

ASSEMBLY BILL NO. 7—COMMITTEE ON EDUCATION

(ON BEHALF OF THE DEPARTMENT OF EDUCATION)

PREFILED NOVEMBER 15, 2016

Referred to Committee on Education

SUMMARY—Revises provisions related to education.
(BDR 34-126)

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

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

AN ACT relating to education; revising certain references and terms in conformance with revisions to federal law; revising requirements for a plan to improve the achievement of pupils enrolled in a public school; repealing provisions requiring certain schools to carry out a process for peer review of a plan to improve the achievement of pupils enrolled in a school in accordance with federal law; requiring the State Board of Education to establish criteria for assessments that may be used to determine pupil achievement; revising provisions governing the count of pupils for purposes of calculating basic support; requiring the State Board to adopt regulations regarding end-of-course finals; revising the requirements for receipt of a standard high school diploma; providing for the creation of a pathway high school diploma; requiring a public awareness campaign concerning high school diplomas and endorsements to be conducted to the extent that money is available; revising provisions governing the annual reports of accountability prepared by the State Board and each school district; revising provisions governing evaluations of the overall performance of teachers and paraprofessionals; and providing other matters properly relating thereto.



* A B 7 R 1 *

Legislative Counsel's Digest:

1 In 2015, Congress passed the Every Student Succeeds Act of 2015, which
2 replaced the No Child Left Behind Act of 2001 and was a significant
3 reauthorization of the Elementary and Secondary Education Act of 1965. (20
4 U.S.C. §§ 6301 et seq.) **Sections 6, 7, 56, 58, 75 and 76** of this bill replace
5 references to the No Child Left Behind Act of 2001 with references to the Every
6 Student Succeeds Act of 2015. **Sections 2, 32, 38, 43, 71 and 72** revise references
7 to federal law to conform to changes made in the Every Student Succeeds Act of
8 2015. **Sections 1, 2, 4, 5, 11, 15, 16, 19-21, 23, 24, 26-29, 31, 33, 35, 39, 55, 56,**
9 **71, 73, 74 and 77-82** of this bill revise terminology to conform with the revisions to
10 the federal law.

11 Existing law requires the principal of each school, in consultation with the
12 employees of the school, to prepare a plan to improve the achievement of pupils
13 enrolled in the school and prescribes the requirements for such a plan. (NRS
14 385A.650) **Section 19** of this bill removes the statutory requirements concerning
15 the contents of the plan and instead requires the State Board of Education to
16 prescribe the contents of the plan by regulation. **Section 83** of this bill repeals a
17 provision requiring certain schools to carry out a process for peer review of a plan
18 to improve the achievement of pupils enrolled in the school in accordance with
19 federal law.

20 Existing law requires the State Board to adopt regulations for counting
21 enrollment of pupils for apportionment purposes. (NRS 387.123) **Section 23.5** of
22 this bill prohibits such regulations from counting a pupil enrolled in grade 12 who
23 is not prepared for college and career success as a full-time pupil for apportionment
24 purposes unless the pupil is enrolled in a certain number of courses or periods per
25 day.

26 **Section 41.3** of this bill requires the State Board to adopt regulations regarding
27 end-of-course finals and the courses for which such finals may be administered.

28 Existing law requires the State Board to adopt regulations that prescribe the
29 criteria for receipt of a standard high school diploma. (NRS 390.600) **Section 52** of
30 this bill removes the requirement that the regulations require a pupil to pass certain
31 end-of-course examinations to receive a standard high school diploma. **Section**
32 **41.5** of this bill requires the State Board to adopt regulations that prescribe the
33 criteria for a pupil to receive a pathway high school diploma, which must include
34 requirements that the pupil: (1) satisfy the criteria for receipt of a standard high
35 school diploma; and (2) obtain a college-ready endorsement or a career-ready
36 endorsement. **Section 41.5** also requires the State Board to: (1) adopt regulations
37 prescribing the criteria for a pupil to obtain each endorsement; (2) annually review
38 and, if necessary, revise the regulations adopted relating to the pathway high school
39 diploma; and (3) provide incentive grants and certain reimbursements relating to
40 the pathway high school diploma, to the extent that money is available for this
41 purpose. Finally, **section 41.5** provides that a pathway high school diploma confers
42 all the same rights, privileges and benefits as a standard high school diploma.

43 **Section 41.7** of this bill requires the Department of Education, to the extent that
44 money is available, to conduct a public awareness campaign to inform certain
45 persons of the types of diplomas and endorsements on a diploma a pupil may
46 receive upon graduation from high school and the criteria for obtaining such
47 diplomas or endorsements.

48 Existing law requires the statewide performance evaluation system used to
49 evaluate a public school employee's overall performance to include a process for
50 peer evaluations of teachers by qualified educational personnel. (NRS 391.465)
51 **Section 66** of this bill requires the statewide performance evaluation system to
52 include a process for peer observations, instead of peer evaluations. **Sections 65.5**
53 **and 66.5** of this bill make conforming changes.



54 Existing law requires the State Board to designate the assessments that may be
55 used by a school district to determine pupil achievement. (NRS 391.465) **Section**
56 **66** of this bill instead requires: (1) the State Board to establish the criteria for the
57 assessments that may be used by a school district; and (2) the board of trustees of a
58 school district to select assessments that meet the criteria established by the State
59 Board to determine pupil achievement. Existing law requires the State Board to
60 select a college and career readiness assessment for administration to pupils
61 enrolled in grade 11 in public schools. (NRS 390.610) **Section 53** of this bill
62 provides that the results of a pupil on this assessment may be used in determining
63 whether the pupil satisfies the requirements for receipt of a pathway high school
64 diploma. **Section 53** also requires the State Board to adopt regulations prescribing
65 the manner in which a school district or charter school that enrolls pupils at a high
66 school grade level is required to use the results of this assessment to inform the
67 instruction provided to pupils enrolled in grade 12.

68 Existing law requires teachers and administrators to receive certain evaluations
69 that are based in part upon a certain number of observations of the teacher or
70 administrator. (NRS 391.685, 391.690, 391.705, 391.710) **Sections 67-68.5** of this
71 bill require such evaluations to be based on a certain number of observation cycles
72 of each teacher and administrator. **Section 69** of this bill makes a technical
73 correction to provisions relating to the written evaluation of a probationary teacher
74 or administrator. **Sections 36, 37 and 59-64** of this bill revise additional provisions
75 governing the qualifications of certain teachers and paraprofessionals and
76 evaluations of the performance of teachers and paraprofessionals.

77 Existing law requires the board of trustees of each school district to prepare an
78 annual report of accountability concerning the educational goals and objectives of
79 the school district. (385A.070) Existing law also requires the State Board to prepare
80 a single annual report of accountability for all public schools in the State that
81 includes certain information. (NRS 385A.400) **Sections 9 and 13** of this bill revise
82 the contents of such annual reports of accountability and require the reports to
83 include certain information concerning educational personnel.

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

- 1 **Section 1.** NRS 385.007 is hereby amended to read as follows:
2 385.007 As used in this title, unless the context otherwise
3 requires:
4 1. "Achievement charter school" means a public school
5 operated by a charter management organization, as defined in NRS
6 388B.020, an educational management organization, as defined in
7 NRS 388B.030, or other person pursuant to a contract with the
8 Achievement School District pursuant to NRS 388B.210 and subject
9 to the provisions of chapter 388B of NRS.
10 2. "Department" means the Department of Education.
11 3. *"English learner" has the meaning ascribed to it in 20*
12 *U.S.C. § 7801(20).*
13 4. "Homeschooled child" means a child who receives
14 instruction at home and who is exempt from compulsory attendance
15 pursuant to NRS 392.070, but does not include an opt-in child.



1 ~~4. “Limited English proficient” has the meaning ascribed to it~~
2 ~~in 20 U.S.C. § 7801(25).†~~

3 5. “Opt-in child” means a child for whom an education savings
4 account has been established pursuant to NRS 353B.850, who is not
5 enrolled full-time in a public or private school and who receives all
6 or a portion of his or her instruction from a participating entity, as
7 defined in NRS 353B.750.

8 6. “Public schools” means all kindergartens and elementary
9 schools, junior high schools and middle schools, high schools,
10 charter schools and any other schools, classes and educational
11 programs which receive their support through public taxation and,
12 except for charter schools, whose textbooks and courses of study are
13 under the control of the State Board.

14 7. “State Board” means the State Board of Education.

15 8. “University school for profoundly gifted pupils” has the
16 meaning ascribed to it in NRS 388C.040.

17 **Sec. 2.** NRS 385.112 is hereby amended to read as follows:

18 385.112 A plan to improve the achievement of pupils enrolled
19 in public schools in this State prepared pursuant to NRS 385.111
20 must include:

21 1. A review and analysis of the data upon which the report
22 required pursuant to NRS 385A.400 is based and a review and
23 analysis of any data that is more recent than the data upon which the
24 report is based.

25 2. The identification of any problems or factors common
26 among the school districts or charter schools in this State, as
27 revealed by the review and analysis.

28 3. Strategies based upon ~~scientifically based~~ *evidence-based*
29 research, as defined in 20 U.S.C. § ~~7801(37),†~~ *7801(21)*, that will
30 strengthen the core academic subjects, as set forth in NRS 389.018.

31 4. Strategies to improve the academic achievement of pupils
32 enrolled in public schools in this State, including, without limitation,
33 strategies to:

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

36 (1) The curriculum appropriate to improve achievement;

37 (2) The manner by which the instruction will improve the
38 achievement and proficiency of pupils on the examinations
39 administered pursuant to NRS 390.105 ~~and 390.600~~ and the
40 college and career readiness assessment administered pursuant to
41 NRS 390.610, including, without limitation, the manner in which
42 remediation will be provided to pupils who require remediation
43 based on the results of an examination administered pursuant to
44 NRS ~~390.600 and~~ 390.610; and



1 (3) An identification of the instruction and curriculum that is
2 specifically designed to improve the achievement and proficiency of
3 pupils in each group identified in the statewide system of
4 accountability for public schools;

5 (b) Improve the literacy skills of pupils;

6 (c) Improve the development of English language skills and
7 academic achievement of pupils who are ~~limited~~ English
8 ~~proficient~~ learners;

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

11 (e) Integrate technology into the instructional and administrative
12 programs of the school districts;

13 (f) Manage effectively the discipline of pupils; and

14 (g) Enhance the professional development offered for the
15 teachers and administrators employed at public schools in this State
16 to include the activities set forth in 20 U.S.C. § ~~7801(34)~~ 7801(42)
17 and to address the specific needs of the pupils enrolled in public
18 schools in this State, as deemed appropriate by the State Board.

19 5. Strategies designed to provide to the pupils enrolled in
20 middle school, junior high school and high school, the teachers and
21 counselors who provide instruction to those pupils, and the parents
22 and guardians of those pupils information concerning:

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

25 (b) The availability of Governor Guinn Millennium
26 Scholarships pursuant to NRS 396.911 to 396.945, inclusive; and

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

30 6. An identification, by category, of the employees of the
31 Department who are responsible for ensuring that each provision of
32 the plan is carried out effectively.

33 7. A timeline for carrying out the plan, including, without
34 limitation:

35 (a) The rate of improvement and progress which must be
36 attained annually in meeting the goals and benchmarks established
37 by the State Board pursuant to NRS 385.113; and

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

41 8. For each provision of the plan, measurable criteria for
42 determining whether the provision has contributed toward
43 improving the academic achievement of pupils, increasing the rate
44 of attendance of pupils and reducing the number of pupils who drop
45 out of school.



1 9. Strategies to improve the allocation of resources from this
2 State, by program and by school district, in a manner that will
3 improve the academic achievement of pupils. If this State has a
4 financial analysis program that is designed to track educational
5 expenditures and revenues to individual schools, the State Board
6 shall use that statewide program in complying with this subsection.
7 If a statewide program is not available, the State Board shall use the
8 Department's own financial analysis program in complying with
9 this subsection.

10 10. Based upon the reallocation of resources set forth in
11 subsection 9, the resources available to the State Board and the
12 Department to carry out the plan, including, without limitation, a
13 budget for the overall cost of carrying out the plan.

14 11. A summary of the effectiveness of appropriations made by
15 the Legislature to improve the academic achievement of pupils and
16 programs approved by the Legislature to improve the academic
17 achievement of pupils.

18 12. A 5-year strategic plan which identifies the recurring issues
19 in improving the achievement and proficiency of pupils in this State
20 and which establishes strategic goals to address those issues. The
21 5-year strategic plan must be:

22 (a) Based upon the data from previous years which is collected
23 by the Department for the plan developed pursuant to NRS 385.111;
24 and

25 (b) Designed to track the progress made in achieving the
26 strategic goals established by the Department.

27 13. Any additional plans addressing the achievement and
28 proficiency of pupils adopted by the Department.

29 **Sec. 3.** NRS 385.113 is hereby amended to read as follows:

30 385.113 The State Board shall:

31 1. In developing the plan to improve the achievement of pupils
32 enrolled in public schools pursuant to NRS 385.111, establish
33 clearly defined goals and benchmarks for improving the
34 achievement of pupils, including, without limitation, goals for:

35 (a) Improving proficiency results in core academic subjects;

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

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

44 (d) Improving the performance of pupils on standardized college
45 entrance examinations;



1 (e) Increasing the percentage of pupils enrolled in high schools
2 who enter postsecondary educational institutions or who are career
3 and workforce ready; and

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

9 2. Review the plan annually to evaluate the effectiveness of the
10 plan;

11 3. Examine the timeline for implementing the plan and each
12 provision of the plan to determine whether the annual goals and
13 benchmarks have been attained;

14 4. Based upon the evaluation of the plan, make revisions, as
15 necessary, to ensure that:

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

18 (b) The plan is designed to improve the academic achievement
19 of pupils enrolled in public schools in this State; and

20 5. Review the plans submitted pursuant to subsection ~~5~~ 4 of
21 NRS 385A.650 to:

22 (a) Determine common problems identified by the principal of
23 each school ; ~~pursuant to paragraph (b) of subsection 2 of NRS~~
24 ~~385A.650;~~ and

25 (b) Make recommendations to the Department concerning how
26 the Department can best support the needs of schools.

27 **Sec. 4.** NRS 385.230 is hereby amended to read as follows:

28 385.230 1. The Department shall, in conjunction with the
29 State Board, prepare an annual report of the state of public
30 education in this State. The report must include, without limitation:

31 (a) An analysis of each annual report of accountability prepared
32 by the State Board pursuant to NRS 385A.400;

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

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

39 (d) A description of the goals and benchmarks for improving the
40 academic achievement of pupils which are included in the plan to
41 improve the achievement of pupils required by NRS 385.111;

42 (e) A description of any significant changes made to the
43 collection, maintenance or transfer of data concerning pupils by the
44 Department, a school district, a sponsor of a charter school or a
45 university school for profoundly gifted pupils;



1 (f) Any new data elements, including, without limitation, data
2 about individual pupils and aggregated data about pupils within a
3 defined group, proposed for inclusion in the automated system of
4 accountability information for Nevada established pursuant to
5 NRS 385A.800;

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

9 (h) An analysis of whether the standards and examinations
10 adopted by the State Board adequately prepare pupils for success in
11 postsecondary educational institutions and in career and workforce
12 readiness;

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

15 (j) An analysis of the ability of the automated system of
16 accountability information for Nevada established pursuant to NRS
17 385A.800 to link the achievement of pupils to the performance of
18 the individual teachers assigned to those pupils and to the principals
19 of the schools in which the pupils are enrolled;

20 (k) An analysis of the extent to which the lowest performing
21 public schools have improved the academic achievement of pupils
22 enrolled in those schools;

23 (l) A summary of the innovative educational programs
24 implemented by public schools which have demonstrated the ability
25 to improve the academic achievement of pupils, including, without
26 limitation:

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

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

31 (3) Pupils with disabilities;

32 (4) Pupils who are ~~limited~~ English ~~proficient~~ learners;
33 and

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

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

40 2. In odd-numbered years, the Superintendent of Public
41 Instruction shall present the report prepared pursuant to subsection 1
42 in person to the Governor and each standing committee of the
43 Legislature with primary jurisdiction over matters relating to K-12
44 public education at the beginning of each regular session of the
45 Legislature.



1 3. In even-numbered years, the Superintendent of Public
2 Instruction shall, on or before January 31, submit a written copy of
3 the report prepared pursuant to subsection 1 to the Governor and to
4 the Legislative Committee on Education.

5 **Sec. 5.** NRS 385.620 is hereby amended to read as follows:

6 385.620 The Advisory Council shall:

7 1. Review the policy of parental involvement adopted by the
8 State Board and the policy of parental involvement and family
9 engagement adopted by the board of trustees of each school district
10 pursuant to NRS 392.457;

11 2. Review the information relating to communication with and
12 participation, involvement and engagement of parents and families
13 that is included in the annual report of accountability for each school
14 district pursuant to NRS 385A.320 and similar information in the
15 annual report of accountability prepared by the State Public Charter
16 School Authority, the Achievement School District and a college or
17 university within the Nevada System of Higher Education that
18 sponsors a charter school pursuant to subsection 3 of
19 NRS 385A.070;

20 3. Review any effective practices carried out in individual
21 school districts to increase parental involvement and family
22 engagement and determine the feasibility of carrying out those
23 practices on a statewide basis;

24 4. Review any effective practices carried out in other states to
25 increase parental involvement and family engagement and
26 determine the feasibility of carrying out those practices in this State;

27 5. Identify methods to communicate effectively and provide
28 outreach to parents, legal guardians and families of pupils who have
29 limited time to become involved in the education of their children
30 for various reasons, including, without limitation, work schedules,
31 single-parent homes and other family obligations;

32 6. Identify the manner in which the level of parental
33 involvement and family engagement affects the performance,
34 attendance and discipline of pupils;

35 7. Identify methods to communicate effectively with and
36 provide outreach to parents, legal guardians and families of pupils
37 who are ~~limited~~ English ~~proficient;~~ *learners;*

38 8. Determine the necessity for the appointment of a statewide
39 parental involvement and family engagement coordinator or a
40 parental involvement and family engagement coordinator in each
41 school district, or both;

42 9. Work in collaboration with the Office of Parental
43 Involvement and Family Engagement created by NRS 385.630 to
44 carry out the duties prescribed in NRS 385.635;



1 10. On or before July 1 of each year, submit a report to the
2 Legislative Committee on Education describing the activities of the
3 Advisory Council and any recommendations for legislation; and

4 11. On or before February 1 of each odd-numbered year,
5 submit a report to the Director of the Legislative Counsel Bureau for
6 transmission to the next regular session of the Legislature describing
7 the activities of the Advisory Council and any recommendations for
8 legislation.

9 **Sec. 6.** NRS 385A.040 is hereby amended to read as follows:

10 385A.040 “Title I school” means a public school that receives
11 money pursuant to the ~~[No Child Left Behind Act of 2001,]~~ *Every*
12 *Student Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq., and is
13 obligated to comply with the provisions of that federal law.

14 **Sec. 7.** NRS 385A.050 is hereby amended to read as follows:

15 385A.050 “Title I school district” means a school district that
16 receives money pursuant to the ~~[No Child Left Behind Act of 2001,]~~
17 *Every Student Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq., and
18 is obligated to comply with the provisions of that federal law.

19 **Sec. 8.** NRS 385A.200 is hereby amended to read as follows:

20 385A.200 The annual report of accountability prepared
21 pursuant to NRS 385A.070 must include information on pupil
22 achievement and school performance, including, without limitation,
23 pupil achievement for each school in the district and the district as a
24 whole, including, without limitation, each charter school sponsored
25 by the district. The board of trustees of the district shall base its
26 report on the results of the examinations administered pursuant to
27 NRS 390.105 ~~[and 390.600]~~ and the college and career readiness
28 assessment administered pursuant to NRS 390.610 and shall
29 compare the results of those examinations for the current school
30 year with those of previous school years. The report must include,
31 for each school in the district, including, without limitation, each
32 charter school sponsored by the district, and each grade in which the
33 examinations and assessments were administered:

34 1. The number of pupils who took the examinations and a
35 record of attendance for the period in which the examinations were
36 administered, including an explanation of any difference in the
37 number of pupils who took the examinations and the number of
38 pupils who are enrolled in the school.

39 2. Except as otherwise provided in subsection 2 of NRS
40 385A.070, pupil achievement, reported separately by gender and
41 reported separately for the groups of pupils identified in the
42 statewide system of accountability for public schools.

43 3. A comparison of the achievement of pupils in each group
44 identified in the statewide system of accountability for public
45 schools with the performance targets established for that group.



1 4. The percentage of pupils who were not tested.
2 5. Except as otherwise provided in subsection 2 of NRS
3 385A.070, the percentage of pupils who were not tested, reported
4 separately by gender and reported separately for the groups
5 identified in the statewide system of accountability for public
6 schools.

7 6. The most recent 3-year trend in pupil achievement in each
8 subject area tested and each grade level tested pursuant to NRS
9 390.105 ~~and 390.600~~ and the college and career readiness
10 assessment administered pursuant to NRS 390.610, which may
11 include information regarding the trend in the achievement of pupils
12 for more than 3 years, if such information is available.

13 7. The rating of each public school in the district, including,
14 without limitation, each charter school sponsored by the district,
15 pursuant to the statewide system of accountability for public
16 schools.

17 8. Information on whether each school in the district,
18 including, without limitation, each charter school sponsored by the
19 district, has made progress based upon the model adopted by the
20 Department pursuant to NRS 390.125.

21 9. Information that compares the results of pupils in the school
22 district, including, without limitation, pupils enrolled in charter
23 schools sponsored by the district, with the results of pupils
24 throughout this State. The information required by this subsection
25 must be provided in consultation with the Department to ensure the
26 accuracy of the comparison.

27 10. For each school in the district, including, without
28 limitation, each charter school sponsored by the district, information
29 that compares the results of pupils in the school with the results of
30 pupils throughout the school district and throughout this State. The
31 information required by this subsection must be provided in
32 consultation with the Department to ensure the accuracy of the
33 comparison.

34 **Sec. 9.** NRS 385A.230 is hereby amended to read as follows:

35 385A.230 1. The annual report of accountability prepared
36 pursuant to NRS 385A.070 must include information on teachers ,
37 *other licensed educational personnel* and paraprofessionals,
38 including, without limitation:

39 (a) Information on the professional qualifications of teachers
40 *and other licensed educational personnel* employed by each school
41 in the district and the district as a whole, including, without
42 limitation, each charter school sponsored by the district. The
43 information must include, without limitation:

44 (1) *The total number of:*



1 (I) Teachers and other licensed educational personnel
2 employed at each school;

3 (II) Vacancies at each school which are not filled by a
4 teacher who has a contract to teach at the school on a full-time
5 basis, as determined by the Commission on Professional
6 Standards in Education;

7 (III) Teachers and other licensed educational personnel
8 employed at each school who provide instruction in a grade level
9 or subject area for which they do not meet the requirements for
10 licensure or do not hold a required endorsement;

11 (IV) Teachers and other licensed educational personnel
12 employed at each school who are inexperienced, as defined by the
13 Commission on Professional Standards in Education; and

14 (V) Employees at each school whose overall
15 performance was determined to be highly effective, effective,
16 minimally effective or ineffective under the statewide performance
17 evaluation system.

18 (2) The percentage of ~~teachers~~ :

19 (I) Teachers and other licensed educational personnel
20 employed by the school district who are ~~;~~

21 ~~(I) Providing instruction pursuant to NRS 391.125;~~
22 ~~employed at each school;~~

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

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

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

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

38 ~~(4) Vacancies at each school which are not filled by a~~
39 ~~teacher who has a contract to teach at the school on a full-time~~
40 ~~basis, as determined by the Commission on Professional~~
41 ~~Standards in Education;~~

42 (III) Teachers and other licensed educational personnel
43 employed at each school who provide instruction in a grade level
44 or subject area for which they do not meet the requirements for
45 licensure or do not hold a required endorsement;



1 *(IV) Teachers and other licensed educational personnel*
2 *employed at each school who are inexperienced, as defined by the*
3 *Commission on Professional Standards in Education; and*

4 *(V) Employees at each school whose overall*
5 *performance was determined to be highly effective, effective,*
6 *minimally effective or ineffective under the statewide performance*
7 *evaluation system.*

8 (3) For each middle school, junior high school and high
9 school:

10 (I) The number of persons employed as substitute
11 teachers for 20 consecutive days or more in the same classroom or
12 assignment, designated as long-term substitute teachers, including
13 the total number of days long-term substitute teachers were
14 employed at each school, identified by grade level and subject area;
15 and

16 (II) The number of persons employed as substitute
17 teachers for less than 20 consecutive days, designated as short-term
18 substitute teachers, including the total number of days short-term
19 substitute teachers were employed at each school, identified by
20 grade level and subject area. ~~†; and~~

21 ~~— (5)†~~ (4) For each elementary school:

22 (I) The number of persons employed as substitute
23 teachers for 20 consecutive days or more in the same classroom or
24 assignment, designated as long-term substitute teachers, including
25 the total number of days long-term substitute teachers were
26 employed at each school, identified by grade level; and

27 (II) The number of persons employed as substitute
28 teachers for less than 20 consecutive days, designated as short-term
29 substitute teachers, including the total number of days short-term
30 substitute teachers were employed at each school, identified by
31 grade level.

32 (b) Records of attendance of teachers who provide instruction,
33 for each school in the district and the district as a whole, including,
34 without limitation, each charter school sponsored by the district. The
35 records of attendance maintained by a school for purposes of this
36 paragraph must include the number of teachers who are in
37 attendance at school and the number of teachers who are absent
38 from school. A teacher shall be deemed in attendance if the teacher
39 is excused from being present in the classroom by the school in
40 which the teacher is employed for one of the following reasons:

41 (1) Acquisition of knowledge or skills relating to the
42 professional development of the teacher; or

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



1 (c) Information on the paraprofessionals employed by each
2 public school in the district, including, without limitation, each
3 charter school sponsored by the district. The information must
4 include:

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

6 ~~and~~

7 (2) The number ~~and percentage of all~~ of paraprofessionals
8 *employed at the school* who do not satisfy the ~~qualifications set~~
9 ~~forth in 20 U.S.C. § 6319(c). The reporting requirements of this~~
10 ~~subparagraph apply to paraprofessionals who are employed in~~
11 ~~positions supported with Title I money and to paraprofessionals who~~
12 ~~are not employed in positions supported with Title I money.]~~
13 *requirements prescribed by the Department to comply with 20*
14 *U.S.C. § 6311(g)(2)(M);*

15 (3) *The percentage of paraprofessionals employed by the*
16 *school district who do not satisfy the requirements prescribed by*
17 *the Department to comply with 20 U.S.C. § 6311(g)(2)(M) who are*
18 *employed at the school; and*

19 (4) *Any other information required by regulation of the*
20 *State Board.*

21 2. As used in this section ~~†~~

22 ~~(a) “Highly qualified” has the meaning ascribed to it in 20~~
23 ~~U.S.C. § 7801(23). (b) “Paraprofessional”, “paraprofessional” has~~
24 ~~the meaning ascribed to it in NRS 391.008.~~

25 **Sec. 10.** NRS 385A.270 is hereby amended to read as follows:

26 385A.270 1. The annual report of accountability prepared
27 pursuant to NRS 385A.070 must include, for each school in the
28 district and the district as a whole, including, without limitation,
29 each charter school sponsored by the district, information
30 concerning pupils who are eligible for free or reduced-price
31 breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are
32 eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§
33 1751 et seq., including, without limitation:

34 (a) The number and percentage of pupils who are eligible for
35 free or reduced-price breakfasts;

36 (b) The percentage of pupils who receive free and reduced-price
37 breakfasts;

38 (c) The number and percentage of pupils who are eligible for
39 free or reduced-price lunches;

40 (d) The percentage of pupils who receive free and reduced-price
41 lunches;

42 (e) A comparison of the achievement and proficiency of pupils,
43 reported separately by race and ethnicity, who are eligible for free or
44 reduced-price breakfasts, pupils who receive free and reduced-price
45 breakfasts, pupils who are eligible for free or reduced-price lunches,



1 pupils who receive free and reduced-price lunches and pupils who
2 are not eligible for free or reduced-price breakfasts or lunches;

3 (f) A comparison of pupils, reported separately by race and
4 ethnicity, who are eligible for free or reduced-price breakfasts,
5 pupils who receive free and reduced-price breakfasts, pupils who are
6 eligible for free or reduced-price lunches and pupils who receive
7 free and reduced-price lunches for which data is required to be
8 collected in the following areas:

- 9 (1) Retention rates;
- 10 (2) Graduation rates;
- 11 (3) Dropout rates;
- 12 (4) Grade point averages; and
- 13 (5) Scores on the examinations administered pursuant to

14 NRS 390.105 ~~and 390.600~~ and the college and career readiness
15 assessment administered pursuant to NRS 390.610.

16 2. The State Board may adopt any regulations necessary to
17 carry out the provisions of this section.

