
ASSEMBLY BILL NO. 400—COMMITTEE ON EDUCATION

(ON BEHALF OF THE OFFICE OF THE GOVERNOR)

MARCH 24, 2023

Referred to Committee on Ways and Means

SUMMARY—Revises various provisions relating to education.
(BDR 34-1088)

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

CONTAINS UNFUNDED MANDATE (§§ 25, 26)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to education; creating the Early Childhood Literacy and Readiness Account and authorizing grants from the Account for certain purposes; revising the distribution interest, income and excess money in the Education Stabilization Account; authorizing a charter school to receive funding under the Pupil-Centered Funding Plan for transportation for pupils in certain circumstances; revising various provisions relating to the Commission on School Funding; authorizing a pupil to attend a public school outside the zone of attendance the pupil is otherwise required to attend in certain circumstances; providing for programs of career and technical education in certain school districts for pupils wishing to become a teacher; authorizing a city or county to sponsor a charter school; establishing the Office of School Choice and the duties of the Office; revising provisions governing the Nevada Educational Choice Scholarship Program; requiring certain uses of money carried forward at the end of a school year by a local school precinct; creating the State Teacher Pipeline Account and authorizing grants from the Account for certain purposes; revising provisions relating to the Teach Nevada Scholarship Program; creating the Nevada Teacher Advancement Scholarship Program; revising provisions governing the promotion of pupils; revising provisions relating to the retention of pupils in the same grade; authorizing the Governor to designate positions in a school district or charter school as positions for which there is a critical labor shortage for purposes relating to the Public Employees' Retirement System; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law authorizes the Department of Education, to the extent money is
2 available, to award grants to certain entities to support prekindergarten programs.
3 (NRS 387.652-387.658) **Sections 11-14** of this bill create the Early Childhood
4 Literacy and Readiness Account and authorize the Department to award grants to
5 certain entities to support early childhood literacy and readiness programs. **Section**
6 **15** of this bill transfers certain excess money in the Education Stabilization Account
7 to the Early Childhood Literacy and Readiness Account.

8 As part of the Pupil-Centered Funding Plan, existing law requires money in
9 each fiscal year to be appropriated to each school district to provide transportation
10 for pupils. (NRS 387.1214) **Section 16** of this bill additionally authorizes a charter
11 school to receive money to provide transportation for pupils if: (1) the charter
12 school submits to the Superintendent of Public Instruction a transportation plan
13 which meets certain requirements; and (2) the plan is approved by the
14 Superintendent of Public Instruction. **Sections 17-21, 27, 34, 73, 80 and 82** of this
15 bill make conforming changes to refer to provisions that have been renumbered by
16 this bill.

17 Existing law creates the Commission on School Funding and establishes the
18 duties of the Commission. (NRS 387.1246, 387.12463) **Section 22** of this bill: (1)
19 revises the membership of the Commission; (2) requires the Department to engage
20 in certain activities to support the Commission; and (3) authorizes the Commission
21 to meet at any time. **Section 23** of this bill expands the duties of the Commission by
22 requiring the Commission to: (1) review the academic progress made by pupils in
23 each public school and certain private schools that receive public money in this
24 State; and (2) review and consider strategies to improve the accessibility of existing
25 and new programs within and between public schools. **Section 23** also eliminates
26 the power of the Joint Interim Standing Committee on Education to review
27 the recommendations of the Commission and determine whether to transmit the
28 recommendations to the Governor or the Legislature and instead requires the
29 Commission to transmit its recommendations to the Governor and the Legislature
30 after considering the recommendations of the Joint Interim Standing Committee on
31 Education. **Section 93** of this bill makes an appropriation to the Department to
32 support the operations of the Commission.

33 Existing law requires each school district and each public school to create a
34 report on or before October 1 of each year that includes certain information about
35 the number and kinds of personnel and services provided by the school district or
36 public school, respectively, during the immediately preceding school year and any
37 changes anticipated by the school district or public school. (NRS 387.12468)
38 **Section 24** of this bill requires the Department to prepare any reports or provide
39 any data necessary for a school district or public school to produce such reports.
40 **Section 93** makes an appropriation to the Department to support the completion of
41 such reports.

42 Existing law: (1) authorizes the board of trustees of certain school districts to
43 zone the school district and determine which pupils must attend each school; and
44 (2) allows pupils to attend certain schools despite the zoning decision of the board
45 of trustees of the school district. (NRS 388.040) **Section 25** of this bill authorizes a
46 pupil to attend a public school outside the zone of attendance that the pupil is
47 otherwise required to attend if the public school is not at capacity in the grade or
48 classes required by the pupil. **Section 25** additionally requires the superintendent of
49 each school district to establish an application process to enable such transfers of
50 pupils between public schools. **Section 9** of this bill authorizes the board of trustees
51 of a school district that furnishes transportation to pupils to elect not to provide
52 transportation to a pupil who attends a public school outside of his or her zone of
53 attendance pursuant to **section 25**.



