~{the governing body of}~~ a *pupil who is enrolled in a*
17 *charter school* ~~{grants permission pursuant to subsection 2, the}~~
18 *enrolls in a part-time program of distance education that is*
19 *provided by a school district or another charter school, the*
20 *governing body of the charter school in which the pupil is enrolled*
21 *shall enter into a written agreement with the board of trustees of the*
22 *school district or governing body* ~~{}~~ *of the charter school,* as
23 applicable, that provides the program of distance education. *The*
24 *agreement must include, without limitation, the amount of the*
25 *apportionment provided to the charter school in which the pupil is*
26 *enrolled that will be allocated pursuant to paragraph (b) of*
27 *subsection 4 of NRS 387.124 to the school district or charter*
28 *school, as applicable, that provides the program of distance*
29 *education.*

30 4. A separate agreement must be prepared for each year that a
31 pupil enrolls in a program of distance education.

32 5. *If the charter school in which the pupil is enrolled and the*
33 *board of trustees of the school district or governing body of the*
34 *charter school, as applicable, that provides the program of*
35 *distance education are unable to reach an agreement as required*
36 *pursuant to subsection 3, the Superintendent of Public Instruction*
37 *will determine the amount of the apportionment which the charter*
38 *school in which the pupil is enrolled is required to allocate*
39 *pursuant to paragraph (b) of subsection 4 of NRS 387.124 to the*
40 *school district or charter school, as applicable, that provides the*
41 *program of distance education.*

42 **Sec. 10.** NRS 389.012 is hereby amended to read as follows:

43 389.012 1. The State Board shall:

44 (a) In accordance with guidelines established by the National
45 Assessment Governing Board and National Center for Education



1 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
2 regulations adopted pursuant thereto, adopt regulations requiring the
3 schools of this State that are selected by the National Assessment
4 Governing Board or the National Center for Education Statistics to
5 participate in the examinations of the National Assessment of
6 Educational Progress.

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

8 (1) Governor;

9 (2) Board of trustees of each school district of this State;

10 (3) Legislative Committee on Education created pursuant to
11 NRS 218E.605; and

12 (4) Legislative Bureau of Educational Accountability and
13 Program Evaluation created pursuant to NRS 218E.625.

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

17 (1) The results of pupils throughout this country who
18 participated in the examinations of the National Assessment of
19 Educational Progress; and

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

22 2. If the report required by subsection 1 indicates that the
23 percentage of pupils enrolled in the public schools in this State who
24 are proficient on the National Assessment of Educational Progress
25 differs by more than 10 percent of the pupils who are proficient on
26 the examinations administered pursuant to NRS 389.550 and
27 the examinations administered pursuant to NRS 389.805, the
28 Department shall prepare a written report describing the
29 discrepancy. The report must include, without limitation, a
30 comparison and evaluation of:

31 (a) The standards of content and performance for English
32 *language arts* and mathematics established pursuant to NRS
33 389.520 with the standards for English *language arts* and
34 mathematics that are tested on the National Assessment.

35 (b) The standards for proficiency established for the National
36 Assessment with the standards for proficiency established for the
37 examinations that are administered pursuant to NRS 389.550 and
38 the examinations administered pursuant to NRS 389.805.

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

41 (a) Governor;

42 (b) Legislative Committee on Education;

43 (c) Legislative Bureau of Educational Accountability and
44 Program Evaluation; and

45 (d) Council to Establish Academic Standards for Public Schools.



1 4. The Council to Establish Academic Standards for Public
2 Schools shall review and evaluate the report provided to the Council
3 pursuant to subsection 3 to identify any discrepancies in the
4 standards of content and performance established by the Council
5 that require revision and a timeline for carrying out the revision, if
6 necessary. The Council shall submit a written report of its review
7 and evaluation to the Legislative Committee on Education and
8 Legislative Bureau of Educational Accountability and Program
9 Evaluation.

10 **Sec. 11.** NRS 389.018 is hereby amended to read as follows:

11 389.018 1. The following subjects are designated as the core
12 academic subjects that must be taught, as applicable for grade
13 levels, in all public schools, the Caliente Youth Center, the Nevada
14 Youth Training Center and any other state facility for the detention
15 of children that is operated pursuant to title 5 of NRS:

- 16 (a) English ~~[, including reading, composition and writing;]~~
17 *language arts;*
18 (b) Mathematics;
19 (c) Science; and
20 (d) Social studies, which includes only the subjects of history,
21 geography, economics and government.