18 **Sec. 11.** NRS 385A.280 is hereby amended to read as follows:

19 385A.280 The annual report of accountability prepared
20 pursuant to NRS 385A.070 must include, for each school in the
21 district and the district as a whole, including, without limitation,
22 each charter school sponsored by the district, information regarding
23 the progression of pupils who are ~~limited~~ English ~~proficient~~
24 *learners* in attaining proficiency in the English language, including,
25 without limitation:

26 1. The number and percentage of pupils who were identified as
27 ~~limited~~ English ~~proficient~~ *learners* at the beginning of the school
28 year, were continually enrolled throughout the school year and were
29 identified as proficient in English by the completion of the school
30 year;

31 2. The achievement and proficiency of pupils who are ~~limited~~
32 English ~~proficient~~ *learners* in comparison to the pupils who are
33 proficient in English;

34 3. A comparison of pupils who are ~~limited~~ English
35 ~~proficient~~ *learners* and pupils who are proficient in the English
36 language in the following areas:

- 37 (a) Retention rates;
- 38 (b) Graduation rates;
- 39 (c) Dropout rates;
- 40 (d) Grade point averages; and
- 41 (e) Scores on the examinations administered pursuant to NRS

42 390.105 ~~and 390.600~~ and the college and career readiness
43 assessment administered pursuant to NRS 390.610; and

44 4. Results of the assessments and reassessments of pupils who
45 are ~~limited~~ English ~~proficient~~ *learners*, reported separately by



1 the primary language of the pupils, pursuant to the policy developed
2 by the board of trustees of the school district pursuant to
3 NRS 388.407.

4 **Sec. 12.** NRS 385A.410 is hereby amended to read as follows:

5 385A.410 The annual report of accountability prepared by the
6 State Board pursuant to NRS 385A.400 must include information on
7 pupil achievement and school performance, including, without
8 limitation:

9 1. Information on the achievement of all pupils based upon the
10 results of the examinations administered pursuant to NRS 390.105
11 ~~and 390.600~~ and the college and career readiness assessment
12 administered pursuant to NRS 390.610, reported for each school
13 district, including, without limitation, each charter school in the
14 district, and for this State as a whole.

15 2. Except as otherwise provided in subsection 2 of NRS
16 385A.400, pupil achievement, reported separately by gender and
17 reported separately for the groups of pupils identified in the
18 statewide system of accountability for public schools.

19 3. A comparison of the achievement of pupils in each group
20 identified in the statewide system of accountability for public
21 schools with the performance targets established for that group.

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

25 5. Except as otherwise provided in subsection 2 of NRS
26 385A.400, the percentage of pupils who were not tested, reported
27 separately by gender and reported separately for the groups
28 identified in the statewide system of accountability for public
29 schools.

30 6. The most recent 3-year trend in the achievement of pupils in
31 each subject area tested and each grade level tested pursuant to NRS
32 390.105 ~~and 390.600~~ and the college and career readiness
33 assessment administered pursuant to NRS 390.610, reported for
34 each school district, including, without limitation, each charter
35 school in the district, and for this State as a whole, which may
36 include information regarding the trend in the achievement of pupils
37 for more than 3 years, if such information is available.

38 7. The rating of each public school, including, without
39 limitation, each charter school, pursuant to the statewide system of
40 accountability for public schools.

41 8. Information on whether each public school, including,
42 without limitation, each charter school, has made progress based
43 upon the model adopted by the Department pursuant to NRS
44 390.125, if applicable for the grade level of pupils enrolled at the
45 school.



1 9. Information on the results of pupils who participated in the
2 examinations of the National Assessment of Educational Progress
3 required pursuant to NRS 390.830.

4 **Sec. 13.** NRS 385A.440 is hereby amended to read as follows:

5 385A.440 1. The annual report of accountability prepared by
6 the State Board pursuant to NRS 385A.400 must include
7 information on teachers , *other licensed personnel* and
8 paraprofessionals, including, without limitation:

9 (a) For each school district, including, without limitation, each
10 charter school in the district, and for this State as a whole,
11 information on the professional qualifications of teachers *and other*
12 *licensed educational personnel* employed by the school districts
13 and charter schools, including, without limitation:

14 (1) *The total number of:*

15 (I) *Teachers and other licensed educational personnel*
16 *employed by each school district, including, without limitation,*
17 *each charter school in the district, and for this State as a whole;*

18 (II) *Vacancies at each school district, including, without*
19 *limitation, each charter school in the district, which are not filled*
20 *by a teacher who has a contract to teach on a full-time basis, as*
21 *determined by the Commission on Professional Standards in*
22 *Education and for this State as a whole;*

23 (III) *Teachers and other licensed educational personnel*
24 *employed by each school district, including, without limitation,*
25 *each charter school in the district, who provide instruction in a*
26 *grade level or subject area for which they do not meet the*
27 *requirements for licensure or do not hold a required endorsement,*
28 *and for this State as a whole;*

29 (IV) *Teachers or other licensed educational personnel*
30 *who are inexperienced, as defined by the Commission on*
31 *Professional Standards in Education, employed by each school*
32 *district, including, without limitation, each charter school in the*
33 *district, and for this State as a whole; and*

34 (V) *Employees at each school district, including, without*
35 *limitation, each charter school in the district, whose overall*
36 *performance was determined to be highly effective, effective,*
37 *minimally effective or ineffective under the statewide performance*
38 *evaluation system, and for this State as a whole.*

39 (2) The percentage of ~~teachers~~ :

40 (I) *Teachers and other licensed educational personnel*
41 *employed in this State* who are ~~†~~

42 ~~—(I) Providing instruction pursuant to NRS 391.125;†~~
43 *employed by each school district, including, without limitation,*
44 *each charter school in the district, and for this State as a whole;*



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

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

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

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

16 ~~(4) Vacancies at each school district including, without~~
17 ~~limitation, each charter school in the district, which are not filled~~
18 ~~by a teacher who has a contract to teach on a full-time basis, as~~
19 ~~determined by the Commission on Professional Standards in~~
20 ~~Education, and for this State as a whole;~~

21 (III) *Teachers and other licensed educational personnel*
22 *employed by each school district, including, without limitation,*
23 *each charter school in the district, who provide instruction in a*
24 *grade level or subject area in which they do not meet the*
25 *requirements for licensure or do not hold a required endorsement,*
26 *and for this State as a whole;*

27 (IV) *Teachers and other licensed educational personnel*
28 *employed by each school district, including, without limitation,*
29 *each charter school in the district, who are inexperienced, as*
30 *defined by the Commission on Professional Standards in*
31 *Education, and for this State as a whole; and*

32 (V) *Employees at each school district, including, without*
33 *limitation, each charter school in the district, whose overall*
34 *performance was determined to be highly effective, effective*
35 *minimally effective or ineffective under the statewide performance*
36 *evaluation system, and for this State as a whole.*

37 (3) For each middle school, junior high school and high
38 school:

39 (I) The number of persons employed as substitute
40 teachers for 20 consecutive days or more in the same classroom or
41 assignment, designated as long-term substitute teachers, including
42 the total number of days long-term substitute teachers were
43 employed at each school, identified by grade level and subject area;
44 and



1 (II) The number of persons employed as substitute
2 teachers for less than 20 consecutive days, designated as short-term
3 substitute teachers, including the total number of days short-term
4 substitute teachers were employed at each school, identified by
5 grade level and subject area. ~~†; and~~

6 ~~— (5)†~~ (4) For each elementary school:

7 (I) The number of persons employed as substitute
8 teachers for 20 consecutive days or more in the same classroom or
9 assignment, designated as long-term substitute teachers, including
10 the total number of days long-term substitute teachers were
11 employed at each school, identified by grade level; and

12 (II) The number of persons employed as substitute
13 teachers for less than 20 consecutive days, designated as short-term
14 substitute teachers, including the total number of days short-term
15 substitute teachers were employed at each school, identified by
16 grade level.

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

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

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

26 (2) ~~†For each school district, including, without limitation,~~
27 ~~each charter school in the district, and for this State as a whole, the~~
28 ~~number and percentage of all paraprofessionals who do not satisfy~~
29 ~~the qualifications set forth in 20 U.S.C. § 6319(e). The reporting~~
30 ~~requirements of this subparagraph apply to paraprofessionals who~~
31 ~~are employed in programs supported with Title I money and to~~
32 ~~paraprofessionals who are not employed in programs supported with~~
33 ~~Title I money.†~~ *The number of paraprofessional employed by each*
34 *school district, including, without limitation, each charter school*
35 *in the district, who do not satisfy the requirements prescribed by*
36 *the Department to comply with 20 U.S.C. § 6311(g)(2)(M), and for*
37 *this State as a whole;*

38 (3) *The percentage of paraprofessionals employed by each*
39 *school district, including, without limitation, each charter school*
40 *in the district, who do not satisfy the requirements prescribed by*
41 *the Department to comply with 20 U.S.C. § 6311(g)(2)(M), and for*
42 *this State as a whole; and*

43 (4) *Any other information required by regulation of the*
44 *State Board.*

45 2. As used in this section †:



* A B 7 R 1 *

1 ~~—(a) “Highly qualified” has the meaning ascribed to it in 20~~
2 ~~U.S.C. § 7801(23).~~

3 ~~—(b) “Paraprofessional”~~, *“paraprofessional”* has the meaning
4 ascribed to it in NRS 391.008.

5 **Sec. 14.** NRS 385A.480 is hereby amended to read as follows:

6 385A.480 The annual report of accountability prepared by the
7 State Board pursuant to NRS 385A.400 must include for each
8 school district, including, without limitation, each charter school in
9 the district, and for this State as a whole, information concerning
10 pupils who are eligible for free or reduced-price breakfasts pursuant
11 to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or
12 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.,
13 including, without limitation:

14 1. The number and percentage of pupils who are eligible for
15 free or reduced-price breakfasts;

16 2. The number and percentage of pupils who receive free and
17 reduced-price breakfasts;

18 3. The number and percentage of pupils who are eligible for
19 free or reduced-price lunches;

20 4. The number and percentage of pupils who receive free and
21 reduced-price lunches;

22 5. A comparison of the achievement and proficiency of pupils,
23 reported separately by race and ethnicity, who are eligible for free or
24 reduced-price breakfasts, pupils who receive free and reduced-price
25 breakfasts, pupils who are eligible for free or reduced-price lunches,
26 pupils who receive free and reduced-price lunches and pupils who
27 are not eligible for free or reduced-price breakfasts or lunches;

28 6. A comparison of pupils, reported separately by race and
29 ethnicity, who are eligible for free or reduced-price breakfasts,
30 pupils who receive free and reduced-price breakfasts, pupils who are
31 eligible for free or reduced-price lunches and pupils who receive
32 free and reduced-price lunches for which data is required to be
33 collected in the following areas:

34 (a) Retention rates;

35 (b) Graduation rates;

36 (c) Dropout rates;

37 (d) Grade point averages; and

38 (e) Scores on the examinations administered pursuant to NRS
39 390.105 ~~and 390.600~~ and the college and career readiness
40 assessment administered pursuant to NRS 390.610.

41 **Sec. 15.** NRS 385A.490 is hereby amended to read as follows:

42 385A.490 The annual report of accountability prepared by the
43 State Board pursuant to NRS 385A.400 must include for each
44 school district, including, without limitation, each charter school in
45 the district, and for this State as a whole, information regarding the



1 progression of pupils who are ~~limited~~ English ~~proficient~~ *learners*
2 in attaining proficiency in the English language, including, without
3 limitation:

4 1. The number and percentage of pupils who were identified as
5 ~~limited~~ English ~~proficient~~ *learners* at the beginning of the school
6 year, were continually enrolled throughout the school year and were
7 identified as proficient in English by the completion of the school
8 year;

9 2. The achievement and proficiency of pupils who are ~~limited~~
10 English ~~proficient~~ *learners* in comparison to the pupils who are
11 proficient in English;

12 3. A comparison of pupils who are ~~limited~~ English
13 ~~proficient~~ *learners* and pupils who are proficient in the English
14 language in the following areas:

15 (a) Retention rates;

16 (b) Graduation rates;

17 (c) Dropout rates;

18 (d) Grade point averages; and

19 (e) Scores on the examinations administered pursuant to NRS
20 390.105 ~~and 390.600~~ and the college and career readiness
21 assessment administered pursuant to NRS 390.610; and

22 4. Results of the assessments and reassessments of pupils who
23 are ~~limited~~ English ~~proficient,~~ *learners*, reported separately by
24 the primary language of the pupils, pursuant to the policies
25 developed by the boards of trustees of school districts pursuant to
26 NRS 388.407.

27 **Sec. 16.** NRS 385A.600 is hereby amended to read as follows:

28 385A.600 1. The Department shall make every effort to
29 obtain the approval necessary from the United States Department of
30 Education to ensure that the statewide system of accountability for
31 public schools complies with all requirements for the receipt of
32 federal money under the Elementary and Secondary Education Act
33 of 1965, 20 U.S.C. §§ 6301 et seq., as amended.

34 2. The statewide system of accountability applies to all public
35 schools, regardless of Title I status, and must:

36 (a) Include a method to, on an annual basis, rate each public
37 school based upon the performance of the school and based upon
38 whether each public school meets the ~~annual—measurable~~
39 ~~objectives~~ *school achievement targets* and performance targets
40 established pursuant to the statewide system of accountability;

41 (b) Include a method to implement consequences, rewards and
42 supports for public schools based upon the ratings;

43 (c) Include a method to provide grants and other financial
44 support, to the extent that money is available from legislative
45 appropriation, to public schools receiving one of the two lowest



1 ratings of performance pursuant to the statewide system of
2 accountability for public schools; and

3 (d) Establish ~~{annual—measurable—objectives}~~ *school*
4 *achievement targets* and performance targets for public schools and
5 performance targets for specific groups of pupils, including, without
6 limitation, pupils who are economically disadvantaged, pupils from
7 major racial and ethnic groups, pupils with disabilities and pupils
8 who are ~~{limited}~~ English ~~{proficient}~~ *learners*. The ~~{annual~~
9 ~~measurable—objectives}~~ *school achievement targets* and
10 performance targets must:

11 (1) Be based primarily upon the measurement of the progress
12 and proficiency of pupils on the examinations administered pursuant
13 to NRS 390.105 ; ~~{for 390.600, as applicable;}~~ and

14 (2) For high schools, include the rate of graduation and the
15 rate of attendance.

16 3. The statewide system of accountability for public schools
17 may include a method to:

18 (a) On an annual basis, rate school districts based upon the
19 performance of the public schools within the school district and
20 whether those public schools meet the ~~{annual—measurable~~
21 ~~objectives}~~ *school achievement targets* and performance targets
22 established pursuant to the statewide system of accountability; and

23 (b) Implement consequences, rewards and supports for school
24 districts based upon the ratings.

25 **Sec. 17.** NRS 385A.610 is hereby amended to read as follows:

26 385A.610 1. The Department shall establish a monitoring
27 system for the statewide system of accountability. The monitoring
28 system must identify significant levels of achievement of pupils on
29 the examinations that are administered pursuant to NRS 390.105
30 ~~{and 390.600}~~ and the college and career readiness assessment
31 administered pursuant to NRS 390.610, identified by school and by
32 school district.

33 2. On or before October 1 of each year, the Department shall
34 prepare a written summary of the findings made pursuant to
35 subsection 1. The written summary must be provided to:

36 (a) The Committee; and

37 (b) If the findings show inconsistencies applicable to a particular
38 school district or school within a school district, the board of
39 trustees of that school district.

40 3. The Committee shall review the report submitted pursuant to
41 subsection 2 and take such action as it deems appropriate.

42 **Sec. 18.** NRS 385A.620 is hereby amended to read as follows:

43 385A.620 1. The State Board shall adopt regulations that
44 prescribe, consistent with 20 U.S.C. §§ 6301 et seq., and the



1 regulations adopted pursuant thereto, the manner in which pupils
2 enrolled in:

3 (a) A program of distance education pursuant to NRS 388.820 to
4 388.874, inclusive;

5 (b) An alternative program for the education of pupils at risk of
6 dropping out of school pursuant to NRS 388.537; or

7 (c) A program of education that:

8 (1) Primarily serves pupils with disabilities; or

9 (2) Is operated within a:

10 (I) Local, regional or state facility for the detention of
11 children;

12 (II) Juvenile forestry camp;

13 (III) Child welfare agency; or

14 (IV) Correctional institution,

15 ↪ will be included within the statewide system of accountability set
16 forth in this chapter.

17 2. The regulations adopted pursuant to subsection 1 must also
18 set forth the manner in which:

19 (a) The progress of pupils enrolled in a program of distance
20 education, an alternative program or a program of education
21 described in subsection 1 will be accounted for within the statewide
22 system of accountability; and

23 (b) The results of pupils enrolled in a program of distance
24 education, an alternative program or a program of education
25 described in subsection 1 on the examinations administered pursuant
26 to NRS 390.105 and, if applicable for the grade levels of the pupils
27 enrolled, the ~~examinations administered pursuant to NRS 390.600~~
28 ~~and the~~ college and career readiness assessment administered
29 pursuant to NRS 390.610 will be reported.

30 **Sec. 19.** NRS 385A.650 is hereby amended to read as follows:

31 385A.650 1. The principal of each school, including, without
32 limitation, each charter school, shall, in consultation with the
33 employees of the school, prepare a plan to improve the achievement
34 of the pupils enrolled in the school.

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

36 ~~—(a) A review and analysis of the data pertaining to the school~~
37 ~~upon which the report required pursuant to subsection 2 or 3 of NRS~~
38 ~~385A.070, as applicable, is based and a review and analysis of any~~
39 ~~data that is more recent than the data upon which the report is based.~~

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

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



- 1 ~~—(d) Policies and practices concerning the core academic subjects~~
2 ~~which have the greatest likelihood of ensuring that each group of~~
3 ~~pupils enrolled in the school and identified in the statewide system~~
4 ~~of accountability for public schools will meet the performance~~
5 ~~targets established for that group.~~
6 ~~—(e) Annual measurable objectives and performance targets,~~
7 ~~consistent with the annual measurable objectives and performance~~
8 ~~targets established pursuant to the statewide system of~~
9 ~~accountability for public schools, for the continuous and substantial~~
10 ~~progress by each group of pupils identified in the statewide system~~
11 ~~of accountability for public schools who are enrolled in the school to~~
12 ~~ensure that each group will meet the performance targets established~~
13 ~~for that group.~~
14 ~~—(f) Strategies and practices which:~~
15 ~~—(1) Are consistent with the policy adopted pursuant to NRS~~
16 ~~392.457 by the board of trustees of the school district in which the~~
17 ~~school is located, to promote effective involvement by parents and~~
18 ~~families of pupils enrolled in the school in the education of their~~
19 ~~children; and~~
20 ~~—(2) Are designed to improve and promote effective~~
21 ~~involvement and engagement by parents and families of pupils~~
22 ~~enrolled in the school which are consistent with the policies and~~
23 ~~recommendations of the Office of Parental Involvement and Family~~
24 ~~Engagement made pursuant to NRS 385.635.~~
25 ~~—(g) As appropriate, programs of remedial education or tutoring~~
26 ~~to be offered before and after school, during the summer, or between~~
27 ~~sessions if the school operates on a year round calendar for pupils~~
28 ~~enrolled in the school who need additional instructional time to pass~~
29 ~~or to reach a level considered proficient.~~
30 ~~—(h) Strategies to improve the academic achievement of pupils~~
31 ~~enrolled in the school, including, without limitation, strategies to:~~
32 ~~—(1) Instruct pupils who are not achieving to their fullest~~
33 ~~potential, including, without limitation:~~
34 ~~—(I) The curriculum appropriate to improve achievement;~~
35 ~~—(II) The manner by which the instruction will improve the~~
36 ~~achievement and proficiency of pupils on the examinations~~
37 ~~administered pursuant to NRS 390.105 and 390.600 and the college~~
38 ~~and career readiness assessment administered pursuant to NRS~~
39 ~~390.610; and~~
40 ~~—(III) An identification of the instruction and curriculum~~
41 ~~that is specifically designed to improve the achievement and~~
42 ~~proficiency of pupils in each group identified in the statewide~~
43 ~~system of accountability for public schools;~~
44 ~~—(2) Increase the rate of attendance of pupils and reduce the~~
45 ~~number of pupils who drop out of school;~~



- 1 ~~— (3) Integrate technology into the instructional and~~
2 ~~administrative programs of the school;~~
3 ~~— (4) Manage effectively the discipline of pupils; and~~
4 ~~— (5) Enhance the professional development offered for the~~
5 ~~teachers and administrators employed at the school to include~~
6 ~~the activities set forth in 20 U.S.C. § 7801(34) and to address the~~
7 ~~specific needs of pupils enrolled in the school, as deemed~~
8 ~~appropriate by the principal.~~
9 ~~— (i) An identification, by category, of the employees of the school~~
10 ~~who are responsible for ensuring that the plan is carried out~~
11 ~~effectively.~~
12 ~~— (j) In consultation with the school district or governing body, as~~
13 ~~applicable, an identification, by category, of the employees of the~~
14 ~~school district or governing body, if any, who are responsible for~~
15 ~~ensuring that the plan is carried out effectively or for overseeing and~~
16 ~~monitoring whether the plan is carried out effectively.~~
17 ~~— (k) In consultation with the Department, an identification, by~~
18 ~~category, of the employees of the Department, if any, who are~~
19 ~~responsible for overseeing and monitoring whether the plan is~~
20 ~~carried out effectively.~~
21 ~~— (l) For each provision of the plan, a timeline for carrying out~~
22 ~~that provision, including, without limitation, a timeline for~~
23 ~~monitoring whether the provision is carried out effectively.~~
24 ~~— (m) For each provision of the plan, measurable criteria for~~
25 ~~determining whether the provision has contributed toward~~
26 ~~improving the academic achievement of pupils, increasing the rate~~
27 ~~of attendance of pupils and reducing the number of pupils who drop~~
28 ~~out of school.~~
29 ~~— (n) The resources available to the school to carry out the plan. If~~
30 ~~this State has a financial analysis program that is designed to track~~
31 ~~educational expenditures and revenues to individual schools, each~~
32 ~~school shall use that statewide program in complying with this~~
33 ~~paragraph. If a statewide program is not available, each school shall~~
34 ~~use the financial analysis program used by the school district in~~
35 ~~which the school is located in complying with this paragraph.~~
36 ~~— (o) A summary of the effectiveness of appropriations made by~~
37 ~~the Legislature that are available to the school to improve the~~
38 ~~academic achievement of pupils and programs approved by the~~
39 ~~Legislature to improve the academic achievement of pupils.~~
40 ~~— (p) A budget of the overall cost for carrying out the plan.] :~~
41 *(a) Include any information prescribed by regulation of the*
42 *State Board; and*
43 *(b) Comply with the provisions of 20 U.S.C. § 6311(d).*
44 3. The principal of each school shall, in consultation with the
45 employees of the school:



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

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

6 4. ~~{On or before December 15 of each year, the principal of~~
7 ~~each school shall submit the plan or the revised plan, as applicable,~~
8 ~~to:~~

9 ~~—(a) If the school is a public school of the school district, the~~
10 ~~superintendent of schools of the school district.~~

11 ~~—(b) If the school is a charter school, the governing body of the~~
12 ~~charter school.~~

13 ~~—5.} On or before {January 31 of each year,} *the date prescribed*~~

14 *by the Department,* the principal of each school shall submit the
15 ~~{final}~~ plan or the ~~{final}~~ revised plan, as applicable, to the:

16 (a) Department;

17 (b) Committee;

18 (c) Bureau; and

19 (d) Board of trustees of the school district in which the school is
20 located or, if the school is a charter school, the sponsor of the
21 charter school and the governing body of the charter school.

22 ~~{6.} A plan for the improvement of a school must be carried out~~
23 ~~expeditiously, but not later than February 15 after approval of the~~
24 ~~plan pursuant to subsection 1 or 2 of NRS 385A.660, as applicable.}~~

25 **Sec. 20.** NRS 385A.670 is hereby amended to read as follows:

26 385A.670 1. On or before July 31 of each year, the
27 Department shall determine whether each public school is meeting
28 the ~~{annual measurable objectives}~~ *school achievement targets* and
29 performance targets established pursuant to the statewide system of
30 accountability for public schools.

31 2. The determination pursuant to subsection 1 for a public
32 school, including, without limitation, a charter school sponsored by
33 the board of trustees of the school district, must be made in
34 consultation with the board of trustees of the school district in which
35 the public school is located. If a charter school is sponsored by the
36 State Public Charter School Authority, the Achievement School
37 District or a college or university within the Nevada System of
38 Higher Education, the Department shall make a determination for
39 the charter school in consultation with the State Public Charter
40 School Authority, the Achievement School District or the institution
41 within the Nevada System of Higher Education that sponsors the
42 charter school, as applicable. The determination made for each
43 school must be based only upon the information and data for those
44 pupils who are enrolled in the school for a full academic year. On or
45 before July 31 of each year, the Department shall transmit:



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

4 (b) To the State Public Charter School Authority the
5 determination made for each charter school that is sponsored by the
6 State Public Charter School Authority.

7 (c) The determination made for the charter school to the
8 Achievement School District if the charter school is sponsored by
9 the Achievement School District.

10 (d) The determination made for the charter school to the
11 institution that sponsors the charter school if a charter school is
12 sponsored by a college or university within the Nevada System of
13 Higher Education.

14 3. If the number of pupils in a particular group who are
15 enrolled in a public school is insufficient to yield statistically
16 reliable information:

17 (a) The Department shall not determine that the school has
18 failed to meet the performance targets established pursuant to the
19 statewide system of accountability for public schools based solely
20 upon that particular group.

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

23 ➤ The Department shall use the mechanism approved by the United
24 States Department of Education for the statewide system of
25 accountability for public schools for determining the number of
26 pupils that must be in a group for that group to yield statistically
27 reliable information.

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

35 5. As used in this section:

36 (a) "Irregularity in testing administration" has the meaning
37 ascribed to it in NRS 390.255.

38 (b) "Irregularity in testing security" has the meaning ascribed to
39 it in NRS 390.260.

40 **Sec. 21.** NRS 385A.680 is hereby amended to read as follows:

41 385A.680 If the Department determines that a public school
42 has failed to meet the ~~{annual measurable objectives}~~ *school*
43 *achievement targets* and performance targets established pursuant to
44 the statewide system of accountability for public schools, the
45 Department or its designee shall, to the extent money is available,



1 monitor at the school the administration of the examinations that are
2 required pursuant to NRS 390.105 and ensure that all eligible pupils
3 who are in attendance on the day of the administration of the
4 examinations are given an opportunity to take the examinations.

5 **Sec. 22.** NRS 385A.730 is hereby amended to read as follows:

6 385A.730 1. The State Board shall adopt regulations that
7 prescribe an alternative performance framework to evaluate public
8 schools that are approved pursuant to NRS 385A.740. Such
9 regulations must include, without limitation, an alternative manner
10 in which to evaluate such a school and the manner in which the
11 school will be included within the statewide system of
12 accountability set forth in this chapter.

13 2. The regulations adopted pursuant to subsection 1 must also
14 set forth the manner in which:

15 (a) The progress of pupils enrolled in a public school for which
16 an alternative performance framework has been approved pursuant
17 to NRS 385A.740 will be accounted for within the statewide system
18 of accountability; and

19 (b) To report the results of pupils enrolled in such a public
20 school on the examinations administered pursuant to NRS 390.105
21 and, if applicable for the grade levels of the pupils enrolled, the
22 ~~examinations administered pursuant to NRS 390.600 and the~~
23 college and career readiness assessment administered pursuant to
24 NRS 390.610.

25 **Sec. 23.** NRS 387.121 is hereby amended to read as follows:

26 387.121 1. The Legislature declares that the proper objective
27 of state financial aid to public education is to ensure each Nevada
28 child a reasonably equal educational opportunity. Recognizing wide
29 local variations in wealth and costs per pupil, this State should
30 supplement local financial ability to whatever extent necessary in
31 each school district to provide programs of instruction in both
32 compulsory and elective subjects that offer full opportunity for
33 every Nevada child to receive the benefit of the purposes for which
34 public schools are maintained. Therefore, the quintessence of the
35 State's financial obligation for such programs can be expressed in a
36 formula partially on a per pupil basis and partially on a per program
37 basis as: State financial aid to school districts equals the difference
38 between school district basic support guarantee and local available
39 funds produced by mandatory taxes minus all the local funds
40 attributable to pupils who reside in the county but attend a charter
41 school or a university school for profoundly gifted pupils. This
42 formula is designated the Nevada Plan.

43 2. It is the intent of the Legislature, commencing with Fiscal
44 Year 2016-2017, to provide additional resources to the Nevada Plan
45 expressed as a multiplier of the basic support guarantee to meet the



1 unique needs of certain categories of pupils, including, without
2 limitation, pupils with disabilities, pupils who are ~~limited~~ English
3 ~~proficient~~ learners, pupils who are at risk and gifted and talented
4 pupils. As used in this subsection, “pupils who are at risk” means
5 pupils who are eligible for free or reduced-price lunch pursuant to
6 42 U.S.C. §§ 1751 et seq., or an alternative measure prescribed by
7 the State Board of Education.

8 **Sec. 23.5.** NRS 387.123 is hereby amended to read as follows:

9 387.123 1. The count of pupils for apportionment purposes
10 includes all pupils who are enrolled in programs of instruction of the
11 school district, including, without limitation, a program of distance
12 education provided by the school district, pupils who reside in the
13 county in which the school district is located and are enrolled in any
14 charter school, including, without limitation, a program of distance
15 education provided by a charter school, and pupils who are enrolled
16 in a university school for profoundly gifted pupils located in the
17 county, for:

18 (a) Pupils in the kindergarten department.

19 (b) Pupils in grades 1 to 12, inclusive.

20 (c) Pupils not included under paragraph (a) or (b) who are
21 receiving special education pursuant to the provisions of NRS
22 388.417 to 388.469, inclusive, and 388.5251 to 388.5267, inclusive.

23 (d) Pupils who reside in the county and are enrolled part-time in
24 a program of distance education provided pursuant to NRS 388.820
25 to 388.874, inclusive.

26 (e) Children detained in facilities for the detention of children,
27 alternative programs and juvenile forestry camps receiving
28 instruction pursuant to the provisions of NRS 388.550, 388.560 and
29 388.570.

30 (f) Pupils who are enrolled in classes pursuant to subsection 1 of
31 NRS 388A.471, pupils who are enrolled in classes pursuant to
32 subsection 1 of NRS 388A.474 and pupils who are enrolled in
33 classes pursuant to subsection 1 of NRS 388B.280 or any
34 regulations adopted pursuant to NRS 388B.060 that authorize a
35 child who is enrolled at a public school of a school district or a
36 private school or a homeschooled child to participate in a class at an
37 achievement charter school.

38 (g) Pupils who are enrolled in classes pursuant to subsection 1
39 of NRS 392.074.

40 (h) Pupils who are enrolled in classes and taking courses
41 necessary to receive a high school diploma, excluding those pupils
42 who are included in paragraphs (d), (f) and (g).

43 2. The State Board shall establish uniform regulations for
44 counting enrollment and calculating the average daily attendance of



1 pupils. ~~Has~~ *Except as otherwise provided in this subsection, in*
2 establishing such regulations for the public schools, the State Board:

3 (a) Shall divide the school year into 10 school months, each
4 containing 20 or fewer school days, or its equivalent for those public
5 schools operating under an alternative schedule authorized pursuant
6 to NRS 388.090.

7 (b) May divide the pupils in grades 1 to 12, inclusive, into
8 categories composed respectively of those enrolled in elementary
9 schools and those enrolled in secondary schools.

10 (c) Shall prohibit the counting of any pupil specified in
11 subsection 1 more than once.

12 *(d) Except as otherwise provided in this paragraph, shall*
13 *prohibit the counting of a pupil enrolled in grade 12 as a full-time*
14 *pupil if the pupil is not prepared for college and career success, as*
15 *defined by the Department. Such a pupil may be counted as a full-*
16 *time pupil if he or she is enrolled in a minimum of six courses or*
17 *the equivalent of six periods per day or the superintendent of the*
18 *school district has approved enrollment in fewer courses for good*
19 *cause.*

20 **Sec. 24.** NRS 388.157 is hereby amended to read as follows:

21 388.157 1. The board of trustees of each school district and
22 the governing body of each charter school shall prepare a plan to
23 improve the literacy of pupils enrolled in kindergarten and grades 1,
24 2 and 3. Such a plan must include, without limitation:

25 (a) A program to provide intensive instruction to pupils who
26 have been identified as deficient in the subject area of reading to
27 ensure that those pupils achieve adequate proficiency in that subject
28 area. Such a program must include, without limitation, regularly
29 scheduled reading sessions in small groups and specific instruction
30 on phonological and phonemic awareness, decoding skills and
31 reading fluency;

32 (b) Procedures for assessing a pupil's proficiency in the subject
33 area of reading using valid and reliable assessments that have been
34 approved by the State Board by regulation:

35 (1) Within the first 30 days of school after the pupil enters
36 kindergarten or upon enrollment in kindergarten if the pupil enrolls
37 after that period; and

38 (2) During grades 1, 2 and 3;

39 (c) A program to improve the proficiency in reading of pupils
40 who are ~~limited~~ English ~~proficient~~ learners; and

41 (d) Procedures for facilitating collaboration between learning
42 strategists and classroom teachers.

43 2. The board of trustees of each school district or the governing
44 body of a charter school, as applicable, shall:



1 (a) Submit its plan to the Department for approval on or before
2 the date prescribed by the Department on a form prescribed by the
3 Department; and

4 (b) Make such revisions to the plan as the Department
5 determines are necessary.

6 **Sec. 25.** NRS 388.283 is hereby amended to read as follows:

7 388.283 1. "School service" means an Internet website,
8 online service or mobile application that:

9 (a) Collects or maintains personally identifiable information
10 concerning a pupil;

11 (b) Is used primarily for educational purposes; and

12 (c) Is designed and marketed for use in public schools and is
13 used at the direction of teachers and other educational personnel.

14 2. The term does not include:

15 (a) An Internet website, online service or mobile application that
16 is designed or marketed for use by a general audience, even if the
17 school service is also marketed to public schools;

18 (b) An internal database, system or program maintained or
19 operated by a school district, charter school or university school for
20 profoundly gifted pupils;

21 (c) A school service for which a school service provider has:

22 (1) Been designated by a school district, the sponsor of a
23 charter school, the governing body of a university school for
24 profoundly gifted pupils or the Department as a school official
25 pursuant to the Family Educational Rights and Privacy Act of 1974,
26 20 U.S.C. § 1232g;

27 (2) Entered into a contract with the school district, the
28 sponsor of a charter school, the governing body of a university
29 school for profoundly gifted pupils or the Department; and

30 (3) Agreed to comply with and be subject to the provisions of
31 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
32 1232g, relating to personally identifiable information;

33 (d) Any examinations administered pursuant to NRS 390.105
34 ~~and 390.600~~ or the college and career readiness assessment
35 administered pursuant to NRS 390.610; or

36 (e) Any instructional programs purchased by a school district, a
37 charter school, the governing body of a university school for
38 profoundly gifted pupils or the Department.

39 **Sec. 26.** NRS 388.405 is hereby amended to read as follows:

40 388.405 1. The Legislature finds and declares that:

41 (a) It is the public policy of this State to provide every child
42 enrolled in a public school with high-quality instruction.

43 (b) Children who are ~~limited~~ English ~~proficient~~ *learners*
44 benefit from instruction that is designed to address the academic and
45 linguistic needs of those children.



1 (c) It is the intent of the Legislature that children who are
2 ~~limited~~ English ~~proficient~~ *learners* be provided with services and
3 instruction which is designed to address the academic needs of such
4 children so that those children attain proficiency in the English
5 language and improve their overall academic and linguistic
6 achievement and proficiency.

7 2. The State Board shall:

8 (a) Adopt regulations prescribing criteria for a policy for the
9 instruction to teach English to pupils who are ~~limited~~ English
10 ~~proficient~~ *learners* which is developed by the board of trustees of
11 each school district pursuant to NRS 388.407. The Superintendent
12 of Public Instruction shall monitor each school district's compliance
13 with the criteria prescribed by the State Board pursuant to this
14 paragraph.

15 (b) Submit all evaluations required pursuant to 20 U.S.C. §§
16 6801 et seq. and the regulations adopted pursuant thereto regarding
17 the programs for pupils who are ~~limited~~ English ~~proficient~~
18 *learners* carried out pursuant to that provision of federal law to the:

19 (1) Governor;

20 (2) Legislative Committee on Education;

21 (3) Director of the Legislative Counsel Bureau for transmittal
22 to the Senate and Assembly Standing Committees on Education;
23 and

24 (4) Board of trustees of each school district.

25 **Sec. 27.** NRS 388.407 is hereby amended to read as follows:

26 388.407 1. The board of trustees of each school district shall
27 develop a policy for the instruction to teach English to pupils who
28 are ~~limited~~ English ~~proficient~~ *learners*. The policy must be
29 designed to provide pupils enrolled in each public school located in
30 the school district who are ~~limited~~ English ~~proficient~~ *learners*
31 with instruction that enables those pupils to attain proficiency in the
32 English language and improve their overall academic achievement
33 and proficiency.

34 2. The policy developed pursuant to subsection 1 must:

35 (a) Provide for the identification of pupils who are ~~limited~~
36 English ~~proficient~~ *learners* through the use of an appropriate
37 assessment;

38 (b) Provide for the periodic reassessment of each pupil who is
39 classified as ~~limited~~ *an* English ~~proficient~~ *learner*;

40 (c) Be designed to eliminate any gaps in achievement, including,
41 without limitation, in the core academic subjects and in high school
42 graduation rates, between those pupils who are ~~limited~~ English
43 ~~proficient~~ *learners* and pupils who are proficient in English;



1 (d) Provide opportunities for the parents or legal guardians of
2 pupils who are ~~limited~~ English ~~proficient~~ *learners* to participate
3 in the program; and

4 (e) Provide the parents and legal guardians of pupils who are
5 ~~limited~~ English ~~proficient~~ *learners* with information regarding
6 other programs that are designed to improve the language
7 acquisition and academic achievement and proficiency of pupils
8 who are ~~limited~~ English ~~proficient~~ *learners* and assist those
9 parents and legal guardians in enrolling those pupils in such
10 programs.

11 **Sec. 28.** NRS 388.409 is hereby amended to read as follows:

12 388.409 1. The English Mastery Council is hereby created.
13 The English Mastery Council consists of the following 16 members:

14 (a) The Superintendent of Public Instruction, or his or her
15 designee, who serves as an ex officio member of the English
16 Mastery Council.

17 (b) Two members who have knowledge and expertise in
18 language acquisition and who represent the Nevada System of
19 Higher Education, appointed by the Chancellor of the Nevada
20 System of Higher Education.

21 (c) Two members who are teachers at public schools in this
22 State, hold a master's degree to teach English as a second language
23 and have knowledge and expertise in providing instruction to pupils
24 who are ~~limited~~ English ~~proficient~~ *learners*, appointed by the
25 Governor from a list of nominees submitted by the Nevada State
26 Education Association, or its successor organization. The Governor
27 shall ensure that the members appointed pursuant to this paragraph
28 represent the geographic and ethnic diversity of this State.

29 (d) Two members who are parents or legal guardians of pupils
30 who are ~~limited~~ English ~~proficient~~ *learners*, one of whom is
31 appointed by the Governor from a list of nominees submitted by the
32 Speaker of the Assembly and one of whom is appointed by the
33 Governor from a list of nominees submitted by the Majority Leader
34 of the Senate. The Governor shall ensure that the members
35 appointed pursuant to this paragraph represent the geographic and
36 ethnic diversity of this State. The Nevada Parent Teacher
37 Association shall submit a list of names of persons that the
38 Association would recommend for inclusion on the list of nominees
39 submitted by the Speaker of the Assembly and the Majority Leader
40 of the Senate.

41 (e) Two members who are school-level administrators, one of
42 whom is employed by a school district in a county whose population
43 is 100,000 or more and one of whom is employed by a school
44 district in a county whose population is less than 100,000, appointed



1 by the Governor from a list of nominees submitted by the Nevada
2 Association of School Administrators.

3 (f) Two members who are school-district-level administrators,
4 one of whom is employed by a school district in a county whose
5 population is 100,000 or more and one of whom is employed by a
6 school district in a county whose population is less than 100,000,
7 appointed by the Governor from a list of nominees submitted by the
8 Nevada Association of School Administrators.

9 (g) One member who is a member of a board of trustees of a
10 school district, appointed by the Governor from a list of nominees
11 submitted by the Nevada Association of School Boards.

12 (h) Two members who are representatives of the general public,
13 private business and industry in this State or nonprofit organizations
14 and who have been leaders in education reform related to pupils
15 who are ~~limited~~ English ~~proficient~~ learners, appointed by the
16 Governor.

17 (i) Two members with expertise in the development of public
18 policy relating to the education of pupils who are ~~limited~~ English
19 ~~proficient~~ learners, appointed by the Superintendent of Public
20 Instruction upon the advice and recommendation of persons who
21 have knowledge and expertise in providing instruction to pupils who
22 are ~~limited~~ English ~~proficient~~ learners.

23 2. Each appointed member of the English Mastery Council
24 serves a term of 2 years and may be reappointed to additional terms.

25 3. A vacancy on the English Mastery Council must be filled in
26 the same manner as the original appointment.

27 4. The English Mastery Council shall, at its first meeting and
28 annually thereafter, elect a Chair from among its members.

29 5. The English Mastery Council shall meet at least quarterly
30 and may meet at other times upon the call of the Chair.

31 6. Members of the English Mastery Council serve without
32 compensation, except that for each day or portion of a day during
33 which a member of the Council attends a meeting of the Council or
34 is otherwise engaged in the business of the Council, the member is
35 entitled to receive the per diem allowances and travel expenses
36 provided for state officers and employees generally.

37 7. A member of the English Mastery Council who is a public
38 employee must be granted administrative leave from the member's
39 duties to engage in the business of the Council without loss of his or
40 her regular compensation. Such leave does not reduce the amount of
41 the member's other accrued leave.

42 8. The English Mastery Council may apply for and accept gifts,
43 grants, donations and contributions from any source for the purpose
44 of carrying out its duties pursuant to NRS 388.411.



1 9. The Department shall provide administrative support to the
2 English Mastery Council.

3 **Sec. 29.** NRS 388.411 is hereby amended to read as follows:

4 388.411 The English Mastery Council created by NRS 388.409
5 shall:

6 1. Make recommendations to the State Board for the adoption
7 of regulations concerning criteria for the policies to teach English to
8 pupils who are ~~limited~~ English ~~proficient~~ *learners* that are
9 developed by the board of trustees of each school district pursuant to
10 NRS 388.407.

11 2. Review annually each policy to teach English to pupils who
12 are ~~limited~~ English ~~proficient~~ *learners* that is developed by the
13 board of trustees of each school district pursuant to NRS 388.407
14 and make recommendations for improvement to the State Board and
15 the applicable board of trustees.

16 3. Make recommendations to the Superintendent of Public
17 Instruction, the Commission on Professional Standards in Education
18 and the State Board for:

19 (a) The adoption of regulations pursuant to NRS 391.019
20 concerning the requirements for an endorsement to teach English as
21 a second language, including, without limitation, the teachers who
22 should be required to obtain the endorsement; and

23 (b) After the adoption of the regulations pursuant to paragraph
24 (a), any revisions to those regulations as deemed necessary by the
25 Council.

26 4. Develop standards and criteria for a curriculum for pupils
27 who are ~~limited~~ English ~~proficient~~ *learners* and submit those
28 standards and criteria to the State Board for consideration.

29 5. Review any course of study offered by the Nevada System
30 of Higher Education for training to teach English as a second
31 language to determine if the course of study, including, without
32 limitation, student teaching, is sufficiently rigorous to provide
33 teachers with the tools necessary to improve the English proficiency
34 and academic achievement and proficiency of pupils who are
35 ~~limited~~ English ~~proficient~~ *learners*.

36 6. Make recommendations to the Board of Regents of the
37 University of Nevada for the improvement of any course of study
38 described in subsection 5 and submit a copy of those
39 recommendations to the Governor and the State Board.

40 **Sec. 29.5.** NRS 388.593 is hereby amended to read as follows:

41 388.593 A school district, charter school and university school
42 for profoundly gifted pupils that participates in the State Seal of
43 Biliteracy Program established pursuant to NRS 388.591 must
44 award a pupil, upon graduation from high school, a high school
45 diploma with a State Seal of Biliteracy if the pupil:



1 1. Successfully completes all courses of study in English
2 language arts that are required for graduation with at least a 2.0
3 grade point average, on a 4.0 grading scale;

4 2. ~~Passes the end-of-course examinations in English language~~
5 ~~arts required pursuant to NRS 390.600;~~

6 ~~3.~~ Demonstrates proficiency in one or more languages other
7 than English:

8 (a) By passing an advanced placement examination in a world
9 language with a score of 3 or higher or passing an international
10 baccalaureate examination in a world language with a score of 4 or
11 higher; or

12 (b) By passing an examination in a world language, if the
13 examination is approved by the board of trustees of a school district
14 or the governing body of a charter school or university school for
15 profoundly gifted pupils, as applicable; and

16 ~~4.~~ 3. If the primary language of the pupil is not English,
17 demonstrates proficiency in English on an assessment designated by
18 the Department.

19 **Sec. 30.** NRS 388.874 is hereby amended to read as follows:

20 388.874 1. The State Board shall adopt regulations that
21 prescribe:

22 (a) The process for submission of an application by a person or
23 entity for inclusion of a course of distance education on the list
24 prepared by the Department pursuant to NRS 388.834 and the
25 contents of the application;

26 (b) The process for submission of an application by the board of
27 trustees of a school district, the governing body of a charter school
28 or a committee to form a charter school to provide a program of
29 distance education and the contents of the application;

30 (c) The qualifications and conditions for enrollment that a pupil
31 must satisfy to enroll in a program of distance education, consistent
32 with NRS 388.850 and any other applicable statute;

33 (d) A method for reporting to the Department the number of
34 pupils who are enrolled in a program of distance education and the
35 attendance of those pupils;

36 (e) The requirements for assessing the achievement of pupils
37 who are enrolled in a program of distance education, which must
38 include, without limitation, the administration of the examinations
39 required pursuant to NRS 390.105 and, if applicable for the grade
40 levels of the pupils enrolled, the ~~administration of the examinations~~
41 ~~pursuant to NRS 390.600 and the~~ college and career readiness
42 assessment pursuant to NRS 390.610; and

43 (f) A written description of the process pursuant to which the
44 State Board may revoke its approval for the operation of a program
45 of distance education.



* A B 7 R 1 *

1 2. The State Board may adopt regulations as it determines are
2 necessary to carry out the provisions of NRS 388.820 to 388.874,
3 inclusive.

4 **Sec. 31.** NRS 388A.045 is hereby amended to read as follows:

5 388A.045 A pupil is "at risk" if the pupil has an economic or
6 academic disadvantage such that he or she requires special services
7 and assistance to enable him or her to succeed in educational
8 programs. The term includes, without limitation, pupils who are
9 members of economically disadvantaged families, pupils who are
10 ~~limited~~ English ~~proficient~~ *learners*, pupils who are at risk of
11 dropping out of high school and pupils who do not meet minimum
12 standards of academic proficiency. The term does not include a
13 pupil with a disability.

14 **Sec. 32.** NRS 388A.159 is hereby amended to read as follows:

15 388A.159 1. The State Public Charter School Authority is
16 hereby deemed a local educational agency for the purpose of
17 directing the proportionate share of any money available from
18 federal and state categorical grant programs to charter schools which
19 are sponsored by the State Public Charter School Authority or a
20 college or university within the Nevada System of Higher Education
21 that are eligible to receive such money. A college or university
22 within the Nevada System of Higher Education that sponsors a
23 charter school shall enter into an agreement with the State Public
24 Charter School Authority for the provision of any necessary
25 functions of a local educational authority. A charter school that
26 receives money pursuant to such a grant program shall comply with
27 any applicable reporting requirements to receive the grant.

28 2. As used in this section, "local educational agency" has the
29 meaning ascribed to it in 20 U.S.C. § ~~7801(26)(A)~~ *7801(30)(A)*.

30 **Sec. 33.** NRS 388A.168 is hereby amended to read as follows:

31 388A.168 The State Public Charter School Authority shall
32 adopt regulations that prescribe:

33 1. The process for submission to the State Public Charter
34 School Authority of an application to form a charter school, and the
35 contents of such an application;

36 2. The process for submission to the State Public Charter
37 School Authority of an application to renew a charter contract, and
38 the contents of such an application;

39 3. The process for submission to the State Public Charter
40 School Authority of an amendment to a written charter or charter
41 contract pursuant to NRS 388A.276 and the contents of the
42 application; ~~and~~

43 4. The procedure for the investigation that the State Public
44 Charter School Authority will conduct of an application to form a
45 charter school, an application to renew a charter contract or an



1 application to request an amendment of a written charter or charter
2 contract, and the criteria that the State Public Charter School
3 Authority will use to evaluate such applications **H**;

4 *5. The process for evaluating the overall performance of a*
5 *teacher, which must include, without limitation, the criteria for*
6 *determining whether the overall performance of a teacher is*
7 *ineffective, minimally effective, effective or highly effective; and*

8 *6. The qualifications for employment as a paraprofessional*
9 *by a charter school.*

10 **Sec. 34.** NRS 388A.366 is hereby amended to read as follows:
11 388A.366 1. A charter school shall:

12 (a) Comply with all laws and regulations relating to
13 discrimination and civil rights.

14 (b) Remain nonsectarian, including, without limitation, in its
15 educational programs, policies for admission and employment
16 practices.

17 (c) Refrain from charging tuition or fees, except for tuition or
18 fees that the board of trustees of a school district is authorized to
19 charge, levying taxes or issuing bonds.

20 (d) Comply with any plan for desegregation ordered by a court
21 that is in effect in the school district in which the charter school is
22 located.

23 (e) Comply with the provisions of chapter 241 of NRS.

24 (f) Except as otherwise provided in this paragraph, schedule and
25 provide annually at least as many days of instruction as are required
26 of other public schools located in the same school district as the
27 charter school is located. The governing body of a charter school
28 may submit a written request to the Superintendent of Public
29 Instruction for a waiver from providing the days of instruction
30 required by this paragraph. The Superintendent of Public Instruction
31 may grant such a request if the governing body demonstrates to the
32 satisfaction of the Superintendent that:

33 (1) Extenuating circumstances exist to justify the waiver; and

34 (2) The charter school will provide at least as many hours or
35 minutes of instruction as would be provided under a program
36 consisting of 180 days.

37 (g) Cooperate with the board of trustees of the school district in
38 the administration of the examinations administered pursuant to
39 NRS 390.105 and, if the charter school enrolls pupils at a high
40 school grade level, the ~~end of course examinations administered~~
41 ~~pursuant to NRS 390.600 and the~~ college and career readiness
42 assessment administered pursuant to NRS 390.610 to the pupils who
43 are enrolled in the charter school.

44 (h) Comply with applicable statutes and regulations governing
45 the achievement and proficiency of pupils in this State.



1 (i) Provide instruction in the core academic subjects set forth in
2 subsection 1 of NRS 389.018, as applicable for the grade levels of
3 pupils who are enrolled in the charter school, and provide at least
4 the courses of study that are required of pupils by statute or
5 regulation for promotion to the next grade or graduation from a
6 public high school and require the pupils who are enrolled in the
7 charter school to take those courses of study. This paragraph does
8 not preclude a charter school from offering, or requiring the pupils
9 who are enrolled in the charter school to take, other courses of study
10 that are required by statute or regulation.

11 (j) If the parent or legal guardian of a child submits an
12 application to enroll in kindergarten, first grade or second grade at
13 the charter school, comply with NRS 392.040 regarding the ages for
14 enrollment in those grades.

15 (k) Refrain from using public money to purchase real property
16 or buildings without the approval of the sponsor.

17 (l) Hold harmless, indemnify and defend the sponsor of the
18 charter school against any claim or liability arising from an act or
19 omission by the governing body of the charter school or an
20 employee or officer of the charter school. An action at law may not
21 be maintained against the sponsor of a charter school for any cause
22 of action for which the charter school has obtained liability
23 insurance.

24 (m) Provide written notice to the parents or legal guardians of
25 pupils in grades 9 to 12, inclusive, who are enrolled in the charter
26 school of whether the charter school is accredited by the Northwest
27 Accreditation Commission.

28 (n) Adopt a final budget in accordance with the regulations
29 adopted by the Department. A charter school is not required to adopt
30 a final budget pursuant to NRS 354.598 or otherwise comply with
31 the provisions of chapter 354 of NRS.

32 (o) If the charter school provides a program of distance
33 education pursuant to NRS 388.820 to 388.874, inclusive, comply
34 with all statutes and regulations that are applicable to a program of
35 distance education for purposes of the operation of the program.

36 2. A charter school shall not provide instruction through a
37 program of distance education to children who are exempt from
38 compulsory attendance pursuant to NRS 392.070. As used in this
39 subsection, "distance education" has the meaning ascribed to it in
40 NRS 388.826.

41 **Sec. 35.** NRS 388A.405 is hereby amended to read as follows:

42 388A.405 1. To the extent money is available from
43 legislative appropriation or otherwise, a charter school may apply to
44 the Department for money for facilities if:



1 (a) The charter school has been operating in this State for at
2 least 5 consecutive years and is in good financial standing;

3 (b) Each financial audit and each performance audit of the
4 charter school required by the Department pursuant to NRS
5 388A.105 or 388A.110 contains no major notations, corrections or
6 errors concerning the charter school for at least 5 consecutive years;

7 (c) The charter school has met or exceeded the ~~{annual~~
8 ~~measurable—objectives}~~ *school achievement targets* and
9 performance targets established pursuant to the statewide system of
10 accountability for public schools or has demonstrated improvement
11 in the achievement of pupils enrolled in the charter school, as
12 indicated by those ~~{annual—measurable—objectives}~~ *school*
13 *achievement targets* and performance targets, for the majority of the
14 years of its operation; and

15 (d) At least 75 percent of the pupils enrolled in grade 12 in the
16 charter school in the immediately preceding school year have
17 satisfied the criteria prescribed by the State Board pursuant to NRS
18 390.600, if the charter school enrolls pupils at a high school grade
19 level.