22 2. Except as otherwise provided in this subsection, a pupil
23 enrolled in a public high school must enroll in a minimum of:

- 24 (a) Four units of credit in English ~~[;]~~ *language arts;*
25 (b) Four units of credit in mathematics, including, without
26 limitation, Algebra I and geometry, or an equivalent course of study
27 that integrates Algebra I and geometry;
28 (c) Three units of credit in science, including two laboratory
29 courses; and
30 (d) Three units of credit in social studies, including, without
31 limitation:
32 (1) American government;
33 (2) American history; and
34 (3) World history or geography.

35 ↪ A pupil is not required to enroll in the courses of study and
36 credits required by this subsection if the pupil, the parent or legal
37 guardian of the pupil and an administrator or a counselor at the
38 school in which the pupil is enrolled mutually agree to a modified
39 course of study for the pupil and that modified course of study
40 satisfies at least the requirements for a standard high school diploma
41 or an adjusted diploma, as applicable.

42 3. Except as otherwise provided in this subsection, in addition
43 to the core academic subjects, the following subjects must be taught
44 as applicable for grade levels and to the extent practicable in all
45 public schools, the Caliente Youth Center, the Nevada Youth



1 Training Center and any other state facility for the detention of
2 children that is operated pursuant to title 5 of NRS:

- 3 (a) The arts;
- 4 (b) Computer education and technology;
- 5 (c) Health; and
- 6 (d) Physical education.

7 ↪ If the State Board requires the completion of course work in a
8 subject area set forth in this subsection for graduation from high
9 school or promotion to the next grade, a public school shall offer the
10 required course work. Except as otherwise provided for a course of
11 study in health prescribed by subsection 1 of NRS 389.0185, unless
12 a subject is required for graduation from high school or promotion
13 to the next grade, a charter school is not required to comply with
14 this subsection.

15 **Sec. 12.** NRS 389.520 is hereby amended to read as follows:

16 389.520 1. The Council shall:

17 (a) Establish standards of content and performance, including,
18 without limitation, a prescription of the resulting level of
19 achievement, for the grade levels set forth in subsection 3, based
20 upon the content of each course, that is expected of pupils for the
21 following courses of study:

- 22 (1) English ~~[, including reading, composition and writing;]~~
23 *language arts;*
- 24 (2) Mathematics;
- 25 (3) Science;
- 26 (4) Social studies, which includes only the subjects of
27 history, geography, economics and government;
- 28 (5) The arts;
- 29 (6) Computer education and technology;
- 30 (7) Health; ~~[and]~~
- 31 (8) Physical education ~~[;]~~; *and*
32 *(9) A foreign or world language.*

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

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

41 2. The standards for computer education and technology must
42 include a policy for the ethical, safe and secure use of computers
43 and other electronic devices. The policy must include, without
44 limitation:



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

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

5 (2) Methods to ensure the prevention of:

6 (I) Cyber-bullying;

7 (II) Plagiarism; and

8 (III) The theft of information or data in an electronic
9 form;

10 (b) The safe use of computers and other electronic devices,
11 including, without limitation, methods to:

12 (1) Avoid cyber-bullying and other unwanted electronic
13 communication, including, without limitation, communication with
14 on-line predators;

15 (2) Recognize when an on-line electronic communication is
16 dangerous or potentially dangerous; and

17 (3) Report a dangerous or potentially dangerous on-line
18 electronic communication to the appropriate school personnel;

19 (c) The secure use of computers and other electronic devices,
20 including, without limitation:

21 (1) Methods to maintain the security of personal identifying
22 information and financial information, including, without limitation,
23 identifying unsolicited electronic communication which is sent for
24 the purpose of obtaining such personal and financial information for
25 an unlawful purpose;

26 (2) The necessity for secure passwords or other unique
27 identifiers;

28 (3) The effects of a computer contaminant;

29 (4) Methods to identify unsolicited commercial material; and

30 (5) The dangers associated with social networking Internet
31 sites; and

32 (d) A designation of the level of detail of instruction as
33 appropriate for the grade level of pupils who receive the instruction.

34 3. The Council shall establish standards of content and
35 performance for each grade level in kindergarten and grades 1 to 8,
36 inclusive, for English *language arts* and mathematics. The Council
37 shall establish standards of content and performance for the grade
38 levels selected by the Council for the other courses of study
39 prescribed in subsection 1.

40 4. The Council shall forward to the State Board the standards
41 of content and performance established by the Council for each
42 course of study. The State Board shall:

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



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

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

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

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

13 ↪ The State Board shall adopt the standards of content and
14 performance or the revised standards, as applicable.

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

17 7. As used in this section:

18 (a) "Computer contaminant" has the meaning ascribed to it in
19 NRS 205.4737.

20 (b) "Cyber-bullying" has the meaning ascribed to it in
21 NRS 388.123.

22 (c) "Electronic communication" has the meaning ascribed to it
23 in NRS 388.124.

24 **Sec. 13.** NRS 389.550 is hereby amended to read as follows:

25 389.550 1. The State Board shall, in consultation with the
26 Council, prescribe examinations that comply with 20 U.S.C. §
27 6311(b)(3) and that measure the achievement and proficiency of
28 pupils:

29 (a) For grades 3, 4, 5, 6, 7 and 8, in the standards of content
30 established by the Council for the subjects of English *language arts*
31 and mathematics.

32 (b) For grades 5 and 8, in the standards of content established by
33 the Council for the subject of science.

34 (c) *For grades 9, 10, 11 and 12, in the standards of content*
35 *established by the Council for the subjects required to comply with*
36 *20 U.S.C. § 6311(b)(3).*

37 ↪ The examinations prescribed pursuant to this subsection must be
38 written, developed, printed and scored by a nationally recognized
39 testing company.

40 2. In addition to the examinations prescribed pursuant to
41 subsection 1, the State Board shall, in consultation with the Council,
42 prescribe a writing examination for grades 5 and 8.

43 3. The board of trustees of each school district and the
44 governing body of each charter school shall administer the



1 examinations prescribed by the State Board. The examinations must
2 be:

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

6 (b) Administered in each school in accordance with uniform
7 procedures adopted by the State Board. The Department shall
8 monitor the school districts and individual schools to ensure
9 compliance with the uniform procedures.

10 (c) Administered in each school in accordance with the plan
11 adopted pursuant to NRS 389.616 by the Department and with the
12 plan adopted pursuant to NRS 389.620 by the board of trustees of
13 the school district in which the examinations are administered. The
14 Department shall monitor the compliance of school districts and
15 individual schools with:

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

17 (2) The plan adopted by the board of trustees of the
18 applicable school district, to the extent that the plan adopted by the
19 board of trustees of the school district is consistent with the plan
20 adopted by the Department.

21 **Sec. 14.** NRS 389.809 is hereby amended to read as follows:

22 389.809 1. The Department shall develop an informational
23 pamphlet concerning the end-of-course examinations required
24 pursuant to NRS 389.805 and the college and career readiness
25 assessment administered pursuant to NRS 389.807 for pupils who
26 are enrolled in junior high, middle school and high school, and their
27 parents and legal guardians. The pamphlet must include a written
28 explanation of the:

29 (a) Importance of passing the end-of-course examinations and
30 the importance of taking the college and career readiness
31 assessment;

32 (b) Courses of study for which the end-of-course examinations
33 are administered and the subject areas tested on the college and
34 career readiness assessment;

35 (c) Format for the end-of-course examinations and the college
36 and career readiness assessment, including, without limitation, the
37 range of items that are contained on the examinations and the
38 assessment; and

39 (d) Maximum number of times, if any, that a pupil is allowed to
40 take the end-of-course examinations if the pupil fails to pass the
41 examinations after the first administration.

42 2. The Department shall review the pamphlet on an annual
43 basis and make such revisions to the pamphlet as it considers
44 necessary to ensure that pupils and their parents or legal guardians



1 fully understand the end-of-course examinations and the college and
2 career readiness assessment.

3 3. On or before September 1, the Department shall ~~[provide a]~~ :

4 (a) *Provide an electronic* copy of the pamphlet or revised
5 pamphlet to the board of trustees of each school district and the
6 governing body of each charter school that includes pupils enrolled
7 in a junior high, middle school or high school grade level ~~[]~~; and

8 (b) *Post a copy of the pamphlet or revised pamphlet on the*
9 *Internet website maintained by the Department.*

10 4. The board of trustees of each school district shall provide a
11 copy of the pamphlet to each junior high, middle school or high
12 school within the school district for posting. The governing body of
13 each charter school shall ensure that a copy of the pamphlet is
14 posted at the charter school. Each principal of a junior high, middle
15 school, high school or charter school shall ensure that the teachers,
16 counselors and administrators employed at the school fully
17 understand the contents of the pamphlet.

18 5. On or before October 1, the:

19 (a) Board of trustees of each school district shall provide a copy
20 of the pamphlet to each pupil who is enrolled in a junior high,
21 middle school or high school of the school district and to the parents
22 or legal guardians of such a pupil.