20 2. A charter school that satisfies the requirements of subsection
21 1 shall submit to a performance audit as required by the Department
22 one time every 3 years. The sponsor of the charter school and the
23 Department shall not request a performance audit of the charter
24 school more frequently than every 3 years without reasonable
25 evidence of noncompliance in achieving the educational goals and
26 objectives of the charter school based upon the annual report
27 submitted to the Department pursuant to NRS 388A.351. If the
28 charter school no longer satisfies the requirements of subsection 1 or
29 if reasonable evidence of noncompliance in achieving the
30 educational goals and objectives of the charter school exists based
31 upon the annual report, the charter school shall, upon written notice
32 from the sponsor, submit to an annual performance audit.
33 Notwithstanding the provisions of paragraph (b) of subsection 1,
34 such a charter school:

35 (a) May, after undergoing the annual performance audit, reapply
36 to the sponsor to determine whether the charter school satisfies the
37 requirements of paragraphs (a), (c) and (d) of subsection 1.

38 (b) Is not eligible for any available money pursuant to
39 subsection 1 until the sponsor determines that the charter school
40 satisfies the requirements of that subsection.

41 3. A charter school that does not satisfy the requirements of
42 subsection 1 shall submit a quarterly report of the financial status of
43 the charter school if requested by the sponsor of the charter school.



1 **Sec. 36.** NRS 388A.518 is hereby amended to read as follows:
2 388A.518 1. Except as otherwise provided in this subsection,
3 at least 70 percent of the teachers who provide instruction at a
4 charter school must ~~{be highly qualified.}~~ *demonstrate experience*
5 *and qualifications through licensure or subject matter expertise.* If
6 a charter school is a vocational school, the charter school shall, to
7 the extent practicable, ensure that at least 70 percent of the teachers
8 who provide instruction at the school ~~{are highly qualified.}~~
9 *demonstrate experience and qualifications through licensure or*
10 *subject matter expertise,* but in no event may less than 50 percent of
11 the teachers who provide instruction at the school ~~{be highly~~
12 ~~qualified.}~~ *demonstrate experience and qualifications through*
13 *licensure or subject matter expertise.*

14 2. If a charter school specializes in:

15 (a) Arts and humanities, physical education or health education,
16 a teacher must ~~{be highly qualified}~~ *demonstrate experience and*
17 *qualifications through licensure or subject matter expertise* to
18 teach those courses of study.

19 (b) The construction industry or other building industry,
20 teachers must ~~{be highly qualified}~~ *demonstrate experience and*
21 *qualifications through licensure or subject matter expertise* to
22 teach courses of study relating to the industry if those teachers are
23 employed full-time.

24 (c) The construction industry or other building industry and the
25 school offers courses of study in computer education, technology or
26 business, teachers must ~~{be highly qualified}~~ *demonstrate*
27 *experience and qualifications through licensure or subject matter*
28 *expertise* to teach those courses of study if those teachers are
29 employed full-time.

30 3. ~~{A person who is initially hired by the governing body of a~~
31 ~~charter school on or after January 8, 2002, to teach in a program~~
32 ~~supported with money from Title I must be highly qualified. For the~~
33 ~~purposes of this subsection, a person is not "initially hired" if the~~
34 ~~person has been employed as a teacher by another school district or~~
35 ~~charter school in this State without an interruption in employment~~
36 ~~before the date of hire by his or her current employer.~~

37 ~~—4.}~~ A teacher who is employed by a charter school, regardless
38 of the date of hire, must ~~{, on or before July 1, 2006, be highly~~
39 ~~qualified}~~ *demonstrate experience and qualifications through*
40 *licensure or subject matter expertise* if the teacher teaches one or
41 more of the following subjects:

- 42 (a) English language arts;
- 43 (b) Mathematics;
- 44 (c) Science;
- 45 (d) A foreign or world language;



- 1 (e) Civics or government;
- 2 (f) Economics;
- 3 (g) Geography;
- 4 (h) History; or
- 5 (i) The arts.

6 ~~{5}~~ 4. Except as otherwise provided in NRS 388A.515, a
7 charter school may employ a person who ~~is not highly qualified~~
8 *does not demonstrate experience and qualifications through*
9 *licensure or subject matter expertise* to teach a course of study for
10 which a teacher is not required to ~~be highly qualified~~ *demonstrate*
11 *such experience and qualifications* if the person has:

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

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

15 ~~{6}~~ 5. A teacher who is employed by a charter school to teach
16 special education or English as a second language must be licensed
17 to teach special education or English as a second language, as
18 applicable.

19 ~~{7}~~ 6. For purposes of this section, a teacher ~~is highly~~
20 ~~qualified~~ *demonstrates experience and qualifications through*
21 *licensure or subject matter expertise:*

22 (a) If *the teacher is* employed by a charter school that has not
23 received, within the immediately preceding 2 consecutive school
24 years, one of the three highest ratings of performance pursuant to
25 the statewide system of accountability for public schools, or
26 equivalent ratings in another state, as determined by the Department,
27 ~~{f}~~ *and the : {teacher}*

28 (1) ~~{Meets the qualifications prescribed in 20 U.S.C. §~~
29 ~~7801(23)(B) or (C), as applicable}~~ *Overall performance of the*
30 *teacher has been reported as effective or highly effective, in*
31 *accordance with the regulations adopted by the State Public*
32 *Charter School Authority;* and

33 (2) ~~{s}~~ *Teacher is* licensed to teach pursuant to chapter 391
34 of NRS.

35 (b) If *the teacher is* employed by a charter school that has
36 received, within the immediately preceding 2 consecutive school
37 years, one of the three highest ratings of performance pursuant to
38 the statewide system of accountability for public schools, or
39 equivalent ratings in another state, as determined by the Department,
40 ~~{f}~~ *and the {teacher meets the qualifications prescribed in 20 U.S.C.*
41 ~~§ 7801(23)(B) or (C), as applicable}~~ *overall performance of the*
42 *teacher has been reported as effective or highly effective, in*
43 *accordance with the regulations adopted by the State Public*
44 *Charter School Authority,* regardless of whether the teacher is
45 licensed to teach pursuant to chapter 391 of NRS.



1 ~~18.1~~ 7. If a charter school that has received within the
2 immediately preceding 2 consecutive school years, one of the three
3 highest ratings of performance pursuant to the statewide system of
4 accountability for public schools, or equivalent ratings in another
5 state, as determined by the Department, intends to employ persons
6 to teach who are not licensed, the charter school shall within 3
7 years:

8 (a) Obtain approval for and offer an alternative route to
9 licensure pursuant to NRS 391.019; or

10 (b) Enter into an agreement with a qualified provider of an
11 alternative route to licensure to provide the required education and
12 training to unlicensed teachers who are employed by the school to
13 teach such a course of study.

14 **Sec. 37.** NRS 388A.527 is hereby amended to read as follows:

15 388A.527 1. ~~1. A person who is initially hired as a~~
16 ~~paraprofessional by a charter school after January 8, 2002, to work~~
17 ~~in a program supported with Title I money must possess the~~
18 ~~qualifications required by 20 U.S.C. § 6319(e).~~

19 ~~2. A person who is employed as a paraprofessional by a~~
20 ~~charter school [, regardless of the date of hire,] to work in a program~~
21 ~~supported with Title I money must possess [, on or before January 8,~~
22 ~~2006,] the qualifications [required by 20 U.S.C. § 6319(e).~~

23 ~~3. For the purposes of this section, a person is not "initially~~
24 ~~hired" if the person has been employed as a paraprofessional by~~
25 ~~another school district, achievement charter school or charter school~~
26 ~~in this State without an interruption in employment before the date~~
27 ~~of hire by his or her current employer.~~

28 ~~4. prescribed by the State Public Charter School Authority.~~

29 2. As used in this section, "paraprofessional" has the meaning
30 ascribed to it in NRS 391.008.

31 **Sec. 38.** NRS 388B.240 is hereby amended to read as follows:

32 388B.240 1. Each achievement charter school is hereby
33 deemed a local educational agency for the purpose of receiving any
34 money available from federal and state categorical grant programs.
35 An achievement charter school that receives money pursuant to such
36 a grant program shall comply with any applicable reporting
37 requirements to receive the grant.

38 2. If an achievement charter school is eligible to receive special
39 education program units, the Department must pay the special
40 education program units directly to the achievement charter school.

41 3. As used in this section, "local educational agency" has the
42 meaning ascribed to it in 20 U.S.C. § ~~7801(26)(A).~~ 7801(30)(A).



1 **Sec. 39.** NRS 388B.270 is hereby amended to read as follows:

2 388B.270 1. To the extent money is available from
3 legislative appropriation or otherwise, an achievement charter
4 school may apply to the Department for money for facilities if:

5 (a) The achievement charter school has been operating in this
6 State for at least 5 consecutive years and is in good financial
7 standing;

8 (b) The Executive Director has determined that the finances of
9 the achievement charter school are being managed in a prudent
10 manner;

11 (c) The achievement charter school has met or exceeded the
12 ~~annual measurable objectives~~ *school achievement targets* and
13 performance targets established pursuant to the statewide system of
14 accountability for public schools or has demonstrated improvement
15 in the achievement of pupils enrolled in the achievement charter
16 school, as indicated by those ~~annual measurable objectives~~ *school*
17 *achievement targets* and performance targets, for the majority of the
18 years of its operation;

19 (d) At least 75 percent of the pupils enrolled in grade 12 in the
20 achievement charter school in the immediately preceding school
21 year have satisfied the criteria prescribed by the State Board
22 pursuant to NRS 390.600, if the achievement charter school enrolls
23 pupils at a high school grade level; and

24 (e) The achievement charter school meets the requirements
25 prescribed by regulation of the Department.

26 2. An achievement charter school that does not satisfy the
27 requirements of subsection 1 shall submit a quarterly report of the
28 financial status of the achievement charter school if requested by
29 the Executive Director.

30 **Sec. 40.** NRS 388G.120 is hereby amended to read as follows:

31 388G.120 1. Each empowerment plan for a school must:

32 (a) Set forth the manner by which the school will be governed;

33 (b) Set forth the proposed budget for the school, including,
34 without limitation, the cost of carrying out the empowerment plan,
35 and the manner by which the money apportioned to the school will
36 be administered;

37 (c) Prescribe the academic plan for the school, including,
38 without limitation, the manner by which courses of study will be
39 provided to the pupils enrolled in the school and any special
40 programs that will be offered for pupils;

41 (d) Prescribe the manner by which the achievement of pupils
42 will be measured and reported for the school, including, without
43 limitation, the results of the pupils on the examinations administered
44 pursuant to NRS 390.105 and, if applicable for the grade levels of
45 the empowerment school, the ~~end-of-course examinations~~



1 ~~administered pursuant to NRS 390.600 and the~~ college and career
2 readiness assessment administered pursuant to NRS 390.610;

3 (e) Prescribe the manner by which teachers and other licensed
4 educational personnel will be selected and hired for the school,
5 which must be determined and negotiated pursuant to chapter 288 of
6 NRS;

7 (f) Prescribe the manner by which all other staff for the school
8 will be selected and hired, which must be determined and negotiated
9 pursuant to chapter 288 of NRS;

10 (g) Indicate whether the empowerment plan will offer an
11 incentive pay structure for staff and a description of that pay
12 structure, if applicable;

13 (h) Indicate the intended ratio of pupils to teachers at the school,
14 designated by grade level, which must comply with NRS 388.700 or
15 388.720, as applicable;

16 (i) Provide a description of the professional development that
17 will be offered to the teachers and other licensed educational
18 personnel employed at the school;

19 (j) Prescribe the manner by which the empowerment plan will
20 increase the involvement of parents and legal guardians of pupils
21 enrolled in the school;

22 (k) Comply with the plan to improve the achievement of the
23 pupils enrolled in the school prepared pursuant to NRS 385A.650;

24 (l) Address the specific educational needs and concerns of the
25 pupils who are enrolled in the school; and

26 (m) Set forth the calendar and schedule for the school.

27 2. If the empowerment plan includes an incentive pay structure,
28 that pay structure must:

29 (a) Provide an incentive for all staff employed at the school;

30 (b) Set forth the standards that must be achieved by the pupils
31 enrolled in the school and any other measurable objectives that must
32 be met to be eligible for incentive pay; and

33 (c) Be in addition to the salary or hourly rate of pay negotiated
34 pursuant to chapter 288 of NRS that is otherwise payable to the
35 employee.

36 3. An empowerment plan may:

37 (a) Request a waiver from a statute contained in this title or a
38 regulation of the State Board or the Department.

39 (b) Identify the services of the school district which the school
40 wishes to receive, including, without limitation, professional
41 development, transportation, food services and discretionary
42 services. Upon approval of the empowerment plan, the school
43 district may deduct from the total apportionment to the
44 empowerment school the costs of such services.



1 4. For purposes of determining the budget pursuant to
2 paragraph (b) of subsection 1, if a public school which converts to
3 an empowerment school is a:

4 (a) Charter school, the amount of the budget is the amount equal
5 to the apportionments and allowances from the State Distributive
6 School Account pursuant to NRS 387.121 to 387.1245, inclusive,
7 and its proportionate share of any other money available from
8 federal, state or local sources that the school or the pupils enrolled in
9 the school are eligible to receive.

10 (b) Public school, other than a charter school, the empowerment
11 team for the school shall have discretion of 90 percent of the amount
12 of money from the state financial aid and local funds that the school
13 district apportions for the school, without regard to any line-item
14 specifications or specific uses determined advisable by the school
15 district, unless the empowerment team determines that a lesser
16 amount is necessary to carry out the empowerment plan.

17 **Sec. 41.** NRS 388G.210 is hereby amended to read as follows:

18 388G.210 1. Except as otherwise provided pursuant to a
19 waiver granted in accordance with NRS 388G.130 or 388G.140,
20 each empowerment school, each person employed by an
21 empowerment school and each pupil enrolled in an empowerment
22 school shall comply with the applicable requirements of state law,
23 including, without limitation, the standards of content and
24 performance prescribed pursuant to NRS 389.520 and the
25 examinations that are administered pursuant to NRS 390.105 ~~and~~
26 ~~390.600~~ and the college and career readiness assessment
27 administered pursuant to NRS 390.610.

28 2. Each empowerment school may accept gifts, grants and
29 donations from any source for the support of its empowerment plan.
30 A person who gives a gift, grant or donation may designate all or
31 part of the gift, grant or donation specifically to carry out the
32 incentive pay structure of the school, if applicable.

33 **Sec. 41.2.** Chapter 390 of NRS is hereby amended by adding
34 thereto the provisions set forth as sections 41.3, 41.5 and 41.7 of this
35 act.

36 **Sec. 41.3. 1. *The State Board shall adopt regulations that***
37 ***prescribe the:***

38 ***(a) Courses of study for which an end-of-course final must be***
39 ***administered; and***

40 ***(b) Amount, expressed as a percentage of the pupil's overall***
41 ***grade in the course of study or other weight, that the end-of-***
42 ***course final must comprise when determining the overall grade of***
43 ***a pupil in the course for which the end-of-course final is***
44 ***administered.***



1 2. *The State Board may adopt regulations that prescribe the*
2 *minimum score a pupil must attain on an end-of-course final to*
3 *receive credit for the course of study for which the end-of-course*
4 *examination is administered.*

5 **Sec. 41.5.** *1. A pupil who satisfies the criteria established*
6 *by the State Board by regulation may graduate with a pathway*
7 *high school diploma. A pathway high school diploma confers all*
8 *the same rights, privileges and benefits as a standard high school*
9 *diploma.*

10 2. *The State Board shall adopt regulations that prescribe the*
11 *criteria for a pupil to receive a pathway high school diploma,*
12 *which must include, without limitation, a requirement that the*
13 *pupil:*

14 (a) *Satisfy the criteria for receipt of a standard high school*
15 *diploma prescribed by the State Board pursuant to NRS 390.600*
16 *and any other criteria established by law; and*

17 (b) *Obtain an endorsement described in subsection 3.*

18 3. *The State Board shall adopt regulations prescribing the*
19 *criteria for a pupil to obtain:*

20 (a) *A college-ready endorsement that reflects that the pupil has*
21 *completed certain coursework or obtained experience that makes*
22 *the pupil qualified for and prepared to succeed in college without*
23 *the need for remediation.*

24 (b) *A career-ready endorsement that reflects that the pupil has*
25 *completed certain coursework or obtained certain experience that*
26 *makes the pupil qualified for and prepared to succeed in*
27 *postsecondary job training or education in high-demand*
28 *occupations.*

29 4. *The regulations adopted pursuant to subsection 3 must*
30 *include, without limitation:*

31 (a) *The number of credits and courses of study that must*
32 *be completed for each endorsement prescribed pursuant to*
33 *subsection 3.*

34 (b) *Any assessment a pupil must pass for each endorsement*
35 *prescribed pursuant to subsection 3.*

36 (c) *Any credential, certificate or certification a pupil must*
37 *obtain for each endorsement prescribed pursuant to subsection 3.*

38 5. *Any assessment, credential, certificate or certification*
39 *required for an endorsement must:*

40 (a) *Be established so that it is recognized and valued by*
41 *industries and postsecondary educational institutions; and*

42 (b) *Require demonstration of a mastery of tasks aligned to the*
43 *demands of industries and postsecondary educational institutions.*

44 6. *The State Board shall annually review and, if necessary,*
45 *revise the regulations adopted pursuant to subsection 4.*



1 7. *To the extent that money is available for this purpose, the*
2 *State Board shall adopt regulations to provide:*

3 (a) *Incentive grants to be awarded to public high schools for*
4 *each pupil at the school who earns a pathway high school*
5 *diploma.*

6 (b) *Reimbursement to a public high school or school district*
7 *for any costs associated with the administration or provision of an*
8 *assessment, credential, certificate or certification required for*
9 *receipt of a pathway high school diploma.*

10 **Sec. 41.7.** *To the extent money is available, the Department*
11 *shall conduct a public awareness campaign to inform pupils*
12 *enrolled in public schools, the parents or guardian of pupils*
13 *enrolled in public schools, persons involved in business and*
14 *industry in this State and members of the general public of:*

15 1. *The types of diplomas a pupil may receive upon graduation*
16 *from high school and the types of endorsements a pupil may*
17 *receive on a diploma, if applicable; and*

18 2. *The criteria to earn each type of diploma and endorsement.*

19 **Sec. 42.** NRS 390.015 is hereby amended to read as follows:

20 390.015 The board of trustees of each school district shall
21 maintain on its Internet website, and shall post in a timely manner,
22 all pertinent information concerning the examinations and
23 assessments available to children who reside in the school district,
24 including, without limitation, the dates and times of, and contact
25 information concerning, such examinations and assessments. The
26 examinations and assessments posted must include, without
27 limitation:

28 1. The college and career readiness assessment administered
29 pursuant to NRS 390.610.

30 2. ~~The examinations required pursuant to NRS 390.600.~~

31 ~~—3—~~ All other college entrance examinations offered in this
32 State, including, without limitation, the Scholastic Aptitude Test, the
33 American College Test, the Preliminary Scholastic Aptitude Test
34 and the National Merit Scholarship Qualifying Test.

35 **Sec. 43.** NRS 390.105 is hereby amended to read as follows:

36 390.105 1. The State Board shall, in consultation with the
37 Council to Establish Academic Standards for Public Schools,
38 prescribe examinations that comply with 20 U.S.C. § ~~6311(b)(3)~~
39 ~~6311(b)(2)~~ and that measure the achievement and proficiency of
40 pupils:

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

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



1 (c) For grades 9, 10, 11 and 12, in the standards of content
2 established by the Council for the subjects required to comply with
3 20 U.S.C. § ~~6311(b)(3)~~ 6311(b)(2).

4 ➤ The examinations prescribed pursuant to this subsection must be
5 written, developed, printed and scored by a nationally recognized
6 testing company.

7 2. In addition to the examinations prescribed pursuant to
8 subsection 1, the State Board shall, in consultation with the Council
9 to Establish Academic Standards for Public Schools, prescribe a
10 writing examination for grades 5 and 8.

11 3. The State Board shall prescribe:

12 (a) The minimum number of school days that must take place
13 before the examinations prescribed by the State Board pursuant to
14 subsection 1 may be administered to pupils; and

15 (b) The period during which the examinations prescribed by the
16 State Board pursuant to subsection 1 must be administered.

17 4. The board of trustees of each school district and the
18 governing body of each charter school shall administer the
19 examinations prescribed by the State Board at such times as
20 prescribed by the State Board pursuant to subsection 3. The
21 examinations must be:

22 (a) Administered in each school in accordance with uniform
23 procedures adopted by the State Board. The Department shall
24 monitor the school districts and individual schools to ensure
25 compliance with the uniform procedures.

26 (b) Administered in each school in accordance with the plan
27 adopted pursuant to NRS 390.270 by the Department and with the
28 plan adopted pursuant to NRS 390.275 by the board of trustees of
29 the school district in which the examinations are administered. The
30 Department shall monitor the compliance of school districts and
31 individual schools with:

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

33 (2) The plan adopted by the board of trustees of the
34 applicable school district, to the extent that the plan adopted by the
35 board of trustees of the school district is consistent with the plan
36 adopted by the Department.

37 **Sec. 44.** NRS 390.255 is hereby amended to read as follows:

38 390.255 "Irregularity in testing administration" means the
39 failure to administer an examination to pupils pursuant to NRS
40 390.105 ~~for 390.600~~ or the college and career readiness assessment
41 pursuant to NRS 390.610 in the manner intended by the person or
42 entity that created the examination or assessment.

43 **Sec. 45.** NRS 390.260 is hereby amended to read as follows:

44 390.260 "Irregularity in testing security" means an act or
45 omission that tends to corrupt or impair the security of an



1 examination administered to pupils pursuant to NRS 390.105 ~~for~~
2 ~~390.600~~ or the college and career readiness assessment
3 administered pursuant to NRS 390.610, including, without
4 limitation:

5 1. The failure to comply with security procedures adopted
6 pursuant to NRS 390.270 or 390.275;

7 2. The disclosure of questions or answers to questions on an
8 examination or assessment in a manner not otherwise approved by
9 law; and

10 3. Other breaches in the security or confidentiality of the
11 questions or answers to questions on an examination or assessment.

12 **Sec. 46.** NRS 390.270 is hereby amended to read as follows:

13 390.270 1. The Department shall, by regulation or otherwise,
14 adopt and enforce a plan setting forth procedures to ensure the
15 security of examinations that are administered to pupils pursuant to
16 NRS 390.105 ~~and 390.600~~ and the college and career readiness
17 assessment administered pursuant to NRS 390.610.

18 2. A plan adopted pursuant to subsection 1 must include,
19 without limitation:

20 (a) Procedures pursuant to which pupils, school officials and
21 other persons may, and are encouraged to, report irregularities in
22 testing administration and testing security.

23 (b) Procedures necessary to ensure the security of test materials
24 and the consistency of testing administration.

25 (c) Procedures that specifically set forth the action that must be
26 taken in response to a report of an irregularity in testing
27 administration or testing security and the actions that must be taken
28 during an investigation of such an irregularity. For each action that
29 is required, the procedures must identify:

30 (1) By category, the employees of the school district,
31 Achievement School District, charter school or Department, or any
32 combination thereof, who are responsible for taking the action; and

33 (2) Whether the school district, Achievement School District,
34 charter school or Department, or any combination thereof, is
35 responsible for ensuring that the action is carried out successfully.

36 (d) Objective criteria that set forth the conditions under which a
37 school, including, without limitation, a charter school or a school
38 district, or both, is required to file a plan for corrective action in
39 response to an irregularity in testing administration or testing
40 security for the purposes of NRS 390.295.

41 3. A copy of the plan adopted pursuant to this section and the
42 procedures set forth therein must be submitted on or before
43 September 1 of each year to:

44 (a) The State Board; and



1 (b) The Legislative Committee on Education, created pursuant
2 to NRS 218E.605.

3 **Sec. 47.** NRS 390.275 is hereby amended to read as follows:

4 390.275 1. The board of trustees of each school district shall,
5 for each public school in the district, including, without limitation,
6 charter schools, adopt and enforce a plan setting forth procedures to
7 ensure the security of examinations and assessments.

8 2. A plan adopted pursuant to subsection 1 must include,
9 without limitation:

10 (a) Procedures pursuant to which pupils, school officials and
11 other persons may, and are encouraged to, report irregularities in
12 testing administration and testing security.

13 (b) Procedures necessary to ensure the security of test materials
14 and the consistency of testing administration.

15 (c) With respect to secondary schools, procedures pursuant to
16 which the school district or charter school, as appropriate, will
17 verify the identity of pupils taking an examination or assessment.

18 (d) Procedures that specifically set forth the action that must be
19 taken in response to a report of an irregularity in testing
20 administration or testing security and the action that must be taken
21 during an investigation of such an irregularity. For each action that
22 is required, the procedures must identify, by category, the
23 employees of the school district or charter school who are
24 responsible for taking the action and for ensuring that the action is
25 carried out successfully.

26 ↪ The procedures adopted pursuant to this subsection must be
27 consistent, to the extent applicable, with the procedures adopted by
28 the Department pursuant to NRS 390.270.

29 3. A copy of each plan adopted pursuant to this section and the
30 procedures set forth therein must be submitted on or before
31 September 1 of each year to:

32 (a) The State Board; and

33 (b) The Legislative Committee on Education, created pursuant
34 to NRS 218E.605.

35 4. On or before September 30 of each school year, the board of
36 trustees of each school district and the governing body of each
37 charter school shall provide a written notice regarding the
38 examinations and assessments to all teachers and educational
39 personnel employed by the school district or governing body, all
40 personnel employed by the school district or governing body who
41 are involved in the administration of the examinations and
42 assessments, all pupils who are required to take the examinations or
43 assessments and all parents and legal guardians of such pupils. The
44 written notice must be prepared in a format that is easily understood
45 and must include, without limitation, a description of the:



- 1 (a) Plan adopted pursuant to this section; and
- 2 (b) Action that may be taken against personnel and pupils for
- 3 violations of the plan or for other irregularities in testing
- 4 administration or testing security.

5 5. As used in this section:

6 (a) "Assessment" means the college and career readiness

7 assessment administered to pupils enrolled in grade 11 pursuant to

8 NRS 390.610.

9 (b) "Examination" means:

10 (1) The examinations that are administered to pupils pursuant

11 to NRS 390.105 ; ~~for 390.600;~~ and

12 (2) Any other examinations which measure the achievement

13 and proficiency of pupils and which are administered to pupils on a

14 district-wide basis.

15 (c) "Irregularity in testing administration" means the failure to

16 administer an examination or assessment in the manner intended by

17 the person or entity that created the examination or assessment.

18 (d) "Irregularity in testing security" means an act or omission

19 that tends to corrupt or impair the security of an examination or

20 assessment, including, without limitation:

21 (1) The failure to comply with security procedures adopted

22 pursuant to this section or NRS 390.270;

23 (2) The disclosure of questions or answers to questions on an

24 examination or assessment in a manner not otherwise approved by

25 law; and

26 (3) Other breaches in the security or confidentiality of the

27 questions or answers to questions on an examination or assessment.

28 **Sec. 48.** NRS 390.280 is hereby amended to read as follows:

29 390.280 1. If the Department:

30 (a) Has reason to believe that a violation of the plan adopted

31 pursuant to NRS 390.270 may have occurred;

32 (b) Has reason to believe that a violation of the plan adopted

33 pursuant to NRS 390.275 may have occurred with respect to an

34 examination that is administered pursuant to NRS 390.105 ~~for~~

35 ~~390.600~~ or the college and career readiness assessment

36 administered pursuant to NRS 390.610; or

37 (c) Receives a request pursuant to subparagraph (2) of paragraph

38 (b) of subsection 1 of NRS 390.285 to investigate a potential

39 violation of the plan adopted pursuant to NRS 390.275 with respect

40 to an examination that is administered pursuant to NRS 390.105 ~~for~~

41 ~~390.600~~ or the college and career readiness assessment

42 administered pursuant to NRS 390.610,

43 ➔ the Department shall investigate the matter as it deems

44 appropriate.