23 (b) Governing body of each charter school shall provide a copy
24 of the pamphlet to each pupil who is enrolled in the charter school at
25 a junior high, middle school or high school grade level and to the
26 parents or legal guardians of such a pupil.

27 **Sec. 14.5.** NRS 391.038 is hereby amended to read as follows:

28 391.038 1. The State Board, in consultation with educational
29 institutions in this State which offer courses of study and training
30 for the education of teachers, the board of trustees of each school
31 district in this State and other educational personnel, shall review
32 and evaluate a course of study and training offered by an
33 educational institution which is designed to provide the education
34 required for:

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

36 (b) The renewal of licenses of teachers or other educational
37 personnel; or

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

39 ↪ If the course of study and training meets the requirements
40 established by the State Board, it must be approved by the State
41 Board. The State Board shall not approve a course of study or
42 training unless the course of study and training provides instruction,
43 to the extent deemed necessary by the State Board, in the standards
44 of content and performance prescribed by the Council to Establish
45 Academic Standards for Public Schools pursuant to NRS 389.520.



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

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

8 4. The State Board, in consultation with educational
9 institutions in this State which offer courses of study and training
10 for the education of teachers and other educational personnel, ~~and~~
11 ~~the Nevada Association of Colleges for Teacher Education and the~~
12 ~~Nevada Association of Teacher Educators,]~~ shall adopt regulations
13 governing the approval by the State Board of courses of study and
14 training . ~~[which are accredited by the National Council for~~
15 ~~Accreditation of Teacher Education, and those which are not so~~
16 ~~accredited.]~~

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

20 **Sec. 15.** NRS 391.100 is hereby amended to read as follows:

21 391.100 1. The board of trustees of a school district may
22 employ a superintendent of schools, teachers and all other necessary
23 employees.

24 2. A person who is initially hired by the board of trustees of a
25 school district on or after January 8, 2002, to teach in a program
26 supported with money from Title I must possess the qualifications
27 required by 20 U.S.C. § 6319(a). For the purposes of this
28 subsection, a person is not "initially hired" if he or she has been
29 employed as a teacher by another school district or charter school in
30 this State without an interruption in employment before the date of
31 hire by the person's current employer.

32 3. A person who is employed as a teacher, regardless of the
33 date of hire, must possess, on or before July 1, 2006, the
34 qualifications required by 20 U.S.C. § 6319(a) if the person teaches:

- 35 (a) English ~~[, reading or]~~ language arts;
36 (b) Mathematics;
37 (c) Science;
38 (d) ~~[Foreign]~~ *A foreign or world* language;
39 (e) Civics or government;
40 (f) Economics;
41 (g) Geography;
42 (h) History; or
43 (i) The arts.

44 4. The board of trustees of a school district:



1 (a) May employ teacher aides and other auxiliary,
2 nonprofessional personnel to assist licensed personnel in the
3 instruction or supervision of children, either in the classroom or at
4 any other place in the school or on the grounds thereof. A person
5 who is initially hired as a paraprofessional by a school district on or
6 after January 8, 2002, to work in a program supported with Title I
7 money must possess the qualifications required by 20 U.S.C. §
8 6319(c). A person who is employed as a paraprofessional by a
9 school district, regardless of the date of hire, to work in a program
10 supported with Title I money must possess, on or before January 8,
11 2006, the qualifications required by 20 U.S.C. § 6319(c). For the
12 purposes of this paragraph, a person is not "initially hired" if he or
13 she has been employed as a paraprofessional by another school
14 district or charter school in this State without an interruption in
15 employment before the date of hire by the person's current
16 employer.

17 (b) Shall establish policies governing the duties and
18 performance of teacher aides.

19 5. Each applicant for employment pursuant to this section,
20 except a teacher or other person licensed by the Superintendent of
21 Public Instruction, must, as a condition to employment, submit to
22 the school district a full set of the applicant's fingerprints and
23 written permission authorizing the school district to forward the
24 fingerprints to the Central Repository for Nevada Records of
25 Criminal History for its report on the criminal history of the
26 applicant and for submission to the Federal Bureau of Investigation
27 for its report on the criminal history of the applicant.