1 2. If the Department investigates a matter pursuant to
2 subsection 1, the Department may issue a subpoena to compel the
3 attendance or testimony of a witness or the production of any
4 relevant materials, including, without limitation, books, papers,
5 documents, records, photographs, recordings, reports and tangible
6 objects.

7 3. If a witness refuses to attend, testify or produce materials as
8 required by the subpoena, the Department may report to the district
9 court by petition, setting forth that:

10 (a) Due notice has been given of the time and place of
11 attendance or testimony of the witness or the production of
12 materials;

13 (b) The witness has been subpoenaed by the Department
14 pursuant to this section; and

15 (c) The witness has failed or refused to attend, testify or produce
16 materials before the Department as required by the subpoena, or has
17 refused to answer questions propounded to him or her,

18 and asking for an order of the court compelling the witness to
19 attend, testify or produce materials before the Department.

20 4. Upon receipt of such a petition, the court shall enter an order
21 directing the witness to appear before the court at a time and place
22 to be fixed by the court in its order, the time to be not more than 10
23 days after the date of the order, and then and there show cause
24 why the witness has not attended, testified or produced materials
25 before the Department. A certified copy of the order must be served
26 upon the witness.

27 5. If it appears to the court that the subpoena was regularly
28 issued by the Department, the court shall enter an order that the
29 witness appear before the Department at a time and place fixed in
30 the order and testify or produce materials, and that upon failure to
31 obey the order the witness must be dealt with as for contempt of
32 court.

33 **Sec. 49.** NRS 390.285 is hereby amended to read as follows:

34 390.285 1. If a school official has reason to believe that a
35 violation of the plan adopted pursuant to NRS 390.275 may have
36 occurred, the school official shall immediately report the incident to
37 the board of trustees of the school district. If the board of trustees of
38 a school district has reason to believe that a violation of the plan
39 adopted pursuant to NRS 390.275 may have occurred, the board of
40 trustees shall:

41 (a) If the violation is with respect to an examination
42 administered pursuant to NRS 390.105 ~~for 390.600~~ or the college
43 and career readiness assessment administered pursuant to NRS
44 390.610, immediately report the incident to the Department orally or



1 in writing followed by a comprehensive written report within 14
2 school days after the incident occurred; and

3 (b) Cause to be commenced an investigation of the incident. The
4 board of trustees may carry out the requirements of this paragraph
5 by:

6 (1) Investigating the incident as it deems appropriate,
7 including, without limitation, using the powers of subpoena set forth
8 in this section.

9 (2) With respect to an examination that is administered
10 pursuant to NRS 390.105 ~~for 390.600~~ or the college and career
11 readiness assessment administered pursuant to NRS 390.610,
12 requesting that the Department investigate the incident pursuant to
13 NRS 390.280.

14 ➤ The fact that a board of trustees elects initially to carry out its
15 own investigation pursuant to subparagraph (1) of paragraph (b)
16 does not affect the ability of the board of trustees to request, at any
17 time, that the Department investigate the incident as authorized
18 pursuant to subparagraph (2) of paragraph (b).

19 2. Except as otherwise provided in this subsection, if the board
20 of trustees of a school district proceeds in accordance with
21 subparagraph (1) of paragraph (b) of subsection 1, the board of
22 trustees may issue a subpoena to compel the attendance or testimony
23 of a witness or the production of any relevant materials, including,
24 without limitation, books, papers, documents, records, photographs,
25 recordings, reports and tangible objects. A board of trustees shall
26 not issue a subpoena to compel the attendance or testimony of a
27 witness or the production of materials unless the attendance,
28 testimony or production sought to be compelled is related directly to
29 a violation or an alleged violation of the plan adopted pursuant to
30 NRS 390.275.

31 3. If a witness refuses to attend, testify or produce materials as
32 required by the subpoena, the board of trustees may report to the
33 district court by petition, setting forth that:

34 (a) Due notice has been given of the time and place of
35 attendance or testimony of the witness or the production of
36 materials;

37 (b) The witness has been subpoenaed by the board of trustees
38 pursuant to this section; and

39 (c) The witness has failed or refused to attend, testify or produce
40 materials before the board of trustees as required by the subpoena,
41 or has refused to answer questions propounded to him or her,

42 ➤ and asking for an order of the court compelling the witness to
43 attend, testify or produce materials before the board of trustees.

44 4. Upon receipt of such a petition, the court shall enter an order
45 directing the witness to appear before the court at a time and place



1 to be fixed by the court in its order, the time to be not more than 10
2 days after the date of the order, and then and there show cause why
3 the witness has not attended, testified or produced materials before
4 the board of trustees. A certified copy of the order must be served
5 upon the witness.

6 5. If it appears to the court that the subpoena was regularly
7 issued by the board of trustees, the court shall enter an order that the
8 witness appear before the board of trustees at a time and place fixed
9 in the order and testify or produce materials, and that upon failure to
10 obey the order the witness must be dealt with as for contempt of
11 court.

12 **Sec. 50.** NRS 390.300 is hereby amended to read as follows:

13 390.300 1. The Department shall establish a program of
14 education and training regarding the administration and security of
15 the examinations administered pursuant to NRS 390.105 ~~for~~
16 ~~390.600~~ and the college and career readiness assessment
17 administered pursuant to NRS 390.610. Upon approval of the
18 Department, the board of trustees of a school district or the
19 governing body of a charter school may establish an expanded
20 program of education and training that includes additional education
21 and training if the expanded program complies with the program
22 established by the Department.

23 2. The board of trustees of each school district and the
24 governing body of each charter school shall ensure that:

25 (a) All the teachers and other educational personnel who provide
26 instruction to pupils enrolled in a grade level that is required to be
27 tested pursuant to NRS 390.105, 390.600 or 390.610, and all other
28 personnel who are involved with the administration of the
29 examinations that are administered pursuant to NRS 390.105 ~~for~~
30 ~~390.600~~ or the college and career readiness assessment
31 administered pursuant to NRS 390.610, receive, on an annual basis,
32 the program of education and training established by the Department
33 or the expanded program, if applicable; and

34 (b) The training and education is otherwise available for all
35 personnel who are not required to receive the training and education
36 pursuant to paragraph (a).

37 **Sec. 51.** (Deleted by amendment.)

38 **Sec. 51.5.** NRS 390.360 is hereby amended to read as follows:

39 390.360 "Examination" means:

40 1. The examinations that are administered to pupils pursuant to
41 NRS 390.105 ; ~~for 390.600;~~ and

42 2. Any other examinations which measure the achievement and
43 proficiency of pupils and which are administered to pupils on a
44 district-wide basis.



1 **Sec. 52.** NRS 390.600 is hereby amended to read as follows:

2 390.600 1. A pupil with a disability who does not satisfy the
3 requirements for receipt of a standard high school diploma may
4 receive a diploma designated as an adjusted diploma if the pupil
5 satisfies the requirements set forth in his or her individualized
6 education program. As used in this subsection, "individualized
7 education program" has the meaning ascribed to it in 20 U.S.C. §
8 1414(d)(1)(A).

9 2. The State Board shall adopt regulations that prescribe the ~~f-~~
10 ~~—(a) Criteria~~ *criteria* for a pupil to receive a standard high school
11 diploma, which must include, without limitation, the requirement
12 that:

13 ~~{(1) Commencing with the 2014-2015 school year and each~~
14 ~~school year thereafter, a}~~

15 (a) A pupil enrolled in grade 11 take the college and career
16 readiness assessment administered pursuant to NRS 390.610; *and*

17 ~~{(2)}~~ (b) Commencing with the ~~{2014-2015 school year}~~
18 *graduating class of 2022* and each ~~{school year thereafter,}~~
19 *graduating class thereafter,* a pupil ~~{enroll in the courses}~~
20 *successfully complete a course* of study designed to prepare the
21 pupil for graduation from high school and for readiness for college
22 and career. ~~f- and~~

23 ~~—(3) Commencing with the 2014-2015 school year and each~~
24 ~~school year thereafter, a pupil pass at least four end-of course~~
25 ~~examinations prescribed pursuant to paragraph (b):~~

26 ~~—(b) Courses of study in which pupils must pass the end-of~~
27 ~~course examinations required by subparagraph (3) of paragraph (a);~~
28 ~~which must include, without limitation, the subject areas for which~~
29 ~~the State Board has adopted the common core standards and which~~
30 ~~may include any other courses of study prescribed by the State~~
31 ~~Board.~~

32 ~~—(c) The maximum number of times, if any, that a pupil is~~
33 ~~allowed to take the end-of course examinations if the pupil fails to~~
34 ~~pass the examinations after the first administration.}~~

35 3. The criteria prescribed by the State Board pursuant to
36 subsection 2 for a pupil to receive a standard high school diploma
37 must not include the results of the pupil on the college and career
38 readiness assessment administered to the pupil in grade 11 pursuant
39 to NRS 390.610.

40 4. If a pupil does not satisfy the requirements prescribed by the
41 State Board to receive a standard high school diploma, the pupil
42 must not be issued a certificate of attendance or any other document
43 indicating that the pupil attended high school but did not satisfy the
44 requirements for such a diploma. The provisions of this subsection



1 do not apply to a pupil who receives an adjusted diploma pursuant
2 to subsection 1.

3 **Sec. 53.** NRS 390.610 is hereby amended to read as follows:

4 390.610 1. The State Board shall select a college and career
5 readiness assessment for administration ~~[, commencing with the~~
6 ~~2014-2015 school year and each school year thereafter.]~~ to pupils
7 who are enrolled in grade 11 in public high schools.

8 2. Except as otherwise provided in this subsection, a pupil must
9 take the college and career readiness assessment to receive a
10 standard high school diploma . ~~[The results of a pupil on the~~
11 ~~assessment must not be used in the determination of whether the~~
12 ~~pupil satisfies the requirements for receipt of a standard high school~~
13 ~~diploma.]~~ A pupil with a disability may, in accordance with his or
14 her individualized education program, be exempt from the
15 requirement to take the college and career readiness assessment.

16 3. *The results of a pupil on the college and career readiness*
17 *assessment:*

18 *(a) Must not be used in the determination of whether the pupil*
19 *satisfies the requirements for receipt of standard high school*
20 *diploma.*

21 *(b) May be used in the determination of whether the pupil*
22 *satisfies the requirements for receipt of a pathway high school*
23 *diploma.*

24 4. The assessment selected pursuant to subsection 1 must be:

25 (a) Administered at the same time during the school year by the
26 board of trustees of each school district to pupils enrolled in grade
27 11 in all public high schools of the school district and by the
28 governing body of each charter school that enrolls pupils in grade
29 11, as prescribed by the State Board, and in accordance with
30 uniform procedures adopted by the State Board. The Department
31 shall monitor the compliance of the school districts and individual
32 schools with the uniform procedures and report to the State Board
33 any instance of noncompliance.

34 (b) Administered in accordance with the plan adopted by the
35 Department pursuant to NRS 390.270 and with the plan adopted by
36 the board of trustees of the school district in which the assessment is
37 administered pursuant to NRS 390.275. The Department shall
38 monitor the compliance of the school districts and individual
39 schools with:

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

41 (2) The plan adopted by the board of trustees of the
42 applicable school district, to the extent that the plan adopted by the
43 board of trustees of the school district is consistent with the plan
44 adopted by the Department,



1 ↪ and shall report to the State Board any instance of
2 noncompliance.

3 ~~4.1~~ 5. The assessment selected pursuant to subsection 1 must:

4 (a) Be used to provide data and information to each pupil who
5 takes the assessment in a manner that allows the pupil to review the
6 areas of his or her academic strengths and weaknesses, including,
7 without limitation, areas where additional work in the subject areas
8 tested on the assessment is necessary to prepare for college and
9 career success without the need for remediation; and

10 (b) Allow teachers and other educational personnel to use the
11 results of a pupil on the assessment to provide appropriate
12 interventions for the pupil to prepare for college and career success.

13 ~~5.1~~ 6. *The State Board shall adopt regulations prescribing*
14 *the manner in which the results of a college and career readiness*
15 *assessment selected pursuant to subsection 1 must be used by a*
16 *school district or charter school that operates as a high school to*
17 *inform the instruction provided to pupils enrolled in grade 12,*
18 *including, without limitation, to determine whether to provide*
19 *remediation in areas of academic weakness and acceleration in*
20 *areas of academic strength.*

21 7. The State Board may work in consultation with the boards of
22 trustees of school districts and, if a charter school enrolls pupils at a
23 high school grade level, the governing body of the charter school to
24 develop and implement appropriate plans of remediation for pupils
25 based upon the results of the pupils on the assessment.

26 **Sec. 54.** NRS 390.620 is hereby amended to read as follows:

27 390.620 1. The Department shall develop an informational
28 pamphlet concerning the ~~end of course examinations required~~
29 ~~pursuant to NRS 390.600 and the~~ college and career readiness
30 assessment administered pursuant to NRS 390.610 for pupils who
31 are enrolled in junior high, middle school and high school, and their
32 parents and legal guardians. The pamphlet must include a written
33 explanation of the:

34 (a) Importance of ~~passing the end of course examinations and~~
35 ~~the importance of~~ taking the college and career readiness
36 assessment;

37 (b) ~~Courses of study for which the end of course examinations~~
38 ~~are administered and the subject~~ *Subject* areas tested on the college
39 and career readiness assessment; *and*

40 (c) Format for the ~~end of course examinations and the~~ college
41 and career readiness assessment, including, without limitation, the
42 range of items that ~~are~~ *is* contained on ~~the examinations and~~
43 the assessment. ~~and~~



1 ~~—(d) Maximum number of times, if any, that a pupil is allowed to~~
2 ~~take the end-of-course examinations if the pupil fails to pass the~~
3 ~~examinations after the first administration.]~~

4 2. The Department shall review the pamphlet on an annual
5 basis and make such revisions to the pamphlet as it considers
6 necessary to ensure that pupils and their parents or legal guardians
7 fully understand the ~~end-of-course examinations and the~~ college
8 and career readiness assessment.

9 3. On or before September 1, the Department shall:

10 (a) Provide an electronic copy of the pamphlet or revised
11 pamphlet to the board of trustees of each school district and the
12 governing body of each charter school that includes pupils enrolled
13 in a junior high, middle school or high school grade level; and

14 (b) Post a copy of the pamphlet or revised pamphlet on the
15 Internet website maintained by the Department.

16 4. The board of trustees of each school district shall provide a
17 copy of the pamphlet to each junior high, middle school or high
18 school within the school district for posting. The governing body of
19 each charter school shall ensure that a copy of the pamphlet is
20 posted at the charter school. Each principal of a junior high, middle
21 school, high school or charter school shall ensure that the teachers,
22 counselors and administrators employed at the school fully
23 understand the contents of the pamphlet.

24 5. On or before October 1, the:

25 (a) Board of trustees of each school district shall provide a copy
26 of the pamphlet to each pupil who is enrolled in a junior high,
27 middle school or high school of the school district and to the parents
28 or legal guardians of such a pupil.

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

33 **Sec. 55.** NRS 390.810 is hereby amended to read as follows:

34 390.810 1. The board of trustees of each school district and
35 the governing body of each charter school shall ensure that each
36 pupil who is ~~limited~~ *an* English ~~proficient~~ *learner* and is enrolled
37 in the school district or charter school, as applicable, participates in
38 the achievement and proficiency examinations administered
39 pursuant to this chapter. The State Board shall prescribe reasonable
40 modifications and accommodations that must be used in the
41 administration of an examination to a pupil who is ~~limited~~ *an*
42 English ~~proficient~~ *learner* and who is unable to take an
43 examination under regular testing conditions. The results of each
44 pupil who is ~~limited~~ *an* English ~~proficient~~ *learner* and who takes
45 an examination with modifications and accommodations must be



1 reported and included within the determination of whether the
2 school has met the ~~{annual measurable objectives}~~ *school*
3 *achievement targets* and performance targets established pursuant to
4 the statewide system of accountability for public schools.

5 2. The board of trustees of a school district and the governing
6 body of a charter school shall administer to a pupil who is ~~limited~~
7 ~~English proficient~~ *an English learner*:

8 (a) To the extent practicable, examinations in mathematics and
9 science required by subsection 1 in the language most likely to yield
10 accurate and reliable information on what the pupil knows.

11 (b) To the extent practicable, examinations in reading required
12 by subsection 1 in the language most likely to yield accurate and
13 reliable information on what the pupil knows if the pupil has
14 attended public schools in the United States for less than 3
15 consecutive years.

16 (c) If the pupil has attended public schools in the United States
17 for 3 consecutive years but less than 5 consecutive years:

18 (1) Examinations in reading required by subsection 1 in the
19 English language; or

20 (2) Examinations in reading required by subsection 1 in the
21 language most likely to yield accurate and reliable information on
22 what the pupil knows if the board of trustees or the governing body,
23 as applicable, determines that the pupil has not reached a level of
24 English proficiency sufficient to yield valid and reliable information
25 on what the pupil knows. The board of trustees or the governing
26 body of a charter school, as applicable, may grant exceptions for a
27 particular pupil pursuant to this subparagraph, on a case-by-case
28 basis, for a period not longer than 2 consecutive years.

29 (d) If the pupil has attended public schools in the United States
30 for 5 consecutive years or more, examinations in reading required
31 by subsection 1 in the English language.

32 3. The State Board shall prescribe an assessment of proficiency
33 in the English language for pupils who are ~~limited~~ English
34 ~~proficient~~ *learners* to measure oral language skills, comprehension
35 skills, reading skills and writing skills. The board of trustees of each
36 school district and the governing body of each charter school shall
37 administer the assessment annually at the time prescribed by the
38 State Board. A pupil who takes the assessment prescribed pursuant
39 to this subsection is not exempt from the achievement and
40 proficiency examinations administered pursuant to this chapter.

41 **Sec. 56.** NRS 390.820 is hereby amended to read as follows:

42 390.820 1. If a pupil with a disability is unable to take an
43 examination administered pursuant to NRS 390.105 ~~for 390.600~~
44 under regular testing conditions, the pupil may take the examination
45 with modifications and accommodations that the pupil's



1 individualized education program team determines, in consultation
2 with the Department and in accordance with the Individuals with
3 Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., and the ~~No~~
4 ~~Child Left Behind Act of 2001,~~ *Every Student Succeeds Act of*
5 *2015*, 20 U.S.C. §§ 6301 et seq., are necessary to measure the
6 progress of the pupil. If modifications or accommodations are made
7 in the administration of an examination for a pupil with a disability,
8 the modifications or accommodations must be set forth in the
9 pupil's individualized education program. The results of each pupil
10 with a disability who takes an examination with modifications or
11 accommodations must be reported and must be included in the
12 determination of whether the school has met the ~~annual measurable~~
13 ~~objectives~~ *school achievement targets* and performance targets
14 established pursuant to the statewide system of accountability for
15 public schools.

16 2. The State Board shall prescribe an alternate examination for
17 administration to a pupil with a disability if the pupil's
18 individualized education program team determines, in consultation
19 with the Department, that the pupil cannot participate in all or a
20 portion of an examination administered pursuant to NRS 390.105
21 ~~for 390.600~~ even with modifications and accommodations.

22 3. The State Board shall prescribe, in accordance with the
23 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
24 seq., and the ~~No Child Left Behind Act of 2001,~~ *Every Student*
25 *Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq., the modifications
26 and accommodations that must be used in the administration of an
27 examination to a pupil with a disability who is unable to take the
28 examination under regular testing conditions.

29 4. As used in this section:

30 (a) "Individualized education program" has the meaning
31 ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

32 (b) "Individualized education program team" has the meaning
33 ascribed to it in 20 U.S.C. § 1414(d)(1)(B).

34 **Sec. 56.5.** NRS 390.830 is hereby amended to read as follows:

35 390.830 1. The State Board shall:

36 (a) In accordance with guidelines established by the National
37 Assessment Governing Board and National Center for Education
38 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
39 regulations adopted pursuant thereto, adopt regulations requiring the
40 schools of this State that are selected by the National Assessment
41 Governing Board or the National Center for Education Statistics to
42 participate in the examinations of the National Assessment of
43 Educational Progress.

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

45 (1) Governor;



1 (2) Board of trustees of each school district of this State;
2 (3) Legislative Committee on Education created pursuant to
3 NRS 218E.605; and

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

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

9 (1) The results of pupils throughout this country who
10 participated in the examinations of the National Assessment of
11 Educational Progress; and

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

14 2. If the report required by subsection 1 indicates that the
15 percentage of pupils enrolled in the public schools in this State who
16 are proficient on the National Assessment of Educational Progress
17 differs by more than 10 percent of the pupils who are proficient on
18 the examinations administered pursuant to NRS 390.105 , ~~and the~~
19 ~~examinations administered pursuant to NRS 390.600,]~~ the
20 Department shall prepare a written report describing the
21 discrepancy. The report must include, without limitation, a
22 comparison and evaluation of:

23 (a) The standards of content and performance for English
24 language arts and mathematics established pursuant to NRS 389.520
25 with the standards for English language arts and mathematics that
26 are tested on the National Assessment.

27 (b) The standards for proficiency established for the National
28 Assessment with the standards for proficiency established for the
29 examinations that are administered pursuant to NRS 390.105 . ~~and~~
30 ~~the examinations administered pursuant to NRS 390.600.]~~

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

33 (a) Governor;

34 (b) Legislative Committee on Education;

35 (c) Legislative Bureau of Educational Accountability and
36 Program Evaluation; and

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

38 4. The Council to Establish Academic Standards for Public
39 Schools shall review and evaluate the report provided to the Council
40 pursuant to subsection 3 to identify any discrepancies in the
41 standards of content and performance established by the Council
42 that require revision and a timeline for carrying out the revision, if
43 necessary. The Council shall submit a written report of its review
44 and evaluation to the Legislative Committee on Education and



1 Legislative Bureau of Educational Accountability and Program
2 Evaluation.

3 **Sec. 57.** NRS 390.840 is hereby amended to read as follows:
4 390.840 If the Department enters into a contract with a person
5 or entity to score the results of an examination that is administered
6 to pupils pursuant to NRS 390.105 ~~for 390.600~~ or the college and
7 career readiness assessment administered pursuant to NRS 390.610,
8 and the contract sets forth penalties or sanctions in the event that the
9 person or entity fails to deliver the scored results to a school district
10 or charter school on a timely basis, the Department shall ensure that
11 any such penalties or sanctions are fully enforced.

12 **Sec. 58.** NRS 391.008 is hereby amended to read as follows:
13 391.008 1. "Paraprofessional" means a person who is
14 employed by and assigned by a school district or charter school to:
15 (a) Provide one-on-one tutoring for a pupil;
16 (b) Assist with the management of a classroom, including,
17 without limitation, organizing instructional materials;
18 (c) Provide assistance in a computer laboratory;
19 (d) Conduct parental involvement activities in conjunction with
20 one or more duties set forth in this subsection;
21 (e) Provide support in a library or media center;
22 (f) Except as otherwise provided in subsection 2, provide
23 services as a translator; or
24 (g) Provide instructional services to pupils under the direct
25 supervision of a licensed teacher.

26 2. The term "paraprofessional" does not include a person who:
27 (a) Is proficient in the English language and a language other
28 than English and who provides services as a translator primarily to
29 enhance the participation of children in programs that are financially
30 supported pursuant to the ~~No Child Left Behind Act of 2001,~~
31 *Every Student Succeeds Act of 2015*, 20 U.S.C. §§ 6301 et seq.
32 (b) Solely conducts parental involvement activities.

33 **Sec. 59.** NRS 391.094 is hereby amended to read as follows:
34 391.094 The State Board shall prescribe by regulation at least
35 one examination for those paraprofessionals who desire to satisfy
36 the requirements ~~of 20 U.S.C. § 6319(e) by passing an examination~~
37 ~~prescribed by this State.~~ *prescribed by the Department to comply*
38 *with 20 U.S.C. § 6311(g)(2)(M).* The regulations must include the
39 passing score required to demonstrate satisfaction of ~~the~~ *those*
40 requirements. ~~of 20 U.S.C. § 6319(e).~~

41 **Sec. 60.** NRS 391.098 is hereby amended to read as follows:
42 391.098 1. If a pupil enrolled in a Title I school or a school
43 that is rated as underperforming pursuant to the statewide system of
44 accountability for public schools:



1 (a) Is assigned to a teacher, as the pupil's regular classroom
2 teacher, who is not ~~highly qualified;~~ *licensed to teach pursuant to*
3 *chapter 391 of NRS or who does not hold an endorsement to teach*
4 *in the subject area in which he or she is teaching;* or

5 (b) Has been taught for 4 consecutive weeks or more by a
6 teacher who is not the pupil's regular classroom teacher and who is
7 not ~~highly qualified;~~ *licensed to teach pursuant to chapter 391 of*
8 *NRS or who does not hold an endorsement to teach in the subject*
9 *area in which he or she is teaching,*

10 → the principal of the school or the administrative head of the
11 charter school, as applicable, shall provide notice of that fact to the
12 parent or legal guardian of the pupil.

13 2. The State Board shall prescribe the date on which the notice
14 required by subsection 1 must be provided. The notice must be
15 provided in a uniform and understandable format and, to the extent
16 practicable, in a language that parents and guardians can understand.

17 ~~3.—As used in this section, “highly qualified” has the meaning~~
18 ~~ascribed to it in 20 U.S.C. § 7801(23).]~~

19 **Sec. 61.** NRS 391.100 is hereby amended to read as follows:

20 391.100 1. The board of trustees of a school district may
21 employ a superintendent of schools, teachers and all other necessary
22 employees.

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

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

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

43 ~~—4.]~~ The board of trustees of a school district:

44 (a) May employ teacher aides and other auxiliary,
45 nonprofessional personnel to assist licensed personnel in the



1 instruction or supervision of children, either in the classroom or at
2 any other place in the school or on the grounds thereof. ~~{A person~~
3 ~~who is initially hired as a paraprofessional by a school district on or~~
4 ~~after January 8, 2002, to work in a program supported with Title I~~
5 ~~money must possess the qualifications required by 20 U.S.C. §~~
6 ~~6319(c).}~~ A person who is employed as a paraprofessional by a
7 school district ~~{, regardless of the date of hire,}~~ to work in a program
8 supported with Title I money must possess ~~{, on or before January 8,~~
9 ~~2006, the qualifications required by 20 U.S.C. § 6319(c). For the~~
10 ~~purposes of this paragraph, a person is not “initially hired” if he or~~
11 ~~she has been employed as a paraprofessional by another school~~
12 ~~district or charter school in this State without an interruption in~~
13 ~~employment before the date of hire}~~ *the requirements prescribed* by
14 the ~~{person’s current employer.}~~ *State Board pursuant to*
15 *NRS 391.094.*

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

18 **Sec. 62.** NRS 391.125 is hereby amended to read as follows:

19 391.125 1. If the board of trustees of a school district
20 determines that a shortage of teachers exists within the school
21 district in a particular subject area, the board of trustees may , *on or*
22 *before September 1 of the school year for which such a*
23 *determination is made,* submit a written request to the
24 Superintendent of Public Instruction to employ persons who are
25 licensed teachers but who do not hold an endorsement to teach in
26 the subject area for which there is a shortage of teachers at a public
27 school within the school district . ~~{that is not rated as~~
28 ~~underperforming pursuant to the statewide system of accountability~~
29 ~~for public schools.}~~ The Superintendent of Public Instruction may
30 grant such a request if the Superintendent determines that a shortage
31 of teachers exists in the subject area. If the Superintendent of Public
32 Instruction grants a request pursuant to this subsection, a person
33 who holds a license to teach but not an endorsement in the subject
34 area for which the request was granted may be employed by the
35 school district for not more than ~~{2}~~ *3* school years to teach in that
36 subject area at a public school within the school district . ~~{that is not~~
37 ~~rated as underperforming pursuant to the statewide system of~~
38 ~~accountability for public schools.}~~

39 2. If the Superintendent of Public Instruction grants a request
40 pursuant to subsection 1, the Superintendent shall submit a written
41 report to the Commission *and the State Board* that includes the
42 name of the school district for which the request was granted and
43 the subject area for which the request was granted. Upon receipt of
44 such a report, the Commission *and the State Board* shall consider



1 whether to adopt revisions to the requirements for an endorsement
2 in that subject area to address the shortage of teachers.

3 **Sec. 63.** NRS 391.170 is hereby amended to read as follows:

4 391.170 1. Except as otherwise provided in subsection 2, a
5 teacher or other employee for whom a license is required is not
6 entitled to receive any portion of public money for schools as
7 compensation for services rendered unless he or she:

8 (a) Is legally employed by the board of trustees of the school
9 district or the governing body of the charter school in which he or
10 she is teaching or performing other educational functions.

11 (b) Has a license authorizing him or her to teach or perform
12 other educational functions at the level and, except as otherwise
13 provided in NRS 391.125, in the field for which he or she is
14 employed, issued in accordance with law and in full force at the
15 time the services are rendered.

16 2. The provisions of subsection 1 do not prohibit the payment
17 of public money to teachers or other employees who are employed
18 by a charter school who are not required to ~~be highly qualified~~
19 *demonstrate experience and qualifications through licensure or*
20 *subject matter expertise* pursuant to the provisions of
21 NRS 388A.518.

22 ~~3. As used in this section, "highly qualified" has the meaning~~
23 ~~ascribed to it in 20 U.S.C. § 7801.~~

24 **Sec. 64.** NRS 391.273 is hereby amended to read as follows:

25 391.273 1. Except as otherwise provided in this section and
26 except for persons who are supervised pursuant to NRS 391.096, the
27 unlicensed personnel of a school district must be directly supervised
28 by licensed personnel in all duties which are instructional in nature.
29 To the extent practicable, the direct supervision must be such that
30 the unlicensed personnel are in the immediate location of the
31 licensed personnel and are readily available during such times when
32 supervision is required.

33 2. Unlicensed personnel who are exempted pursuant to
34 subsection 4, 5 or 6 must be under administrative supervision when
35 performing any duties which are instructional in nature.

36 3. Unlicensed personnel may temporarily perform duties under
37 administrative supervision which are not primarily instructional in
38 nature.

39 4. Except as otherwise provided in subsection 7, upon
40 application by a superintendent of schools, the Superintendent of
41 Public Instruction may grant an exemption from the provisions of
42 subsection 1 pursuant to subsection 5 or 6.

43 5. Except as otherwise provided in subsection 6, the
44 Superintendent shall not grant an exemption from the provisions of
45 subsection 1 unless:



- 1 (a) The duties are within the employee's special expertise or
2 training;
- 3 (b) The duties relate to the humanities or an elective course of
4 study, or are supplemental to the basic curriculum of a school;
- 5 (c) The performance of the duties does not result in the
6 replacement of a licensed employee or prevent the employment of a
7 licensed person willing to perform those duties;
- 8 (d) The secondary or combined school in which the duties will
9 be performed has less than 100 pupils enrolled and is at least 30
10 miles from a school in which the duties are performed by licensed
11 personnel; and
- 12 (e) The unlicensed employee submits his or her fingerprints for
13 an investigation pursuant to NRS 391.033.
- 14 6. Upon application by a superintendent of schools, the
15 Superintendent of Public Instruction may grant an exemption from
16 the provisions of subsection 1 if:
- 17 (a) The duties of the unlicensed employee relate to the
18 supervision of pupils attending a course of distance education
19 provided pursuant to NRS 388.820 to 388.874, inclusive, while the
20 pupils are receiving instruction from a licensed employee remotely
21 through any electronic means of communication; and
- 22 (b) The unlicensed employee submits his or her fingerprints for
23 an investigation pursuant to NRS 391.033.
- 24 7. The exemption authorized by subsection 4, 5 or 6 does not
25 apply to a paraprofessional if the ~~provisions of 20 U.S.C. § 6319~~
26 ~~and the regulations adopted~~ *requirements prescribed by the State*
27 *Board pursuant thereto to NRS 391.094* require the
28 paraprofessional to be directly supervised by a licensed teacher.
- 29 8. The Superintendent of Public Instruction shall file a record
30 of all exempt personnel with the clerk of the board of trustees of
31 each local school district, and advise the clerk of any changes
32 therein. The record must contain:
- 33 (a) The name of the exempt employee;
- 34 (b) The specific instructional duties the exempt employee may
35 perform;
- 36 (c) Any terms or conditions of the exemption deemed
37 appropriate by the Superintendent of Public Instruction; and
- 38 (d) The date the exemption expires or a statement that the
39 exemption is valid as long as the employee remains in the same
40 position at the same school.
- 41 9. The Superintendent of Public Instruction may adopt
42 regulations prescribing the procedure to apply for an exemption
43 pursuant to this section and the criteria for the granting of such
44 exemptions.



1 10. Except in an emergency, it is unlawful for the board of
2 trustees of a school district to allow a person employed as a
3 teacher's aide to serve as a teacher unless the person is a legally
4 qualified teacher licensed by the Superintendent of Public
5 Instruction. As used in this subsection, "emergency" means an
6 unforeseen circumstance which requires immediate action and
7 includes the fact that a licensed teacher or substitute teacher is not
8 immediately available.

9 11. If the Superintendent of Public Instruction determines that
10 the board of trustees of a school district has violated the provisions
11 of subsection 10, the Superintendent shall take such actions as are
12 necessary to reduce the amount of money received by the district
13 pursuant to NRS 387.124 by an amount equal to the product when
14 the following numbers are multiplied together:

15 (a) The number of days on which the violation occurred;

16 (b) The number of pupils in the classroom taught by the
17 teacher's aide; and

18 (c) The number of dollars of basic support apportioned to the
19 district per pupil per day pursuant to NRS 387.1223.

20 12. Except as otherwise provided in this subsection, a person
21 employed as a teacher's aide or paraprofessional may monitor pupils
22 in a computer laboratory without being directly supervised by
23 licensed personnel. The provisions of this subsection do not apply to
24 a paraprofessional if the ~~provisions of 20 U.S.C. § 6319 and the~~
25 ~~regulations adopted~~ *requirements prescribed by the State Board*
26 pursuant ~~thereto~~ *to NRS 391.094* require the paraprofessional to be
27 directly supervised by a licensed teacher.

28 13. The provisions of this section do not apply to unlicensed
29 personnel who are employed by the governing body of a charter
30 school, unless a paraprofessional employed by the governing body
31 is required to be directly supervised by a licensed teacher pursuant
32 to the ~~provisions of 20 U.S.C. § 6319 and the regulations adopted~~
33 *requirements prescribed by the State Board* pursuant ~~thereto~~ *to*
34 *NRS 391.094.*

35 **Sec. 65.** NRS 391.330 is hereby amended to read as follows:

36 391.330 The State Board may suspend or revoke the license of
37 any teacher, administrator or other licensed employee, after notice
38 and an opportunity for hearing have been provided pursuant to NRS
39 391.322 and 391.323, for:

- 40 1. Immoral or unprofessional conduct.
- 41 2. Evident unfitness for service.
- 42 3. Physical or mental incapacity which renders the teacher,
43 administrator or other licensed employee unfit for service.
- 44 4. Conviction of a felony or crime involving moral turpitude.



1 5. Conviction of a sex offense under NRS 200.366, 200.368,
2 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil
3 enrolled in a school of a county school district was the victim.

4 6. Knowingly advocating the overthrow of the Federal
5 Government or of the State of Nevada by force, violence or
6 unlawful means.

7 7. Persistent defiance of or refusal to obey the regulations of
8 the State Board, the Commission or the Superintendent of Public
9 Instruction, defining and governing the duties of teachers,
10 administrators and other licensed employees.

11 8. Breaches in the security or confidentiality of the questions
12 and answers of the examinations that are administered pursuant to
13 NRS 390.105 ~~for 390.600~~ and the college and career readiness
14 assessment administered pursuant to NRS 390.610.

15 9. Intentional failure to observe and carry out the requirements
16 of a plan to ensure the security of examinations and assessments
17 adopted pursuant to NRS 390.270 or 390.275.

18 10. An intentional violation of NRS 388.497 or 388.499.

19 11. Knowingly and willfully failing to comply with the
20 provisions of NRS 388.1351.

21 **Sec. 65.5.** NRS 391.460 is hereby amended to read as follows:

22 391.460 1. The Council shall:

23 (a) Make recommendations to the State Board concerning the
24 adoption of regulations for establishing a statewide performance
25 evaluation system to ensure that teachers, administrators who
26 provide primarily administrative services at the school level and
27 administrators at the district level who provide direct supervision of
28 the principal of a school, and who do not provide primarily direct
29 instructional services to pupils, regardless of whether licensed as a
30 teacher or administrator, including, without limitation, a principal
31 and vice principal are:

32 (1) Evaluated using multiple, fair, timely, rigorous and valid
33 methods, which includes evaluations based upon pupil achievement
34 data as required by NRS 391.465;

35 (2) Afforded a meaningful opportunity to improve their
36 effectiveness through professional development that is linked to
37 their evaluations; and

38 (3) Provided with the means to share effective educational
39 methods with other teachers and administrators throughout this
40 State.

41 (b) Develop and recommend to the State Board a plan, including
42 duties and associated costs, for the development and implementation
43 of the performance evaluation system by the Department and school
44 districts.



1 (c) Consider the role of professional standards for teachers and
2 administrators to which paragraph (a) applies and, as it determines
3 appropriate, develop a plan for recommending the adoption of such
4 standards by the State Board.

5 (d) Develop and recommend to the State Board a process for
6 peer ~~evaluations~~ *observations* of teachers by qualified educational
7 personnel which is designed to provide assistance to teachers in
8 meeting the standards of effective teaching, and includes, without
9 limitation, conducting observations, participating in conferences
10 before and after observations of the teacher and providing
11 information and resources to the teacher about strategies for
12 effective teaching.

13 2. The performance evaluation system recommended by the
14 Council must ensure that:

15 (a) Data derived from the evaluations is used to create
16 professional development programs that enhance the effectiveness
17 of teachers and administrators; and

18 (b) A timeline is included for monitoring the performance
19 evaluation system at least annually for quality, reliability, validity,
20 fairness, consistency and objectivity.

21 3. The Council may establish such working groups, task forces
22 and similar entities from within or outside its membership as
23 necessary to address specific issues or otherwise to assist in its
24 work.

25 4. The State Board shall consider the recommendations made
26 by the Council pursuant to this section and shall adopt regulations
27 establishing a statewide performance evaluation system as required
28 by NRS 391.465.

29 **Sec. 66.** NRS 391.465 is hereby amended to read as follows:

30 391.465 1. The State Board shall, based upon the
31 recommendations of the Teachers and Leaders Council of Nevada
32 submitted pursuant to NRS 391.460, adopt regulations establishing a
33 statewide performance evaluation system which incorporates
34 multiple measures of an employee's performance. Except as
35 otherwise provided in subsection 4, the State Board shall prescribe
36 the tools to be used by a school district for obtaining such measures.

37 2. The statewide performance evaluation system must:

38 (a) Require that an employee's overall performance is
39 determined to be:

- 40 (1) Highly effective;
- 41 (2) Effective;
- 42 (3) Minimally effective; or
- 43 (4) Ineffective.

44 (b) Include the criteria for making each designation identified in
45 paragraph (a).



1 (c) Except as otherwise provided in subsections 2 and 3 of NRS
2 391.695 and subsections 2 and 3 of NRS 391.715, require that pupil
3 achievement data account for at least 40 percent of the evaluation.

4 (d) Except as otherwise provided in subsection 3, prescribe the
5 pupil achievement data that must be used as part of the evaluation
6 system pursuant to paragraph (c) which must require that:

7 (1) Pupil achievement data derived from statewide
8 examinations and assessments must account for at least 20 percent
9 of the evaluation of a teacher or administrator, as applicable; and

10 (2) Pupil achievement data derived from assessments
11 approved by the board of trustees of a school district that employs
12 the teacher or administrator, as applicable, must account for at least
13 20 percent of the evaluation.

14 (e) Include an evaluation of whether the teacher, or
15 administrator who provides primarily administrative services at the
16 school level or administrator at the district level who provides direct
17 supervision of the principal of a school, and who does not provide
18 primarily direct instructional services to pupils, regardless of
19 whether the probationary administrator is licensed as a teacher or
20 administrator, including, without limitation, a principal and vice
21 principal, employs practices and strategies to involve and engage the
22 parents and families of pupils.

23 (f) Include a process for peer ~~evaluations~~ *observations* of
24 teachers by qualified educational personnel which is designed to
25 provide assistance to teachers in meeting the standards of effective
26 teaching, and includes, without limitation, conducting observations,
27 participating in conferences before and after observations of the
28 teacher and providing information and resources to the teacher about
29 strategies for effective teaching. The regulations must include the
30 criteria for school districts to determine which educational personnel
31 are qualified to conduct peer ~~reviews~~ *observations* pursuant to the
32 process.

33 3. The State Board shall, by regulation, ~~designate~~ *establish*
34 *the criteria for* the assessments that may be used by a school district
35 to determine pupil achievement pursuant to subparagraph (2) of
36 paragraph (d) of subsection 2. The board of trustees of a school
37 district ~~may~~ *shall* select one or more ~~of the assessments~~
38 ~~designated~~ *assessments that meet the criteria established* by the
39 State Board ~~to determine pupil achievement, or the board of~~
40 ~~trustees may apply to the Superintendent of Public Instruction for~~
41 ~~approval to use a different assessment~~ to determine pupil
42 achievement.

43 4. A school district may apply to the State Board to use a
44 performance evaluation system and tools that are different than the
45 evaluation system and tools prescribed pursuant to subsection 1. The



1 application must be in the form prescribed by the State Board and
2 must include, without limitation, a description of the evaluation
3 system and tools proposed to be used by the school district. The
4 State Board may approve the use of the proposed evaluation system
5 and tools if it determines that the proposed evaluation system and
6 tools apply standards and indicators that are equivalent to those
7 prescribed by the State Board.

8 **Sec. 66.5.** NRS 391.470 is hereby amended to read as follows:

9 391.470 On or before August 1 of each year, the board of
10 trustees of each school district shall submit a report to the State
11 Board and the Teachers and Leaders Council of Nevada created by
12 NRS 391.455 concerning the implementation and effectiveness of
13 the process for peer ~~evaluations~~ *observations* of teachers set forth
14 in the regulations adopted by the State Board pursuant to paragraph
15 (f) of subsection 2 of NRS 391.465, including, without limitation,
16 any recommendations for revisions to the process of peer
17 ~~evaluations~~ *observations*.

18 **Sec. 67.** NRS 391.685 is hereby amended to read as follows:

19 391.685 1. A probationary teacher must receive one
20 evaluation during each school year of his or her probationary
21 employment. The evaluation must be based in part upon at least
22 three scheduled ~~observations~~ *observation cycles* of the teacher
23 during the first school year of his or her probationary period as
24 follows:

25 (a) The first scheduled observation *cycle* must occur within 40
26 days after the first day of instruction of the school year;

27 (b) The second scheduled observation *cycle* must occur after 40
28 days but within 80 days after the first day of instruction of the
29 school year; and

30 (c) The third scheduled observation *cycle* must occur after 80
31 days but within 120 days after the first day of instruction of the
32 school year.

33 2. If a probationary teacher receives an evaluation designating
34 his or her overall performance as effective or highly effective:

35 (a) During the first school year of his or her probationary period,
36 the evaluation during the second school year of the probationary
37 period must be based in part upon at least two scheduled
38 ~~observations~~ *observation cycles* of the teacher which must occur
39 within the times specified in paragraphs (b) and (c) of subsection 1.

40 (b) During the first and second school years of his or her
41 probationary period, the evaluation during the third school year of
42 the probationary period must be based in part upon at least one
43 scheduled observation *cycle* of the teacher which must occur within
44 120 days after the first day of instruction of the school year.



1 3. If a probationary teacher receives an evaluation designating
2 his or her overall performance as minimally effective or ineffective
3 during the first or second school year of the probationary period, the
4 probationary teacher must receive one evaluation during the
5 immediately succeeding school year which is based in part upon
6 three ~~observations~~ *observation cycles* which must occur in
7 accordance with the observation schedule set forth in subsection 1.

8 **Sec. 67.5.** NRS 391.690 is hereby amended to read as follows:

9 391.690 1. If a postprobationary teacher receives an
10 evaluation designating his or her overall performance as minimally
11 effective or ineffective, the postprobationary teacher must receive
12 one evaluation in the immediately succeeding school year which is
13 based in part upon three ~~observations~~ *observation cycles* which
14 must occur in accordance with the observation schedule set forth in
15 subsection 1 of NRS 391.685. If a postprobationary teacher receives
16 evidence from the first two ~~observations~~ *observation cycles* during
17 the school year indicating that, unless his or her performance
18 improves, his or her overall performance may be rated as minimally
19 effective or ineffective on the evaluation, the postprobationary
20 teacher may request that the third observation *cycle* be conducted by
21 another administrator. If a postprobationary teacher requests that his
22 or her third observation *cycle* be conducted by another
23 administrator, that administrator must be:

24 (a) Employed by the school district or, if the school district has
25 five or fewer administrators, employed by another school district in
26 this State; and

27 (b) Selected by the postprobationary teacher from a list of three
28 candidates submitted by the superintendent.

29 2. If a postprobationary teacher receives an evaluation
30 designating his or her overall performance as effective or highly
31 effective, the postprobationary teacher must receive one evaluation
32 in the immediately succeeding school year. The evaluation must be
33 based in part upon at least one scheduled observation *cycle* which
34 must occur within 120 days after the first day of instruction of the
35 school year.

36 **Sec. 68.** NRS 391.705 is hereby amended to read as follows:

37 391.705 1. A probationary administrator must receive one
38 evaluation during each school year of his or her probationary
39 employment. The evaluation must be based in part upon at least
40 three scheduled ~~observations~~ *observation cycles* of the
41 probationary administrator during the first school year of his or her
42 probationary period which must occur as follows:

43 (a) The first scheduled observation *cycle* must occur within 40
44 days after the first day of instruction of the school year;



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1 (b) The second scheduled observation *cycle* must occur after 40
2 days but within 80 days after the first day of instruction of the
3 school year; and

4 (c) The third scheduled observation *cycle* must occur after 80
5 days but within 120 days after the first day of instruction of the
6 school year.

7 2. If a probationary administrator receives an evaluation
8 designating his or her overall performance as effective or highly
9 effective:

10 (a) During the first school year of his or her probationary period,
11 the evaluation during the second school year of the probationary
12 period must be based in part upon at least two scheduled
13 ~~{observations}~~ *observation cycles* of the administrator which must
14 occur within the times specified in paragraphs (b) and (c) of
15 subsection 1.

16 (b) During the first and second school year of his or her
17 probationary period, the evaluation during the third school year of
18 the probationary period must be based in part upon at least one
19 scheduled observation *cycle* of the administrator which must occur
20 within 120 days after the first day of instruction of the school year.

21 3. If a probationary administrator receives an evaluation
22 designating his or her overall performance as minimally effective or
23 ineffective during the first or second school year of the probationary
24 period, the probationary administrator must receive one evaluation
25 during the immediately succeeding school year which is based in
26 part upon three ~~{observations}~~ *observation cycles* which must
27 occur in accordance with the observation schedule set forth in
28 subsection 1.

29 4. Each probationary administrator is subject to the provisions
30 of NRS 391.725 and 391.820.

31 **Sec. 68.5.** NRS 391.710 is hereby amended to read as follows:

32 391.710 1. If a postprobationary administrator receives an
33 evaluation designating his or her overall performance as minimally
34 effective or ineffective, the postprobationary administrator must
35 receive one evaluation in the immediately succeeding school year
36 which is based in part upon three ~~{observations}~~ *observation cycles*
37 which must occur in accordance with the observation schedule set
38 forth in subsection 1 of NRS 391.705. If a postprobationary
39 administrator receives evidence from the first two ~~{observations}~~
40 *observation cycles* indicating that, unless his or her performance
41 improves, his or her overall performance may be rated as minimally
42 effective or ineffective on the evaluation, the postprobationary
43 administrator may request that the third observation *cycle* be
44 conducted by another administrator. If a postprobationary



1 administrator requests that his or her third observation *cycle* be
2 conducted by another administrator, that administrator must be:

3 (a) Employed by the school district or, if the school district has
4 five or fewer administrators, employed by another school district in
5 this State; and

6 (b) Selected by the postprobationary administrator from a list of
7 three candidates submitted by the superintendent.

8 2. If a postprobationary administrator receives an evaluation
9 designating his or her overall performance as effective or highly
10 effective, the postprobationary administrator must receive one
11 evaluation in the immediately succeeding school year. The
12 evaluation must be based in part upon at least one scheduled
13 observation *cycle* which must occur within 120 days after the first
14 day of instruction of the school year.

15 **Sec. 69.** NRS 391.725 is hereby amended to read as follows:

16 391.725 1. If a written evaluation of a probationary teacher,
17 or a probationary administrator who provides primarily
18 administrative services at the school level and who does not provide
19 primarily direct instructional services to pupils, regardless of
20 whether the probationary administrator is licensed as a teacher or
21 administrator, including, without limitation, a principal and vice
22 principal, designates the overall performance of the teacher or
23 administrator as “minimally effective” or “ineffective”:

24 (a) The written evaluation must include the following statement:
25 “Please be advised that, pursuant to Nevada law, your contract may
26 not be renewed for the next school year. If you receive a ‘minimally
27 effective’ or ‘ineffective’ evaluation ~~on the first or second~~
28 ~~evaluation, or both evaluations for this school year,~~ and are
29 *reemployed for a second or third year of your probationary period,*
30 you may request that ~~the third~~ *your next* evaluation be conducted
31 by another administrator. You may also request, to the administrator
32 who conducted the evaluation, reasonable assistance in improving
33 your performance based upon the recommendations reported in the
34 evaluation for which you request assistance, and upon such request,
35 a reasonable effort will be made to assist you in improving your
36 performance.”

37 (b) The probationary teacher or probationary administrator, as
38 applicable, must acknowledge in writing that he or she has received
39 and understands the statement described in paragraph (a).

40 2. If a probationary teacher or probationary administrator to
41 which subsection 1 applies requests that his or her next evaluation
42 be conducted by another administrator in accordance with the notice
43 required by subsection 1, the administrator conducting the
44 evaluation must be:



1 (a) Employed by the school district or, if the school district has
2 five or fewer administrators, employed by another school district in
3 this State; and

4 (b) Selected by the probationary teacher or probationary
5 administrator, as applicable, from a list of three candidates
6 submitted by the superintendent.

7 3. If a probationary teacher or probationary administrator to
8 which subsection 1 applies requests assistance in improving
9 performance reported in his or her evaluation, the administrator who
10 conducted the evaluation shall ensure that a reasonable effort is
11 made to assist the probationary teacher or probationary
12 administrator in improving his or her performance.

13 **Sec. 70.** NRS 391.750 is hereby amended to read as follows:

14 391.750 1. A teacher may be suspended, dismissed or not
15 reemployed and an administrator may be demoted, suspended,
16 dismissed or not reemployed for the following reasons:

17 (a) Inefficiency;

18 (b) Immorality;

19 (c) Unprofessional conduct;

20 (d) Insubordination;

21 (e) Neglect of duty;

22 (f) Physical or mental incapacity;

23 (g) A justifiable decrease in the number of positions due to
24 decreased enrollment or district reorganization;

25 (h) Conviction of a felony or of a crime involving moral
26 turpitude;

27 (i) Inadequate performance;

28 (j) Evident unfitness for service;

29 (k) Failure to comply with such reasonable requirements as a
30 board may prescribe;

31 (l) Failure to show normal improvement and evidence of
32 professional training and growth;

33 (m) Advocating overthrow of the Government of the United
34 States or of the State of Nevada by force, violence or other unlawful
35 means, or the advocating or teaching of communism with the intent
36 to indoctrinate pupils to subscribe to communistic philosophy;

37 (n) Any cause which constitutes grounds for the revocation of a
38 teacher's license;

39 (o) Willful neglect or failure to observe and carry out the
40 requirements of this title;

41 (p) Dishonesty;

42 (q) Intentional failure to observe and carry out the requirements
43 of a plan to ensure the security of examinations and assessments
44 adopted pursuant to NRS 390.270 or 390.275;

45 (r) An intentional violation of NRS 388.497 or 388.499;



1 (s) Knowingly and willfully failing to comply with the
2 provisions of NRS 388.1351;

3 (t) Gross misconduct; or

4 (u) An intentional failure to report a violation of NRS 388.135 if
5 the teacher or administrator witnessed the violation.

6 2. If a teacher or administrator is found, through an
7 investigation of a testing irregularity, to have willfully breached the
8 security or confidentiality of the questions and answers of the
9 examinations that are administered pursuant to NRS 390.105 ~~for~~
10 ~~390.600~~ or the college and career readiness assessment
11 administered pursuant to NRS 390.610, the board of trustees of a
12 school district, governing body of a charter school or governing
13 body of a university school for profoundly gifted pupils, as
14 applicable, shall:

15 (a) Suspend, dismiss or fail to reemploy the teacher; or

16 (b) Demote, suspend, dismiss or fail to reemploy the
17 administrator.

18 3. In determining whether the professional performance of a
19 licensed employee is inadequate, consideration must be given to the
20 regular and special evaluation reports prepared in accordance with
21 the policy of the employing school district and to any written
22 standards of performance which may have been adopted by the
23 board.

24 4. As used in this section, "gross misconduct" includes any act
25 or omission that is in wanton, willful, reckless or deliberate
26 disregard of the interests of a school or school district or a pupil
27 thereof.

28 **Sec. 71.** NRS 391A.125 is hereby amended to read as follows:

29 391A.125 1. Based upon the priorities of programs
30 prescribed by the State Board pursuant to subsection 4 of NRS
31 391A.505 and the assessment of needs for training within the region
32 and priorities of training adopted by the governing body pursuant to
33 NRS 391A.175, each regional training program shall provide:

34 (a) Training for teachers and other licensed educational
35 personnel in the:

36 (1) Standards established by the Council to Establish
37 Academic Standards for Public Schools pursuant to NRS 389.520;

38 (2) Curriculum and instruction required for the standards
39 adopted by the State Board;

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

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

44 (b) Through the Nevada Early Literacy Intervention Program
45 established for the regional training program, training for teachers



1 who teach kindergarten and grades 1, 2 or 3 on methods to teach
2 fundamental reading skills, including, without limitation:

- 3 (1) Phonemic awareness;
- 4 (2) Phonics;
- 5 (3) Vocabulary;
- 6 (4) Fluency;
- 7 (5) Comprehension; and
- 8 (6) Motivation.

9 (c) Training for administrators who conduct the evaluations
10 required pursuant to NRS 391.685, 391.690, 391.705 and 391.710
11 relating to the manner in which such evaluations are conducted.
12 Such training must be developed in consultation with the Teachers
13 and Leaders Council of Nevada created by NRS 391.455.

14 (d) Training for teachers, administrators and other licensed
15 educational personnel relating to correcting deficiencies and
16 addressing recommendations for improvement in performance that
17 are identified in the evaluations conducted pursuant to NRS
18 391.685, 391.690, 391.705 or 391.710.

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

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

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

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

34 (f) In accordance with the program established by the Statewide
35 Council pursuant to paragraph (b) of subsection 2 of NRS 391A.135
36 training for:

37 (1) Teachers on how to engage parents and families,
38 including, without limitation, disengaged families, in the education
39 of their children and to build the capacity of parents and families to
40 support the learning and academic achievement of their children.

41 (2) Training for teachers and paraprofessionals on working
42 with parent liaisons in public schools to carry out strategies and
43 practices for effective parental involvement and family engagement.

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



* A B 7 R 1 *

1 (a) Include the activities set forth in 20 U.S.C. § ~~7801(34),~~
2 **7801(42)**, as deemed appropriate by the governing body for the type
3 of training offered.

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

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

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

10 (2) Pupils who are ~~limited~~ English ~~proficient~~ **learners**.