28 6. Except as otherwise provided in subsection 7, the board of
29 trustees of a school district shall not require a licensed teacher or
30 other person licensed by the Superintendent of Public Instruction
31 pursuant to NRS 391.033 who has taken a leave of absence from
32 employment authorized by the school district, including, without
33 limitation:

34 (a) Sick leave;

35 (b) Sabbatical leave;

36 (c) Personal leave;

37 (d) Leave for attendance at a regular or special session of the
38 Legislature of this State if the employee is a member thereof;

39 (e) Maternity leave; and

40 (f) Leave permitted by the Family and Medical Leave Act of
41 1993, 29 U.S.C. §§ 2601 et seq.,

42 ➔ to submit a set of his or her fingerprints as a condition of return
43 to or continued employment with the school district if the employee
44 is in good standing when the employee began the leave.



1 7. A board of trustees of a school district may ask the
2 Superintendent of Public Instruction to require a person licensed by
3 the Superintendent of Public Instruction pursuant to NRS 391.033
4 who has taken a leave of absence from employment authorized by
5 the school district to submit a set of his or her fingerprints as a
6 condition of return to or continued employment with the school
7 district if the board of trustees has probable cause to believe that the
8 person has committed a felony or an offense involving moral
9 turpitude during the period of his or her leave of absence.

10 8. The board of trustees of a school district may employ or
11 appoint persons to serve as school police officers. If the board of
12 trustees of a school district employs or appoints persons to serve as
13 school police officers, the board of trustees shall employ a law
14 enforcement officer to serve as the chief of school police who is
15 supervised by the superintendent of schools of the school district.
16 The chief of school police shall supervise each person appointed or
17 employed by the board of trustees as a school police officer. In
18 addition, persons who provide police services pursuant to subsection
19 9 or 10 shall be deemed school police officers.

20 9. The board of trustees of a school district in a county that has
21 a metropolitan police department created pursuant to chapter 280 of
22 NRS may contract with the metropolitan police department for the
23 provision and supervision of police services in the public schools
24 within the jurisdiction of the metropolitan police department and on
25 property therein that is owned by the school district. If a contract is
26 entered into pursuant to this subsection, the contract must make
27 provision for the transfer of each school police officer employed by
28 the board of trustees to the metropolitan police department. If the
29 board of trustees of a school district contracts with a metropolitan
30 police department pursuant to this subsection, the board of trustees
31 shall, if applicable, cooperate with appropriate local law
32 enforcement agencies within the school district for the provision and
33 supervision of police services in the public schools within the school
34 district and on property owned by the school district, but outside the
35 jurisdiction of the metropolitan police department.

36 10. The board of trustees of a school district in a county that
37 does not have a metropolitan police department created pursuant to
38 chapter 280 of NRS may contract with the sheriff of that county for
39 the provision of police services in the public schools within the
40 school district and on property therein that is owned by the school
41 district.

42 **Sec. 16.** NRS 391.323 is hereby amended to read as follows:

43 391.323 1. ~~[Within]~~ *Unless the parties agree to a later date,*
44 *within* 30 days after the selection of a hearing officer pursuant to
45 NRS 391.322, the hearing officer shall conduct a hearing. Within 15




1 days after the conclusion of the hearing, the hearing officer shall
2 prepare and file with the Superintendent of Public Instruction a
3 report containing:

4 (a) A recommendation as to whether the license of the licensee
5 should be suspended or revoked; and

6 (b) Findings of fact and conclusions of law which support the
7 recommendation.

8 2. The State Board may accept or reject the recommendation or
9 refer the report back to the hearing officer for further evidence and
10 recommendation, and shall notify the teacher, administrator or other
11 licensed employee in writing of its decision. The decision of the
12 State Board is a final decision in a contested case.

13 **Sec. 17.** NRS 392.033 is hereby amended to read as follows:

14 392.033 1. The State Board shall adopt regulations which
15 prescribe the courses of study required for promotion to high school,
16 including, without limitation, English  *language arts*,
17 mathematics, science and social studies. The regulations may
18 include the credits to be earned in each course.

19 2. Except as otherwise provided in subsection 4, the board of
20 trustees of a school district shall not promote a pupil to high school
21 if the pupil does not complete the course of study or credits required
22 for promotion. The board of trustees of the school district in which
23 the pupil is enrolled may provide programs of remedial study to
24 complete the courses of study required for promotion to high school.

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

30 4. The board of trustees of each school district shall adopt a
31 policy that allows a pupil who has not completed the courses of
32 study or credits required for promotion to high school to be placed
33 on academic probation and to enroll in high school. A pupil who is
34 on academic probation pursuant to this subsection shall complete
35 appropriate remediation in the subject areas that the pupil failed to
36 pass. The policy must include the criteria for eligibility of a pupil to
37 be placed on academic probation. A parent or guardian may elect
38 not to place his or her child on academic probation but to remain in
39 grade 8.