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

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

18 (b) Fundamental reading skills; and

19 (c) Other training listed in subsection 1.

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

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

26 5. A regional training program may contract with the board of
27 trustees of a school district that is served by the regional training
28 program as set forth in NRS 391A.120 to provide professional
29 development to the teachers and administrators employed by the
30 school district that is in addition to the training required by this
31 section. Any training provided pursuant to this subsection must
32 include the activities set forth in 20 U.S.C. § ~~7801(34),~~ **7801(42)**,
33 as deemed appropriate by the governing body for the type of
34 training offered.

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

38 7. As used in this section, "paraprofessional" has the meaning
39 ascribed to it in NRS 391.008.

40 **Sec. 72.** NRS 391A.135 is hereby amended to read as follows:

41 391A.135 1. The Statewide Council shall meet not less than
42 four times per year.

43 2. The Statewide Council shall:

44 (a) Adopt uniform standards for use by the governing body of
45 each regional training program in the review and approval by the



1 governing body of the training to be provided by the regional
2 training program pursuant to NRS 391A.125 and 391A.175. The
3 standards must ensure that the training provided by the regional
4 training programs includes activities set forth in 20 U.S.C. §
5 ~~7801(34)~~, 7801(42), as appropriate for the type of training offered,
6 is of high quality and is effective in addressing the training
7 programs specified in subsection 1 of NRS 391A.125.

8 (b) In cooperation with the Office of Parental Involvement and
9 Family Engagement created by NRS 385.630, establish a statewide
10 program for teachers and administrators concerning effective
11 parental involvement and family engagement which includes:

12 (1) Training for teachers on how to engage parents and
13 families, including, without limitation, disengaged families, in the
14 education of their children and to build the capacity of parents and
15 families to support the learning and academic achievement of their
16 children.

17 (2) Training for teachers and paraprofessionals on working
18 with parent liaisons in public schools to carry out strategies and
19 practices for effective parental involvement and family engagement.

20 (c) Coordinate the dissemination of information to school
21 districts, administrators and teachers concerning the training,
22 programs and services provided by the regional training programs.

23 (d) Disseminate information to the regional training programs
24 concerning innovative and effective methods to provide professional
25 development.

26 (e) Conduct long-range planning concerning the professional
27 development needs of teachers and administrators employed in this
28 state.

29 (f) Adopt uniform procedures and criteria for use by the
30 governing body of each regional training program to report the
31 evaluation conducted pursuant to NRS 391A.190.

32 (g) Review and recommend any necessary revisions to the
33 5-year plan prepared by the governing body of each regional
34 training program pursuant to NRS 391A.175.

35 (h) Review and recommend any necessary revisions to the
36 annual report prepared by the governing body of each regional
37 training program pursuant to NRS 391A.190.

38 (i) Ensure that the governing body of each regional training
39 program considers the plans to improve the achievement of pupils
40 prepared pursuant to NRS 385A.650 for the public schools within
41 the primary jurisdiction of the regional training program and the
42 plan to improve the achievement of pupils prepared by the State
43 Board pursuant to NRS 385.111 and is guided by those plans in the
44 provision of professional development for teachers and
45 administrators.



1 (j) Coordinate with the Office of Parental Involvement and
2 Family Engagement in carrying out the duties of the Office.

3 3. The Statewide Council may:

4 (a) Accept gifts and grants from any source for use by the
5 Statewide Council in carrying out its duties pursuant to this section
6 and accept gifts and grants from any source on behalf of one or
7 more regional training programs to assist with the training provided
8 pursuant to NRS 391A.125; and

9 (b) Comply with applicable federal laws and regulations
10 governing the provision of federal grants to assist the Statewide
11 Council in carrying out its duties pursuant to this section and
12 comply with applicable federal laws and regulations governing the
13 provision of federal grants to assist with the training provided
14 pursuant to NRS 391A.125, including, without limitation, providing
15 money from the budget of the Statewide Council to match the
16 money received from a federal grant.

17 4. As used in this section, "paraprofessional" has the meaning
18 ascribed to it in NRS 391.008.

19 **Sec. 73.** NRS 391A.370 is hereby amended to read as follows:

20 391A.370 The board of trustees of each school district and the
21 governing body of each charter school shall ensure that the teachers
22 and administrators employed by the school district or charter school
23 have access to high-quality, ongoing professional development
24 training. The professional development training must include,
25 without limitation, training concerning:

26 1. The academic standards adopted by the State Board,
27 including, without limitation, the academic standards for science.

28 2. The academic standards and curriculum in English language
29 development and literacy.

30 3. The curriculum and instruction required for courses of study
31 in:

32 (a) Science, technology, engineering and mathematics.

33 (b) English language development and literacy.

34 4. The cultural competency required to meet the social,
35 emotional and academic needs of certain categories of pupils
36 enrolled in the school, including, without limitation, pupils who are
37 at risk, pupils who are ~~limited~~ English ~~proficient~~ learners,
38 pupils with disabilities and gifted and talented pupils.

39 **Sec. 74.** NRS 391A.400 is hereby amended to read as follows:

40 391A.400 1. There is hereby created the Grant Fund for
41 Incentives for Licensed Educational Personnel to be administered by
42 the Department. The Department may accept gifts and grants from
43 any source for deposit in the Grant Fund.

44 2. The board of trustees of each school district shall establish a
45 program of incentive pay for licensed teachers, school



1 psychologists, school librarians, school counselors and
2 administrators employed at the school level which must be designed
3 to attract and retain those employees. The program must be
4 negotiated pursuant to chapter 288 of NRS, insofar as the provisions
5 of that chapter apply to those employees, and must include, without
6 limitation, the attraction and retention of:

7 (a) Licensed teachers, school psychologists, school librarians,
8 school counselors and administrators employed at the school level
9 who have been employed in that category of position for at least 5
10 years in this State or another state and who are employed in schools
11 which are at-risk, as determined by the Department pursuant to
12 subsection 8; and

13 (b) Teachers who hold a license or endorsement in the field of
14 mathematics, science, special education, English as a second
15 language or other area of need within the school district, as
16 determined by the Superintendent of Public Instruction.

17 3. A program of incentive pay established by a school district
18 must specify the type of financial incentives offered to the licensed
19 educational personnel. Money available for the program must not be
20 used to negotiate the salaries of individual employees who
21 participate in the program.

22 4. If the board of trustees of a school district wishes to receive
23 a grant of money from the Grant Fund, the board of trustees shall
24 submit to the Department an application on a form prescribed by the
25 Department. The application must include a description of the
26 program of incentive pay established by the school district.

27 5. The Superintendent of Public Instruction shall compile a list
28 of the financial incentives recommended by each school district that
29 submitted an application. On or before December 1 of each year, the
30 Superintendent shall submit the list to the Interim Finance
31 Committee for its approval of the recommended incentives.

32 6. After approval of the list of incentives by the Interim
33 Finance Committee pursuant to subsection 5 and within the limits of
34 money available in the Grant Fund, the Department shall provide
35 grants of money to each school district that submits an application
36 pursuant to subsection 4 based upon the amount of money that is
37 necessary to carry out each program. If an insufficient amount of
38 money is available to pay for each program submitted to the
39 Department, the amount of money available must be distributed pro
40 rata based upon the number of licensed employees who are
41 estimated to be eligible to participate in the program in each school
42 district that submitted an application.

43 7. An individual employee may not receive as a financial
44 incentive pursuant to a program an amount of money that is more
45 than \$3,500 per year.



1 8. The Department shall, in consultation with representatives
2 appointed by the Nevada Association of School Superintendents and
3 the Nevada Association of School Boards, develop a formula for
4 identifying at-risk schools for purposes of this section. The formula
5 must be developed on or before July 1 of each year and include,
6 without limitation, the following factors:

7 (a) The percentage of pupils who are eligible for free or
8 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.;

9 (b) The transiency rate of pupils;

10 (c) The percentage of pupils who are ~~limited~~ English
11 ~~proficient~~ learners;

12 (d) The percentage of pupils who have individualized education
13 programs; and

14 (e) The percentage of pupils who drop out of high school before
15 graduation.

16 9. The board of trustees of each school district that receives a
17 grant of money pursuant to this section shall evaluate the
18 effectiveness of the program for which the grant was awarded. The
19 evaluation must include, without limitation, an evaluation of
20 whether the program is effective in recruiting and retaining the
21 personnel as set forth in subsection 2. On or before December 1 of
22 each year, the board of trustees shall submit a report of its
23 evaluation to the:

24 (a) Governor;

25 (b) State Board;

26 (c) Interim Finance Committee;

27 (d) If the report is submitted in an even-numbered year, Director
28 of the Legislative Counsel Bureau for transmittal to the next regular
29 session of the Legislature; and

30 (e) Legislative Committee on Education.

31 **Sec. 75.** NRS 392.457 is hereby amended to read as follows:

32 392.457 1. The State Board shall, in consultation with the
33 boards of trustees of school districts, educational personnel, local
34 associations and organizations of parents whose children are
35 enrolled in public schools throughout this State and individual
36 parents and legal guardians whose children are enrolled in public
37 schools throughout this State, adopt a policy to encourage effective
38 involvement and engagement by parents and families in support of
39 their children and the education of their children. The policy
40 adopted by the State Board must be considered when the Board:

41 (a) Consults with the boards of trustees of school districts in the
42 adoption of policies pursuant to subsection 3; and

43 (b) Interacts with school districts, public schools, educational
44 personnel, parents, legal guardians and families of pupils, and



1 members of the general public in carrying out its duties pursuant to
2 this title.

3 2. The policy adopted by the State Board pursuant to
4 subsection 1 must include the following elements and goals:

5 (a) Promotion of an atmosphere for parents and families to visit
6 the school that their children attend and feel welcome, valued and
7 connected to the staff of the school, other parents and families and
8 to the education of their children.

9 (b) Promotion of regular, two-way, meaningful communication
10 between parents, families and schools relating to learning by pupils.

11 (c) Collaboration among parents, families and schools to support
12 learning by pupils and healthy development of pupils at home and
13 school.

14 (d) Empowerment of parents and families to advocate for their
15 children and the children of other parents and families to ensure that
16 all pupils are treated fairly and have access to learning opportunities
17 that support pupil achievement.

18 (e) Promotion of an equal partnership between parents, families
19 and schools in making decisions that affect children, parents and
20 families and in informing, influencing and creating school policies,
21 practices and programs.

22 (f) Collaboration of parents, families and schools with the
23 community to connect pupils, parents, families and schools with
24 learning opportunities, community services and civic participation.

25 3. The board of trustees of each school district shall, in
26 consultation with the State Board, educational personnel, local
27 associations and organizations of parents whose children are
28 enrolled in public schools of the school district and individual
29 parents and legal guardians whose children are enrolled in public
30 schools of the school district, adopt policies to encourage effective
31 involvement and engagement by parents and families in support of
32 their children and the education of their children. The policies
33 adopted pursuant to this subsection must:

34 (a) Be consistent, to the extent applicable, with the policy
35 adopted by the State Board pursuant to subsection 1;

36 (b) Include the elements and goals specified in subsection 2; and

37 (c) Comply with the parental involvement policy required by the
38 federal ~~["No Child Left Behind Act of 2001,"]~~ *Every Student*
39 *Succeeds Act of 2015*, as set forth in 20 U.S.C. § 6318.

40 4. The State Board and the board of trustees of each school
41 district shall, at least once each year, review and amend their
42 respective policies as necessary.

43 **Sec. 76.** NRS 392.4575 is hereby amended to read as follows:

44 392.4575 1. The Department shall prescribe a form for
45 educational involvement accords to be used by all public schools in



1 this State. The educational involvement accord must comply with
2 the policy:

3 (a) For parental involvement required by the federal ~~No Child~~
4 ~~Left Behind Act of 2001,~~ *Every Student Succeeds Act of 2015*, as
5 set forth in 20 U.S.C. § 6318.

6 (b) For parental involvement and family engagement adopted by
7 the State Board pursuant to NRS 392.457.

8 2. Each educational involvement accord must include, without
9 limitation:

10 (a) A description of how the parent or legal guardian will be
11 involved in the education of the pupil, including, without limitation:

12 (1) Reading to the pupil, as applicable for the grade or
13 reading level of the pupil;

14 (2) Reviewing and checking the pupil's homework; and

15 (3) Contributing 5 hours of time each school year, including,
16 without limitation, by attending school-related activities, parent-
17 teacher association meetings, parent-teacher conferences,
18 volunteering at the school and chaperoning school-sponsored
19 activities.

20 (b) The responsibilities of a pupil in a public school, including,
21 without limitation:

22 (1) Reading each day before or after school, as applicable for
23 the grade or reading level of the pupil;

24 (2) Using all school equipment and property appropriately
25 and safely;

26 (3) Following the directions of any adult member of the staff
27 of the school;

28 (4) Completing and submitting homework in a timely
29 manner; and

30 (5) Respecting himself or herself, others and all property.

31 (c) The responsibilities of a public school and the
32 administrators, teachers and other personnel employed at a school,
33 including, without limitation:

34 (1) Ensuring that each pupil is provided proper instruction,
35 supervision and interaction;

36 (2) Maximizing the educational and social experience of
37 each pupil;

38 (3) Carrying out the professional responsibility of educators
39 to seek the best interest of each pupil; and

40 (4) Making staff available to the parents and legal guardians
41 of pupils to discuss the concerns of parents and legal guardians
42 regarding the pupils.

43 3. Each educational involvement accord must be accompanied
44 by, without limitation:



1 (a) Information describing how the parent or legal guardian may
2 contact the pupil's teacher and the principal of the school in which
3 the pupil is enrolled;

4 (b) The curriculum of the course or standards for the grade in
5 which the pupil is enrolled, as applicable, including, without
6 limitation, a calendar that indicates the dates of major examinations
7 and the due dates of significant projects, if those dates are known by
8 the teacher at the time that the information is distributed;

9 (c) The homework and grading policies of the pupil's teacher or
10 school;

11 (d) Directions for finding resource materials for the course or
12 grade in which the pupil is enrolled, as applicable;

13 (e) Suggestions for parents and legal guardians to assist pupils in
14 their schoolwork at home;

15 (f) The dates of scheduled conferences between teachers or
16 administrators and the parents or legal guardians of the pupil;

17 (g) The manner in which reports of the pupil's progress will be
18 delivered to the parent or legal guardian and how a parent or legal
19 guardian may request a report of progress;

20 (h) The classroom rules and policies;

21 (i) The dress code of the school, if any;

22 (j) The availability of assistance to parents who have limited
23 proficiency in the English language;

24 (k) Information describing the availability of free and reduced-
25 price meals, including, without limitation, information regarding
26 school breakfast, school lunch and summer meal programs;

27 (l) Opportunities for parents and legal guardians to become
28 involved in the education of their children and to volunteer for the
29 school or class; and

30 (m) The code of honor relating to cheating prescribed pursuant
31 to NRS 392.461.

32 4. The board of trustees of each school district shall adopt a
33 policy providing for the development and distribution of the
34 educational involvement accord. The policy adopted by a board of
35 trustees must require each classroom teacher to:

36 (a) Distribute the educational involvement accord to the parent
37 or legal guardian of each pupil in the teacher's class at the beginning
38 of each school year or upon a pupil's enrollment in the class, as
39 applicable; and

40 (b) Provide the parent or legal guardian with a reasonable
41 opportunity to sign the educational involvement accord.

42 5. Except as otherwise provided in this subsection, the board of
43 trustees of each school district shall ensure that the form prescribed
44 by the Department is used for the educational involvement accord of
45 each public school in the school district. The board of trustees of a



1 school district may authorize the use of an expanded form that
2 contains additions to the form prescribed by the Department if the
3 basic information contained in the expanded form complies with the
4 form prescribed by the Department.

5 6. The Department and the board of trustees of each school
6 district shall, at least once each year, review and amend their
7 respective educational involvement accords.

8 **Sec. 77.** NRS 392.750 is hereby amended to read as follows:

9 392.750 If a pupil enrolled at a public elementary school in
10 kindergarten or grade 1, 2 or 3 exhibits a deficiency in the subject
11 area of reading based upon state or local assessments and the
12 observations of the pupil's teacher, the principal of the school must
13 provide written notice of the deficiency to the parent or legal
14 guardian of the pupil within 30 days after the date on which the
15 deficiency is discovered. The written notice must, without
16 limitation:

17 1. Identify the educational programs and services that the pupil
18 will receive to improve the pupil's proficiency in the subject area of
19 reading, including, without limitation, the programs and services
20 included in the plan to improve the literacy of pupils enrolled in
21 kindergarten and grades 1, 2 and 3 that has been approved by the
22 Department pursuant to NRS 388.157;

23 2. Describe, explain and, if appropriate, demonstrate the
24 strategies which the parent or legal guardian may use at home to
25 help improve the proficiency of the pupil in the subject area of
26 reading;

27 3. Include information regarding the English literacy
28 development of a pupil who is ~~limited~~ *an* English ~~proficient~~
29 *learner*; and

30 4. Describe, explain and, if appropriate, demonstrate the
31 strategies which the parent or legal guardian may use at home to
32 help improve the English literacy of a pupil who is ~~limited~~ *an*
33 English ~~proficient~~ *learner*.

34 **Sec. 78.** NRS 392.760 is hereby amended to read as follows:

35 392.760 1. Except as otherwise provided in this section, a
36 pupil enrolled in grade 3 must be retained in grade 3 rather than
37 promoted to grade 4 if the pupil does not obtain a score in the
38 subject area of reading on the criterion-referenced examination
39 administered pursuant to NRS 390.105 that meets the passing score
40 prescribed by the State Board pursuant to subsection 7.

41 2. The superintendent of schools of a school district or the
42 governing body of a charter school, as applicable, may authorize the
43 promotion of a pupil to grade 4 who would otherwise be retained in
44 grade 3 only if the superintendent or governing body, as applicable,
45 approves a good-cause exemption for the pupil upon a determination



1 by the principal of the school pursuant to subsection 4 that the pupil
2 is eligible for such an exemption.

3 3. A good-cause exemption must be approved for a pupil who
4 previously was retained in grade 3. Any other pupil is eligible for a
5 good-cause exemption if the pupil:

6 (a) Demonstrates an acceptable level of proficiency in reading
7 on an alternative standardized reading assessment approved by the
8 State Board;

9 (b) Demonstrates, through a portfolio of the pupil's work,
10 proficiency in reading at grade level, as evidenced by demonstration
11 of mastery of the academic standards in reading beyond the
12 retention level;

13 (c) Is ~~limited~~ an English ~~proficient~~ learner and has received
14 less than 2 years of instruction in a program of instruction that
15 teaches English as a second language;

16 (d) Received intensive remediation in the subject area of reading
17 for 2 or more years but still demonstrates a deficiency in reading
18 and was previously retained in kindergarten or grade 1 or 2 for a
19 total of 2 years;

20 (e) Is a pupil with a disability and his or her individualized
21 education program indicates that the pupil's participation in the
22 criterion-referenced examinations administered pursuant to NRS
23 390.105 is not appropriate; or

24 (f) Is a pupil with a disability and:

25 (1) He or she participates in the criterion-referenced
26 examinations administered pursuant to NRS 390.105;

27 (2) His or her individualized education program or plan
28 developed in accordance with section 504 of the Rehabilitation Act
29 of 1973, 29 U.S.C. § 794, documents that the pupil has received
30 intensive remediation in reading for more than 2 years, but he or she
31 still demonstrates a deficiency in reading; and

32 (3) He or she was previously retained in kindergarten or
33 grade 1, 2 or 3.

34 4. The principal of a school in which a pupil who may be
35 retained in grade 3 pursuant to subsection 1 is enrolled shall
36 consider the factors set forth in subsection 3 and determine whether
37 the pupil is eligible for a good-cause exemption. In making the
38 determination, the principal must consider documentation provided
39 by the pupil's teacher indicating whether the promotion of the pupil
40 is appropriate based upon the record of the pupil. Such
41 documentation must only consist of the existing plan for monitoring
42 the progress of the pupil, the pupil's individualized education
43 program, if applicable, and the pupil's plan in accordance with
44 section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, if
45 applicable. If the principal determines that promotion of the pupil to



1 grade 4 is appropriate, the principal must submit a written
2 recommendation to the superintendent of schools of the school
3 district or to the governing body of the charter school, as applicable.
4 The superintendent of schools or the governing body of the charter
5 school, as applicable, shall approve or deny the recommendation of
6 the principal and provide written notice of the approval or denial to
7 the principal.

8 5. A principal who determines that a pupil is eligible for a
9 good-cause exemption shall notify the parent or legal guardian of
10 the pupil whether the superintendent of schools of the school district
11 or the governing body of the charter school, as applicable, approves
12 the good-cause exemption.

13 6. The principal of a school in which a pupil for whom a good-
14 cause exemption is approved and who is promoted to grade 4 must
15 ensure that the pupil continues to receive intensive instruction in the
16 subject area of reading. Such instruction must include, without
17 limitation, strategies based upon ~~scientifically based~~ *evidence-*
18 *based* research that will improve proficiency in the subject area of
19 reading.

20 7. The State Board shall prescribe by regulation:

21 (a) The score which a pupil enrolled in grade 3 must obtain in
22 the subject area of reading on the criterion-referenced examination
23 administered pursuant to NRS 390.105 to be promoted to grade 4
24 without a good-cause exemption; and

25 (b) An alternate examination for administration to pupils
26 enrolled in grade 3 who do not obtain the passing score in the
27 subject area of reading on the criterion-referenced examination
28 administered pursuant to NRS 390.105 and the passing score such a
29 pupil must obtain on the alternate examination to be promoted to
30 grade 4 without a good-cause exemption.

31 8. As used in this section, "individualized education program"
32 has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

33 **Sec. 79.** NRS 392.765 is hereby amended to read as follows:

34 392.765 1. If a pupil will be retained in grade 3 pursuant to
35 NRS 392.760, the principal of the school must:

36 (a) Provide written notice to the parent or legal guardian of the
37 pupil that the pupil will be retained in grade 3. The written notice
38 must include, without limitation, a description of the intensive
39 instructional services in the subject area of reading that the pupil
40 will receive to improve the proficiency of the pupil in that subject
41 area.

42 (b) Develop a plan to monitor the progress of the pupil in the
43 subject area of reading.



1 (c) Require the teacher of the pupil to develop a portfolio of the
2 pupil's work in the subject area of reading, which must be updated
3 as necessary to reflect progress made by the pupil.

4 (d) Ensure that the pupil receives intensive instructional services
5 in the subject area of reading that are designed to improve the
6 pupil's proficiency in the subject area of reading, including, without
7 limitation:

8 (1) Programs and services included in the plan to improve
9 the literacy of pupils enrolled in kindergarten and grades 1, 2 and 3
10 approved by the Department pursuant to NRS 388.157;

11 (2) Instruction for at least 90 minutes each school day based
12 upon ~~scientifically-based~~ *evidence-based research concerning*
13 reading instruction ; ~~research~~ and

14 (3) Intensive instructional services prescribed by the board of
15 trustees of the school district pursuant to subsection 2, as determined
16 appropriate for the pupil.

17 2. The board of trustees of each school district or the governing
18 body of a charter school, as applicable, shall:

19 (a) Review and evaluate the plans for monitoring the progress of
20 pupils developed pursuant to subsection 1.

21 (b) Prescribe the intensive instructional services in the subject
22 area of reading which the principal of a school must implement as
23 determined appropriate for a pupil who is retained in grade 3
24 pursuant to NRS 392.760, which may include, without limitation:

25 (1) Instruction that is provided in small groups;

26 (2) Instruction provided in classes with reduced pupil-teacher
27 ratios;

28 (3) A timeline for frequently monitoring the progress of the
29 pupil;

30 (4) Tutoring and mentoring;

31 (5) Classes which are designed to increase the ability of
32 pupils to transition from grade 3 to grade 4;

33 (6) Instruction provided through an extended school day,
34 school week or school year;

35 (7) Programs to improve a pupil's proficiency in reading
36 which are offered during the summer; or

37 (8) Any combination of the services set forth in
38 subparagraphs (1) to (7), inclusive.

39 3. Except as otherwise provided in subsection 4, the intensive
40 instructional services in the subject area of reading required by this
41 section must be provided to the pupil by a teacher:

42 (a) Who is different than the teacher who provided instructional
43 services to the pupil during the immediately preceding school year;
44 and



1 (b) Who has been determined to be highly effective, as
2 demonstrated by pupil performance data and performance
3 evaluations.

4 4. The intensive instructional services in the subject area of
5 reading required by this section may be provided to the pupil by the
6 same teacher who provided instructional services to the pupil during
7 the immediately preceding school year if a different teacher who
8 meets the requirements of paragraph (b) of subsection 3 is not
9 reasonably available and the pupil:

10 (a) Has an individualized education program; or

11 (b) Is enrolled in a school district in a county whose population
12 is less than 100,000.

13 5. The board of trustees of each school district and the
14 governing body of a charter school, as applicable, shall develop a
15 policy by which the principal of a school may promote a pupil who
16 is retained in grade 3 pursuant to NRS 392.760 to grade 4 at any
17 time during the school year if the pupil demonstrates adequate
18 proficiency in the subject area of reading. The policy must include
19 the specific criteria a pupil must satisfy to be eligible for promotion,
20 including, without limitation, a reasonable expectation that the
21 pupil's progress will allow him or her to sufficiently master the
22 requirements for a fourth-grade reading level. If a pupil is promoted
23 after November 1 of a school year, he or she must demonstrate
24 proficiency in reading at a level prescribed by the State Board.

25 6. If a principal of a school determines that a pupil is not
26 academically ready for promotion to grade 4 after being retained in
27 grade 3 and the pupil received intensive instructional services
28 pursuant to this section, the school district in which the pupil is
29 enrolled must allow the parent or legal guardian of the pupil to
30 decide, in consultation with the principal of the school, whether to
31 place the pupil in a transitional instructional setting which is
32 designed to produce learning gains sufficient for the pupil to meet
33 the performance standards required for grade 4 while continuing to
34 receive remediation in the subject area of reading.

35 7. As used in this section, "individualized education program"
36 has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

37 **Sec. 80.** NRS 392.770 is hereby amended to read as follows:

38 392.770 In addition to the intensive instructional services
39 provided to a pupil who is retained in grade 3 pursuant to NRS
40 392.760, the principal of the school must offer the parent or legal
41 guardian of the pupil at least one of the following instructional
42 options:

43 1. Supplemental tutoring which is based upon ~~scientifically~~
44 ~~based~~ *evidence-based* research concerning reading instruction;



1 2. Providing the parent or legal guardian with a plan for
2 reading with the pupil at home and participating in any workshops
3 that may be available in the school district to assist the parent or
4 legal guardian with reading with his or her child at home, as set
5 forth in an agreement with the parent or legal guardian; or

6 3. Providing the pupil with a mentor or tutor who has received
7 specialized training in teaching pupils how to read.

8 **Sec. 81.** Section 1 of the Zoom Schools Act, being chapter
9 335, Statutes of Nevada 2015, at page 1870, is hereby amended to
10 read as follows:

11 Section 1. 1. The Board of Trustees of the Clark
12 County School District and the Board of Trustees of the
13 Washoe County School District shall identify the elementary
14 schools within the School District to operate as Zoom
15 elementary schools based upon which elementary schools
16 within the School District:

17 (a) Have the highest percentage of pupils who are limited
18 English proficient or eligible for designation as limited
19 English proficient; and

20 (b) Are the lowest performing academically.