40 5. A homeschooled child who enrolls in a public high school
41 shall, upon initial enrollment:

42 (a) Provide documentation sufficient to prove that the child has
43 successfully completed the courses of study required for promotion
44 to high school through an accredited program of homeschool study
45 recognized by the board of trustees of the school district;



1 (b) Demonstrate proficiency in the courses of study required for
2 promotion to high school through an examination prescribed by the
3 board of trustees of the school district; or

4 (c) Provide other proof satisfactory to the board of trustees of
5 the school district demonstrating competency in the courses of study
6 required for promotion to high school.

7 **Sec. 18.** NRS 392.700 is hereby amended to read as follows:

8 392.700 1. If the parent of a child who is subject to
9 compulsory attendance wishes to homeschool the child, the parent
10 must file with the superintendent of schools of the school district in
11 which the child resides a written notice of intent to homeschool the
12 child. The Department shall develop a standard form for the notice
13 of intent to homeschool. The form must not require any information
14 or assurances that are not otherwise required by this section or other
15 specific statute. The board of trustees of each school district shall, in
16 a timely manner, make only the form developed by the Department
17 available to parents who wish to homeschool their child.

18 2. The notice of intent to homeschool must be filed before
19 beginning to homeschool the child or:

20 (a) Not later than 10 days after the child has been formally
21 withdrawn from enrollment in public school; or

22 (b) Not later than 30 days after establishing residency in this
23 State.

24 3. The purpose of the notice of intent to homeschool is to
25 inform the school district in which the child resides that the child is
26 exempt from the requirement of compulsory attendance.

27 4. If the name or address of the parent or child as indicated on a
28 notice of intent to homeschool changes, the parent must, not later
29 than 30 days after the change, file a new notice of intent to
30 homeschool with the superintendent of schools of the school district
31 in which the child resides.

32 5. A notice of intent to homeschool must include only the
33 following:

34 (a) The full name, age and gender of the child;

35 (b) The name and address of each parent filing the notice of
36 intent to homeschool;

37 (c) A statement signed and dated by each such parent declaring
38 that the parent has control or charge of the child and the legal right
39 to direct the education of the child, and assumes full responsibility
40 for the education of the child while the child is being homeschooled;

41 (d) An educational plan for the child that is prepared pursuant to
42 subsection 12;

43 (e) If applicable, the name of the public school in this State
44 which the child most recently attended; and



1 (f) An optional statement that the parent may sign which
2 provides:
3

4 I expressly prohibit the release of any information contained
5 in this document, including, without limitation, directory
6 information as defined in 20 U.S.C. § 1232g(a)(5)(A),
7 without my prior written consent.
8

9 6. Each superintendent of schools of a school district shall
10 accept notice of intent to homeschool that is filed with the
11 superintendent pursuant to this section and meets the requirements
12 of subsection 5, and shall not require or request any additional
13 information or assurances from the parent who filed the notice.

14 7. The school district shall provide to a parent who files a
15 notice a written acknowledgment which clearly indicates that the
16 parent has provided notification required by law and that the child is
17 being homeschooled. The written acknowledgment shall be deemed
18 proof of compliance with Nevada's compulsory school attendance
19 law. The school district shall retain a copy of the written
20 acknowledgment for not less than 15 years. The written
21 acknowledgment may be retained in electronic format.

22 8. The superintendent of schools of a school district shall
23 process a written request for a copy of the records of the school
24 district, or any information contained therein, relating to a child who
25 is being or has been homeschooled not later than 5 days after
26 receiving the request. The superintendent of schools may only
27 release such records or information:

28 (a) To a person or entity specified by the parent of the child, or
29 by the child if the child is at least 18 years of age, upon suitable
30 proof of identity of the parent or child; or

31 (b) If required by specific statute.

32 9. If a child who is or was homeschooled seeks admittance or
33 entrance to any school in this State, the school may use only
34 commonly used practices in determining the academic ability,
35 placement or eligibility of the child. If the child enrolls in a charter
36 school, the charter school shall, to the extent practicable, notify the
37 board of trustees of the school district in which the child resides
38 of the child's enrollment in the charter school. Regardless of
39 whether the charter school provides such notification to the board of
40 trustees, the charter school may count the child who is enrolled for
41 the purposes of the calculation of basic support pursuant to NRS
42 387.1233. A homeschooled child seeking admittance to public high
43 school must comply with NRS 392.033.

44 10. A school or organization shall not discriminate in any
45 manner against a child who is or was homeschooled.



1 11. Each school district shall allow homeschooled children to
2 participate in all college entrance examinations offered in this State,
3 including, without limitation, the SAT, the ACT, the Preliminary
4 SAT and the National Merit Scholarship Qualifying Test. Each
5 school district shall ensure that the homeschooled children who
6 reside in the school district have adequate notice of the availability
7 of information concerning such examinations on the Internet
8 website of the school district maintained pursuant to NRS 389.004.

9 12. The parent of a child who is being homeschooled shall
10 prepare an educational plan of instruction for the child in the subject
11 areas of English ~~[, including reading, composition and writing,]~~
12 *language arts*, mathematics, science and social studies, including
13 history, geography, economics and government, as appropriate for
14 the age and level of skill of the child as determined by the parent.
15 The educational plan must be included in the notice of intent to
16 homeschool filed pursuant to this section. If the educational plan
17 contains the requirements of this section, the educational plan must
18 not be used in any manner as a basis for denial of a notice of intent
19 to homeschool that is otherwise complete. The parent must be
20 prepared to present the educational plan of instruction and proof of
21 the identity of the child to a court of law if required by the court.
22 This subsection does not require a parent to ensure that each subject
23 area is taught each year that the child is homeschooled.

24 13. No regulation or policy of the State Board, any school
25 district or any other governmental entity may infringe upon the right
26 of a parent to educate his or her child based on religious preference
27 unless it is:

- 28 (a) Essential to further a compelling governmental interest; and
- 29 (b) The least restrictive means of furthering that compelling
30 governmental interest.

31 14. As used in this section, "parent" means the parent,
32 custodial parent, legal guardian or other person in this State who has
33 control or charge of a child and the legal right to direct the education
34 of the child.

35 **Sec. 19.** NRS 394.241 is hereby amended to read as follows:

36 394.241 1. An elementary or secondary educational
37 institution must be maintained and operated, or a new institution
38 must demonstrate that it can be maintained and operated, in
39 compliance with the following minimum standards:

40 (a) The quality and content of each course of instruction,
41 training or study reasonably and adequately achieve the stated
42 objective for which the course or program is offered.

43 (b) The institution has adequate space, equipment, instructional
44 materials and personnel to provide education of good quality.



1 (c) The education and experience qualifications of directors,
2 administrators, supervisors and instructors reasonably ensure that
3 the students will receive education consistent with the objectives of
4 the course or program of study.

5 (d) The institution provides pupils and other interested persons
6 with a catalog or brochure containing information describing the
7 grades or programs offered, program objectives, length of school
8 year or program, schedule of tuition, fees and all other charges and
9 expenses necessary for completion of the course of study,
10 cancellation and refund policies, and such other material facts
11 concerning the institution as are reasonably likely to affect the
12 decision of the parents or pupil to enroll in the institution, together
13 with any other disclosures specified by the Superintendent or
14 defined in the regulations of the Board, and the information is
15 provided to parents or prospective pupils before enrollment.

16 (e) Upon satisfactory completion of training or instruction, the
17 pupil is given appropriate educational credentials by the institution
18 indicating that the course of instruction or study has been
19 satisfactorily completed.

20 (f) Adequate records are maintained by the institution to show
21 attendance, progress and performance.

22 (g) The institution is maintained and operated in compliance
23 with all pertinent ordinances and laws, including regulations
24 adopted relative to the safety and health of all persons upon the
25 premises.

26 (h) The institution is financially sound and capable of fulfilling
27 its commitments.

28 (i) Neither the institution nor its agents engage in advertising,
29 sales, collection, credit or other practices of any type which are
30 false, deceptive, misleading or unfair.

31 (j) The chief executive officer, trustees, directors, owners,
32 administrators, supervisors, staff, instructors and agents are of good
33 reputation and character.

34 (k) The pupil housing owned, maintained or approved by the
35 institution, if any, is appropriate, safe and adequate.

36 (l) The institution has a fair and equitable cancellation and
37 refund policy.

38 2. Accreditation by national or regional accrediting agencies
39 recognized by the United States Department of Education ,
40 *including, without limitation, the Middle States Commission on*
41 *Higher Education, the New England Association of Schools and*
42 *Colleges, the North Central Association of Colleges and Schools,*
43 *the Southern Association of Colleges and Schools and the*
44 *Accrediting Commission for Schools, Western Association of*
45 *Schools and Colleges,* may be accepted as evidence of compliance



1 with the minimum standards established pursuant to this section.
2 Accreditation by a recognized, specialized accrediting agency may
3 be accepted as evidence of such compliance only as to the portion or
4 program of an institution accredited by the agency if the institution
5 as a whole is not accredited.