21 2. The Board of Trustees of the Clark County School
22 District and the Board of Trustees of the Washoe County
23 School District shall distribute the money appropriated by the
24 2015 Legislature to the Account for Programs for Innovation
25 and the Prevention of Remediation created by NRS 387.1247
26 for each Zoom elementary school of those school districts to:

27 (a) Provide prekindergarten programs free of charge;

28 (b) Expand full-day kindergarten classes;

29 (c) Operate reading skills centers;

30 (d) Provide, free of charge, a summer academy or an
31 intersession academy for those schools that do not operate on
32 a traditional school calendar, including, without limitation,
33 the provision of transportation to attend the summer academy
34 or intersession academy;

35 (e) Provide professional development for teachers and
36 other licensed educational personnel regarding effective
37 instructional practices and strategies for children who are
38 limited English proficient;

39 (f) Offer recruitment and retention incentives for the
40 teachers and other licensed educational personnel who
41 provide any of the programs and services set forth in this
42 subsection from the list of incentives prescribed by the State
43 Board of Education pursuant to subsection 12; and

44 (g) Engage and involve parents and families of children
45 who are limited English proficient, including, without



1 limitation, increasing effective, culturally appropriate
2 communication with and outreach to parents and families to
3 support the academic achievement of those children.

4 3. A Zoom elementary school that receives money
5 pursuant to subsection 2 shall offer each of the programs and
6 services prescribed in paragraphs (a) to (g), inclusive, of that
7 subsection so that the Zoom elementary school may offer a
8 comprehensive package of programs and services for pupils
9 who are limited English proficient. A Zoom elementary
10 school shall not use the money for any other purpose or use
11 more than 2 percent of the money for the purposes described
12 in paragraphs (e), (f) and (g) of subsection 2.

13 4. A reading skills center operated by a Zoom
14 elementary school must provide:

15 (a) Support at the Zoom elementary school in the
16 assessment of reading and literacy problems and language
17 acquisition barriers for pupils; and

18 (b) Instructional intervention to enable pupils to
19 overcome such problems and barriers by the completion of
20 grade 3.

21 5. The Board of Trustees of the Clark County School
22 District shall identify at least three middle schools, junior
23 high schools or high schools within the school district to
24 operate as Zoom middle schools, junior high schools or high
25 schools. The Board of Trustees of the Washoe County School
26 District shall identify at least one middle school, junior high
27 school or high school within the school district to operate as a
28 Zoom middle school, junior high school or high school. Each
29 such board of trustees shall identify those schools based upon
30 which middle schools, junior high schools and high schools
31 within the school district:

32 (a) Have the highest percentage of pupils who are limited
33 English proficient; and

34 (b) Are the lowest performing academically.

35 6. The Clark County School District and the Washoe
36 County School District shall distribute the money
37 appropriated by the 2015 Legislature to the Account for
38 Programs for Innovation and the Prevention of Remediation
39 for each Zoom middle school, junior high school and high
40 school of those school districts to carry out one or more of the
41 following:

42 (a) Reduce class sizes for pupils who are limited English
43 proficient and provide English language literacy based
44 classes;



1 (b) Provide direct instructional intervention to each pupil
2 who is limited English proficient using the data available
3 from applicable assessments of that pupil;

4 (c) Provide for an extended school day;

5 (d) Provide, free of charge, a summer academy or an
6 intersession academy for those schools that do not operate on
7 a traditional school calendar, including, without limitation,
8 the provision of transportation to attend the summer academy
9 or intersession academy;

10 (e) Provide professional development for teachers and
11 other licensed educational personnel regarding effective
12 instructional practices and strategies for pupils who are
13 limited English proficient;

14 (f) Offer recruitment and retention incentives for teachers
15 and other licensed educational personnel who provide any of
16 the programs and services set forth in this subsection from the
17 list of incentives prescribed by the State Board of Education
18 pursuant to subsection 12;

19 (g) Engage and involve parents and families of pupils
20 who are limited English proficient, including, without
21 limitation, increasing effective, culturally appropriate
22 communication with and outreach to parents and families to
23 support the academic achievement of those pupils; and

24 (h) Provide other evidence-based programs and services
25 that are approved by the Department of Education and that
26 are designed to meet the specific needs of pupils enrolled in
27 the school who are limited English proficient.

28 ➤ The Clark County School District and the Washoe County
29 School District shall not use more than 2 percent of the
30 money for the purposes described in paragraphs (e), (f) and
31 (g).

32 7. On or before August 1, 2015, the Clark County
33 School District and the Washoe County School District shall
34 each provide a report to the Department of Education which
35 includes the:

36 (a) Zoom elementary schools identified by the School
37 District pursuant to subsection 1 and the plan of each such
38 school for carrying out the programs and services prescribed
39 by paragraphs (a) to (g), inclusive, of subsection 2; and

40 (b) Zoom middle schools, junior high schools and high
41 schools identified by the School District pursuant to
42 subsection 5 and the plan of each school for carrying out the
43 programs and services described in paragraphs (a) to (h),
44 inclusive, of subsection 6.



1 8. From the money appropriated by the 2015 Legislature
2 to the Account for Programs for Innovation and the
3 Prevention of Remediation for Zoom schools or charter
4 schools or school districts other than the Clark County School
5 District or Washoe County School District, the Department
6 of Education shall provide grants of money to the sponsors of
7 such charter schools and the school districts. The sponsor of
8 such a charter school and the board of trustees of such a
9 school district may submit an application to the Department
10 on a form prescribed by the Department that includes, without
11 limitation:

12 (a) The number of pupils in the school district or charter
13 school, as applicable, who are limited English proficient or
14 eligible for designation as limited English proficient; and

15 (b) A description of the programs and services the school
16 district or charter school, as applicable, will provide with a
17 grant of money, which may include, without limitation:

18 (1) The creation or expansion of high-quality,
19 developmentally appropriate prekindergarten programs, free
20 of charge, that will increase enrollment of children who are
21 limited English proficient;

22 (2) The acquisition and implementation of empirically
23 proven assessment tools to determine the reading level of
24 pupils who are limited English proficient and technology-
25 based tools, such as software, designed to support the
26 learning of pupils who are limited English proficient;

27 (3) Professional development for teachers and other
28 educational personnel regarding effective instructional
29 practices and strategies for children who are limited English
30 proficient;

31 (4) The provision of programs and services for pupils
32 who are limited English proficient, free of charge, before and
33 after school, during the summer or intersession for those
34 schools that do not operate on a traditional school calendar,
35 including, without limitation, the provision of transportation
36 to attend the summer academy or intersession academy;

37 (5) Engaging and involving parents and families of
38 children who are limited English proficient, including,
39 without limitation, increasing effective, culturally appropriate
40 communication with and outreach to parents and families to
41 support the academic achievement of those children;

42 (6) Offering recruitment and retention incentives for
43 the teachers and other licensed educational personnel who
44 provide any of the programs and services set forth in this



1 subsection from the list of incentives prescribed by the State
2 Board of Education pursuant to subsection 12; and

3 (7) Provide other evidence-based programs and
4 services that are approved by the Department and that are
5 designed to meet the specific needs of pupils enrolled in the
6 school who are limited English proficient.

7 9. The Department of Education shall award grants of
8 money to school districts and the sponsors of charter schools
9 that submit applications pursuant to subsection 8 based upon
10 the number of pupils enrolled in each such school district or
11 charter school, as applicable, who are limited English
12 proficient or eligible for designation as limited English
13 proficient, and not on a competitive basis.

14 10. A school district and a sponsor of a charter school
15 that receives a grant of money pursuant to subsection 8:

16 (a) Shall not use more than 2 percent of the money for the
17 purposes described in subparagraphs (3), (5) and (6) of
18 paragraph (b) of subsection 8.

19 (b) Shall provide a report to the Department in the form
20 prescribed by the Department with the information required
21 for the Department's report pursuant to subsection 15.

22 11. On or before August 17, 2015, the Department of
23 Education shall submit a report to the State Board of
24 Education and the Director of the Legislative Counsel Bureau
25 for transmittal to the Interim Finance Committee which
26 includes:

27 (a) The information reported by the Clark County School
28 District and the Washoe County School District pursuant to
29 subsection 7; and

30 (b) The school districts and charter schools for which a
31 grant of money is approved pursuant to subsection 9 and the
32 plan of each such school district and charter school for
33 carrying out programs and services with the grant money,
34 including, without limitation, any programs and services
35 described in subparagraphs (1) to (7), inclusive, of paragraph
36 (b) of subsection 8.

37 12. The State Board of Education shall prescribe:

38 (a) A list of recruitment and retention incentives for the
39 school districts and the sponsors of charter schools that
40 receive a distribution of money pursuant to this section to
41 offer to teachers and other licensed educational personnel
42 pursuant to paragraph (f) of subsection 2, paragraph (f) of
43 subsection 6 and subparagraph (6) of paragraph (b) of
44 subsection 8; and



1 (b) Criteria and procedures to notify a school district or a
2 charter school that receives money pursuant to this section if
3 the school district or charter school is not implementing the
4 programs and services for which the money was received in
5 accordance with the applicable requirements of this section or
6 in accordance with the performance levels prescribed by the
7 State Board pursuant to subsection 13, including, without
8 limitation, a plan of corrective action for the school district or
9 charter school to follow to meet the requirements of this
10 section or the performance levels.

11 13. The State Board of Education shall prescribe
12 statewide performance levels and outcome indicators to
13 measure the effectiveness of the programs and services for
14 which money is received by the school districts and charter
15 schools pursuant to this section. The performance levels must
16 establish minimum expected levels of performance on a
17 yearly basis based upon the performance results of children
18 who participate in the programs and services. The outcome
19 indicators must be designed to track short-term and long-term
20 impacts on the progress of children who participate in the
21 programs and services, including, without limitation:

22 (a) The number of children who participated;

23 (b) The extent to which the children who participated
24 improved their English language proficiency and literacy
25 levels compared to other children who are limited English
26 proficient or eligible for such a designation who did not
27 participate in the programs and services; and

28 (c) To the extent that a valid comparison may be
29 established, a comparison of the academic achievement and
30 growth in the subject areas of English language arts and
31 mathematics of children who participated in the programs
32 and services to other children who are limited English
33 proficient or eligible for such a designation who did not
34 participate in the programs and services.

35 14. The Department of Education shall contract for an
36 independent evaluation of the effectiveness of the programs
37 and services offered by each Zoom elementary school
38 pursuant to subsection 2, each Zoom middle school, junior
39 high school and high school pursuant to subsection 6 and the
40 programs and services offered by the other school districts
41 and the charter schools pursuant to subsection 8.

42 15. The Clark County School District, the Washoe
43 County School District and the Department of Education shall
44 each prepare an annual report that includes, without
45 limitation:



1 (a) An identification of the schools that received money
2 from the School District or a grant of money from the
3 Department, as applicable.

4 (b) How much money each such school received.

5 (c) A description of the programs or services for which
6 the money was used by each such school.

7 (d) The number of children who participated in a program
8 or received services.

9 (e) The average per-child expenditure per program or
10 service that was funded.

11 (f) For the report prepared by the School Districts, an
12 evaluation of the effectiveness of such programs and services,
13 including, without limitation, data regarding the academic
14 and linguistic achievement and proficiency of children who
15 participated in the programs or received services.

16 (g) Any recommendations for legislation, including,
17 without limitation:

18 (1) For the continuation or expansion of programs and
19 services that are identified as effective in improving the
20 academic and linguistic achievement and proficiency of
21 children who are limited English proficient.

22 (2) A plan for transitioning the funding for providing
23 the programs and services set forth in this section to pupils
24 who are limited English proficient from categorical funding
25 to a weighted per pupil formula within the Nevada Plan.

26 (h) For the report prepared by the Department, in addition
27 to the information reported for paragraphs (a) to (e),
28 inclusive, and paragraph (g):

29 (1) The results of the independent evaluation required
30 by subsection 14 of the effectiveness of the programs and
31 services, including, without limitation, data regarding the
32 academic and linguistic achievement and proficiency of
33 children who participated in a program or received a service;

34 (2) Whether a school district or charter school was
35 notified that it was not implementing the programs and
36 services for which it received money pursuant to this section
37 in accordance with the applicable requirements of this section
38 or in accordance with the performance levels prescribed by
39 the State Board of Education pursuant to subsection 13 and
40 the status of such a school district or charter school, if any, in
41 complying with a plan for corrective action; and

42 (3) Whether each school district or charter school that
43 received money pursuant to this section met the performance
44 levels prescribed by the State Board of Education pursuant to
45 subsection 13.



1 16. The annual report prepared by the Clark County
2 School District and the Washoe County School District
3 pursuant to subsection 15 must be submitted to the
4 Department of Education on or before June 1, 2016, and
5 January 16, 2017, respectively. The Department shall submit
6 the information reported by those school districts and the
7 information prepared by the Department pursuant to
8 subsection 15:

9 (a) On or before June 15, 2016, to the State Board of
10 Education and the Legislative Committee on Education.

11 (b) On or before February 1, 2017, to the State Board of
12 Education and the Director of the Legislative Counsel Bureau
13 for transmittal to the 79th Session of the Nevada Legislature.

14 17. The Department of Education may require a Zoom
15 school or other public school that receives money pursuant to
16 this section to provide a report to the Department on:

17 (a) The number of vacancies, if any, in full-time licensed
18 educational personnel at the school;

19 (b) The number of probationary employees, if any,
20 employed at the school;

21 (c) The number, if any, of persons who are employed at
22 the school as substitute teachers for 20 consecutive days or
23 more in the same classroom or assignment and designated as
24 long-term substitute teachers; and

25 (d) Any other information relating to the personnel at the
26 school as requested by the Department.

27 18. The money appropriated by the 2015 Legislature to
28 the Account for Programs for Innovation and the Prevention
29 of Remediation for Zoom schools:

30 (a) Must be accounted for separately from any other
31 money received by school districts or charter schools of this
32 State and used only for the purposes specified in this section.

33 (b) May not be used to settle or arbitrate disputes between
34 a recognized organization representing employees of a school
35 district and the school district, or to settle any negotiations.

36 (c) May not be used to adjust the district-wide schedules
37 of salaries and benefits of the employees of a school district.

38 19. Upon request of the Legislative Commission, the
39 Clark County School District and the Washoe County School
40 District shall make available to the Legislative Auditor any of
41 the books, accounts, claims, reports, vouchers or other
42 records of information, confidential or otherwise, regardless
43 of their form or location, that the Legislative Auditor deems
44 necessary to conduct an audit of the use of the money
45 distributed by the 2015 Legislature to the Account for



1 Programs for Innovation and the Prevention of Remediation
2 for Zoom schools.

3 20. As used in this section:

4 (a) "Limited English proficient" has the meaning ascribed
5 to it in ~~NRS 385.007~~ *20 U.S.C. § 7801(25), as that section*
6 *existed on July 1, 2015.*

7 (b) "Probationary employee" has the meaning ascribed to
8 it in NRS 391.650.

9 **Sec. 82.** Section 2 of the Victory Schools Act, being chapter
10 389, Statutes of Nevada 2015, at page 2199, is hereby amended to
11 read as follows:

12 Sec. 2. 1. The Department of Education shall
13 designate a public school as a Victory school if, relative to
14 other public schools, including charter schools, that are
15 located in the school district in which the school is also
16 located:

17 (a) A high percentage of pupils enrolled in the school live
18 in households that have household incomes that are less than
19 the federally designated level signifying poverty, based on the
20 most recent data compiled by the Bureau of the Census of the
21 United States Department of Commerce; and

22 (b) The school received one of the two lowest possible
23 ratings indicating underperformance of a public school, as
24 determined by the Department pursuant to the statewide
25 system of accountability for public schools, for the
26 immediately preceding school year.

27 2. The Department shall designate each Victory school
28 for the 2015-2016 Fiscal Year on or before June 1, 2015.

29 3. The Department shall transfer money from the
30 Account for Programs for Innovation and the Prevention of
31 Remediation created by NRS 387.1247 to each school district
32 in which a Victory school is designated and each sponsor of a
33 charter school that is designated as a Victory school on a per
34 pupil basis. The amount distributed per pupil must be
35 determined by dividing the amount of money appropriated to
36 the Account by the 2015 Legislature for Victory schools by
37 the total number of pupils who are enrolled in Victory schools
38 statewide. After receiving money from the Account pursuant
39 to this subsection:

40 (a) A school district shall distribute the money to each
41 Victory school in the school district on a per pupil basis.

42 (b) A sponsor of a charter school shall distribute the
43 money to each Victory school that it sponsors on a per pupil
44 basis.



1 4. The board of trustees of each school district in which
2 a Victory school is located and the governing body of each
3 charter school that is designated as a Victory school shall, as
4 soon as practicable after the school is designated as a Victory
5 school, conduct an assessment of the needs of pupils that
6 attend the school. The assessment must include soliciting
7 input from the community served by the Victory school and
8 identify any barriers to improving pupil achievement and
9 school performance and strategies to meet the needs of pupils
10 at the school.

11 5. Except as otherwise provided in subsection 7, on or
12 before August 15, 2015, the board of trustees of each school
13 district in which a Victory school is designated for the 2015-
14 2016 Fiscal Year and the governing body of each charter
15 school that is designated as a Victory school for the 2015-
16 2016 Fiscal Year shall submit to the Department a
17 comprehensive plan for meeting the educational needs of
18 pupils enrolled in each Victory school. The board of trustees
19 of each school district in which a Victory school is designated
20 and the governing body of each charter school that is
21 designated as a Victory school shall select at least one person
22 who is familiar with the public schools in the school district
23 or with the charter school, respectively, to assist with the
24 development of the plan. The plan must:

25 (a) Include appropriate means to determine the
26 effectiveness of the plan;

27 (b) Be based on the assessment of the needs of the pupils
28 who attend the school conducted pursuant to subsection 4;

29 (c) Analyze available data concerning pupil achievement
30 and school performance, including, without limitation, data
31 collected and maintained in the statewide system of
32 accountability for public schools and other pupil achievement
33 data collected and maintained by the school district or charter
34 school;

35 (d) Include a description of the criteria used to select
36 entities to provide programs and services to pupils enrolled in
37 the Victory school;

38 (e) Include a description of the manner in which the
39 school district or governing body will collaborate with
40 selected entities so that academic programs and services and
41 nonacademic programs and services, including, without
42 limitation, transportation services, may be offered without
43 charge to support pupils and their families within the region
44 in which the school is located;



1 (f) Take into account the number and types of pupils who
2 attend the school and the locations where such pupils reside;

3 (g) Provide for the coordination of the existing or planned
4 engagement of other persons who provide services in the
5 region in which the school is located;

6 (h) Coordinate all funding available to each school that is
7 subject to the plan;

8 (i) Provide for the coordination of all available resources
9 to each school that is subject to the plan, including, without
10 limitation, instructional materials and textbooks;

11 (j) Identify, for each school or group of schools subject to
12 the plan, which of the measures described in subsection 8 will
13 be implemented; and

14 (k) Identify the person or persons selected pursuant to this
15 subsection who assisted with the development of the plan.

16 6. The Department shall review each plan submitted
17 pursuant to subsection 5 to determine whether, or the extent
18 to which, the plan complies with the requirements of this
19 section and either approve or request revisions to the plan.

20 7. If the board of trustees of a school district in which a
21 Victory school is designated or the governing body of a
22 charter school that is designated as a Victory school does not
23 submit a comprehensive plan for meeting the educational
24 needs of pupils enrolled in each Victory school on or before
25 August 15, 2015, as required pursuant to subsection 5, the
26 board of trustees of the school district or the governing body
27 of the charter school, as applicable, may submit to the
28 Department a letter of intent to meet the educational needs of
29 pupils enrolled in each Victory school. The letter must
30 include, without limitation:

31 (a) An initial assessment of the needs of the pupils
32 who attend the school which is conducted pursuant to
33 subsection 4;

34 (b) An analysis of available data concerning pupil
35 achievement and school performance, including, without
36 limitation, data collected and maintained in the statewide
37 system of accountability for public schools and data collected
38 and maintained by the school district or charter school; and

39 (c) A summary of activities that the board of trustees or
40 governing body, as applicable, will take to ensure completion
41 of the comprehensive plan required pursuant to subsection 5
42 by not later than September 15, 2015.

43 8. A Victory school shall use the majority of the money
44 distributed pursuant to subsection 3 to provide one or more of
45 the following:



1 (a) A prekindergarten program free of charge, if such a
2 program is not paid for by another grant.

3 (b) An expansion of full-day kindergarten classes, if such
4 classes have not otherwise been paid for through legislative
5 appropriation.

6 (c) A summer academy or other instruction for pupils free
7 of charge at times during the year when school is not in
8 session.

9 (d) Additional instruction or other learning opportunities
10 free of charge at times of day when school is not in session.

11 (e) Professional development for teachers and other
12 educational personnel concerning instructional practices and
13 strategies that have proven to be an effective means to
14 increase pupil achievement in populations of pupils similar to
15 those served by the school.

16 (f) Incentives for hiring and retaining teachers and other
17 licensed educational personnel who provide any of the
18 programs or services set forth in this subsection from the list
19 prescribed by the State Board of Education pursuant to
20 subsection 14.

21 (g) Employment of paraprofessionals, other educational
22 personnel and other persons who provide any of the programs
23 or services set forth in this subsection.

24 (h) Reading skills centers.

25 9. A Victory school may use any money distributed
26 pursuant to subsection 3 that is not used for the purposes
27 described in subsection 8 to:

28 (a) Provide evidence-based social, psychological or health
29 care services to pupils and their families, including, without
30 limitation, wrap-around services;

31 (b) Provide programs and services designed to engage
32 parents and families;

33 (c) Provide programs to improve school climate and
34 culture;

35 (d) Provide evidence-based programs and services
36 specifically designed to meet the needs of pupils who attend
37 the school, as determined using the assessment conducted
38 pursuant to subsection 4; or

39 (e) Any combination thereof.

40 10. A Victory school shall not use any money distributed
41 pursuant to subsection 3 for a purpose not described in
42 subsection 8 or 9.

43 11. Any programs offered at a Victory school pursuant
44 to subsection 8 or 9 must:



1 (a) Be designed to meet the needs of pupils at the school,
2 as determined using the assessment conducted pursuant to
3 subsection 4 and to improve pupil achievement and school
4 performance, as determined using the measures prescribed by
5 the State Board of Education; and

6 (b) Be based on scientific research concerning effective
7 practices to increase the achievement of pupils who live in
8 poverty.

9 12. Each plan to improve the achievement of pupils
10 enrolled in a Victory school that is prepared by the principal
11 of the school pursuant to NRS 385A.650 must describe how
12 the school will use the money distributed pursuant to
13 subsection 3 to meet the needs of pupils who attend the
14 school, as determined using the assessment described in
15 subsection 4 and the requirements of this section.

16 13. The Department shall contract with an independent
17 evaluator to evaluate the effectiveness of programs and
18 services provided pursuant to this section. The evaluation
19 must include, without limitation, consideration of the
20 achievement of pupils who have participated in such
21 programs and received such services. When complete, the
22 evaluation must be provided contemporaneously to the
23 Department and the Legislative Committee on Education.

24 14. The State Board of Education shall prescribe a list of
25 recruitment and retention incentives that are available to the
26 school districts and sponsors of charter schools that receive a
27 distribution of money pursuant to this section to offer to
28 teachers and other licensed educational personnel.

29 15. The State Board shall require a Victory school to
30 take corrective action if pupil achievement and school
31 performance at the school are unsatisfactory, as determined
32 by the State Board. If unsatisfactory pupil achievement and
33 school performance continue, the State Board may direct the
34 Department to withhold any additional money that would
35 otherwise be distributed pursuant to this section.

36 16. On or before November 30, 2016, and November 30,
37 2017, the board of trustees of each school district in which a
38 Victory school is designated and the governing body of each
39 charter school that is designated as a Victory school shall
40 submit to the Department and to the Legislative Committee
41 on Education a report, which must include, without
42 limitation:

43 (a) An identification of schools to which money was
44 distributed pursuant to subsection 3 for the previous fiscal
45 year;



- 1 (b) The amount of money distributed to each such school;
- 2 (c) A description of the programs or services for which
- 3 the money was used;
- 4 (d) The number of pupils who participated in such
- 5 programs or received such services;
- 6 (e) The average expenditure per pupil for each program or
- 7 service that was funded; and
- 8 (f) Recommendations concerning the manner in which the
- 9 average expenditure per pupil reported pursuant to paragraph
- 10 (e) may be used to determine formulas for allocating money
- 11 from the State Distributive School Account in the State
- 12 General Fund.

13 17. The Legislative Committee on Education shall

14 consider the evaluations of the independent evaluator

15 received pursuant to subsection 13 and the reports received

16 pursuant to subsection 16 and advise the State Board

17 regarding any action the Committee determines appropriate

18 for the State Board to take based upon that information. The

19 Committee shall also make any recommendations it deems

20 appropriate concerning Victory schools to the next regular

21 session of the Legislature which may include, without

22 limitation, recommendations for legislation.

23 18. The money distributed pursuant to subsection 3:

24 (a) Must be accounted for separately from any other

25 money received by Victory schools and used only for the

26 purposes specified in this section;

27 (b) May not be used to settle or arbitrate disputes between

28 a recognized organization representing employees of a school

29 district or the governing body of a charter school and the

30 school district or governing body or to settle any negotiations;

31 and

32 (c) May not be used to adjust the district-wide schedules

33 of salaries and benefits of the employees of a school district.

34 19. Upon request of the Legislative Commission, a

35 Victory school to which money is distributed pursuant to

36 subsection 3 shall make available to the Legislative Auditor

37 any of the books, accounts, claims, reports, vouchers or other

38 records of information, confidential or otherwise, regardless

39 of their form or location, that the Legislative Auditor deems

40 necessary to conduct an audit of the use of such money.

41 20. As used in this section:

42 (a) "Community" includes any person or governmental

43 entity who resides or has a significant presence in the

44 geographic area in which a school is located or who interacts

45 with pupils and personnel at a school, and may include,



1 without limitation, parents, businesses, nonprofit
2 organizations, faith-based organizations, community groups,
3 teachers, administrators and governmental entities.

4 (b) "Evidence-based programs and services" means
5 practices, interventions and services that have been proven,
6 through scientifically based research, as defined in 20 U.S.C.
7 § 7801(37), *as that section existed on June 8, 2015*, to be
8 effective in improving outcomes for pupils when
9 implemented with fidelity.

10 (c) "Victory school" means a school that is so designated
11 by the Department pursuant to subsection 1.

12 (d) "Wrap-around services" means supplemental services
13 provided to a pupil with special needs or the family of such a
14 pupil that are not otherwise covered by any federal or state
15 program of assistance.

16 **Sec. 83.** NRS 385A.660 is hereby repealed.

17 **Sec. 84.** 1. This section and sections 1 to 77, inclusive, 81,
18 82 and 83 of this act become effective on July 1, 2017.

19 2. Sections 28 and 29 of this act expire by limitation on
20 June 30, 2019.

21 3. Sections 78, 79 and 80 of this act become effective on
22 July 1, 2019.

TEXT OF REPEALED SECTION

385A.660 Process for approval of plan.

1. If a Title I school is rated as underperforming pursuant to the statewide system of accountability for public schools, the superintendent of schools of the school district or the governing body, as applicable, shall carry out a process for peer review of the plan to improve the achievement of the pupils enrolled in the school prepared pursuant to NRS 385A.650 or the revised plan, as applicable, in accordance with 20 U.S.C. § 6316(b)(3)(E) and the regulations adopted pursuant thereto. Not later than 45 days after receipt of the plan, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan, as applicable, if it meets the requirements of 20 U.S.C. § 6316(b)(3) and the regulations adopted pursuant thereto and the requirements of NRS 385A.650. The superintendent of schools of the school district or the governing body, as applicable, may condition approval of the plan or the revised plan, as applicable, in the manner set forth in 20 U.S.C. § 6316(b)(3)(B) and



the regulations adopted pursuant thereto. The State Board shall prescribe the requirements for the process of peer review, including, without limitation, the qualifications of persons who may serve as peer reviewers.

2. If a school is rated as meeting the annual measurable objectives and performance targets established pursuant to the statewide system of accountability for public schools, or if a school that is not a Title I school is rated as underperforming pursuant to the statewide accountability system for public schools, not later than 45 days after receipt of the plan or the revised plan, as applicable, the superintendent of schools of the school district or the governing body, as applicable, shall approve the plan or the revised plan if it meets the requirements of NRS 385A.650.