6 **Sec. 20.** NRS 120A.610 is hereby amended to read as follows:

7 120A.610 1. Except as otherwise provided in subsections 4 to
8 8, inclusive, all abandoned property other than money delivered to
9 the Administrator under this chapter must, within 2 years after the
10 delivery, be sold by the Administrator to the highest bidder at public
11 sale in whatever manner affords, in his or her judgment, the most
12 favorable market for the property. The Administrator may decline
13 the highest bid and reoffer the property for sale if the Administrator
14 considers the bid to be insufficient.

15 2. Any sale held under this section must be preceded by a
16 single publication of notice, at least 3 weeks before sale, in a
17 newspaper of general circulation in the county in which the property
18 is to be sold.

19 3. The purchaser of property at any sale conducted by the
20 Administrator pursuant to this chapter takes the property free of all
21 claims of the owner or previous holder and of all persons claiming
22 through or under them. The Administrator shall execute all
23 documents necessary to complete the transfer of ownership.

24 4. Except as otherwise provided in subsection 5, the
25 Administrator need not offer any property for sale if the
26 Administrator considers that the probable cost of the sale will
27 exceed the proceeds of the sale. The Administrator may destroy or
28 otherwise dispose of such property or may transfer it to:

29 (a) The Nevada State Museum Las Vegas, the Nevada State
30 Museum or the Nevada Historical Society, upon its written request,
31 if the property has, in the opinion of the requesting institution,
32 historical, artistic or literary value and is worthy of preservation; or

33 (b) A genealogical library, upon its written request, if the
34 property has genealogical value and is not wanted by the Nevada
35 State Museum Las Vegas, the Nevada State Museum or the Nevada
36 Historical Society.

37 ➤ An action may not be maintained by any person against the
38 holder of the property because of that transfer, disposal or
39 destruction.

40 5. The Administrator shall transfer property to the Department
41 of Veterans Services, upon its written request, if the property has
42 military value.

43 6. Securities delivered to the Administrator pursuant to this
44 chapter may be sold by the Administrator at any time after the
45 delivery. Securities listed on an established stock exchange must be



1 sold at the prevailing price for that security on the exchange at the
2 time of sale. Other securities not listed on an established stock
3 exchange may be sold:

4 (a) Over the counter at the prevailing price for that security at
5 the time of sale; or

6 (b) By any other method the Administrator deems acceptable.

7 7. The Administrator shall hold property that was removed
8 from a safe-deposit box or other safekeeping repository for 1 year
9 after the date of the delivery of the property to the Administrator,
10 unless that property is a will or a codicil to a will, in which case the
11 Administrator shall hold the property for 10 years after the date of
12 the delivery of the property to the Administrator. If no claims are
13 filed for the property within that period and the Administrator
14 determines that the probable cost of the sale of the property will
15 exceed the proceeds of the sale, it may be destroyed.

16 8. All proceeds received by the Administrator from abandoned
17 gift certificates must be accounted for separately in the Abandoned
18 Property Trust Account in the State General Fund. At the end of
19 each fiscal year, before any other money in the Abandoned Property
20 Trust Account is transferred pursuant to NRS 120A.620, the balance
21 in the subaccount created pursuant to this subsection, less any costs,
22 service charges or claims chargeable to the subaccount, must be
23 transferred to the Educational Trust Account, which is hereby
24 created in the State General Fund. The money in the Educational
25 Trust Account may be expended only as authorized by the
26 Legislature , *if it is in session, or by the Interim Finance*
27 *Committee, if the Legislature is not in session*, for educational
28 purposes.

29 **Sec. 21.** NRS 385.060 and 390.400 are hereby repealed.

30 **Sec. 22.** This act becomes effective on July 1, 2015.

TEXT OF REPEALED SECTIONS

385.060 Seal. The Board shall adopt and use an official seal in authentication of its acts.

390.400 Approval for use in public schools; exception for charter schools; actions subject to review by State Board.

1. The Department shall approve or disapprove lists of books for use in public school libraries except for the libraries of charter schools. Such lists must not include books containing or including any story in prose or poetry the tendency of which would be to influence the minds of children in the formation of ideals not in



harmony with truth and morality or the American way of life, or not in harmony with the Constitution and laws of the United States or of the State of Nevada.

2. Actions of the Department with respect to lists of books are subject to review and approval or disapproval by the State Board.

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