54 Existing law requires the board of trustees of a school district in a county
55 whose population is 100,000 or more (currently Clark and Washoe Counties) and
56 authorizes the board of trustees of any other school district to establish and
57 maintain a program of career and technical education. (NRS 388.380) **Section 26** of
58 this bill requires the board of trustees of a large school district (currently only Clark
59 County School District) and authorizes the board of trustees of any other school
60 district to establish and maintain a program of career and technical education for
61 pupils who wish to become a teacher that includes the opportunity to earn, through
62 enrollment in dual credit courses, at least 12 units of credit applicable to earning a
63 credential, certificate or degree at a community college, state college or university.
64 **Section 54** of this bill establishes the State Teacher Pipeline Account for the
65 support of such programs of career and technical education. **Section 15** transfers
66 certain excess money in the Education Stabilization Account to the State Teacher
67 Pipeline Account.

68 Existing law: (1) requires the State Public Charter School Authority to sponsor
69 charter schools; and (2) authorizes the board of trustees of a school district or a
70 college or university within the Nevada System of Higher Education to apply to the
71 Department for authorization to sponsor charter schools. (NRS 388A.220) **Section**
72 **32** of this bill authorizes a city or county to apply to the Department for
73 authorization to sponsor charter schools. **Sections 1-5, 7, 8, 28-31, 33-39, 50-52**
74 **and 75** of this bill authorize a city or county approved by the Department to, in
75 general, sponsor charter schools in the same manner as the board of trustees of a
76 school district or a college or university within the Nevada System of Higher
77 Education.

78 Existing law creates the Nevada Educational Choice Scholarship Program,
79 which provides certain tax incentives to organizations that provide grants for
80 certain pupils to attend schools which require some type of payment. (NRS
81 388D.270) **Sections 42-45** of this bill create the Office of School Choice within the
82 Department with an Executive Director who is responsible for the administration of
83 the Office. **Sections 45, 48 and 49** of this bill make the Executive Director
84 responsible for the administration of the Nevada Educational Choice Scholarship
85 Program. **Section 45** additionally specifies the duties of the Office. **Sections 46**
86 **and 47** of this bill make conforming changes to indicate the proper placement of
87 **sections 42-45** in the Nevada Revised Statutes.

88 Under existing law, financial institutions, mining businesses and other
89 employers are required to pay an excise tax (the modified business tax) on wages
90 paid by them. (NRS 363A.130, 363B.110) Existing law also requires each: (1)
91 person who holds certain licenses relating to gaming to pay a monthly license fee
92 based upon gross revenue (the gaming tax); and (2) insurer to pay a tax upon net
93 direct premiums and net direct considerations written (the general tax on insurance
94 premiums). (NRS 463.370, 680B.027) Existing law: (1) establishes a credit against
95 the modified business tax for a taxpayer who makes a donation to a scholarship
96 organization that provides grants on behalf of certain pupils to allow the pupils to
97 attend schools in this State, including private schools; and (2) limits the total
98 amount of such credits in each fiscal year to \$6,655,000. (NRS 363A.139,
99 363B.119, 388D.270) **Section 48**: (1) increases the maximum household income of
100 an eligible pupil from 300 percent to 500 percent of the federally designated level
101 signifying poverty; and (2) increases the maximum amount of a grant from a certain
102 amount benchmarked for inflation (currently \$8,726) to an amount equal to the
103 adjusted base per pupil funding that would apply to a school pursuant to the Pupil-
104 Centered Funding Plan if the school were a charter school. **Sections 81 and 83** of
105 this bill increase the total amount of authorized tax credits from \$6,655,000 in a
106 fiscal year to an amount equal to 0.50 percent of all money deposited in the State
107 Education Fund in Fiscal Years 2023-2024 and 2024-2025, increasing to 5 percent
108 of all money deposited in the State Education Fund in Fiscal Year 2031-2032 and



109 each fiscal year thereafter. **Sections 84, 87 and 88** of this bill establish a credit
110 against the gaming tax and the general tax on insurance premiums for a licensee or
111 insurer, respectively, who makes a donation to a scholarship organization to be
112 administered in the same manner as a credit against the modified business tax.
113 **Sections 85 and 89-92** of this bill make conforming changes to indicate the proper
114 placement of **sections 87 and 88** in the Nevada Revised Statutes.

115 Existing law: (1) deems each public school within a large school district
116 (currently Clark County School District) to be a local school precinct which is
117 empowered to carry forward its year-end balance to the next school year for use by
118 the local school precinct; and (2) requires a large school district to account for any
119 amount carried forward by a local school precinct as a restricted fund balance.
120 (NRS 388G.600, 388G.650) **Section 53** of this bill requires a local school precinct
121 that carries forward a balance of more than 3 percent of its actual expenditures to
122 develop a plan to use the balance for certain purposes. If a local school precinct
123 fails to submit such a plan or to spend the balance within 2 years, **section 53**
124 requires a large school district to transfer the balance in excess of 3 percent of the
125 expenditures of the local school precinct to the Education Stabilization Account.

126 Existing law establishes the Teach Nevada Scholarship Program, which awards
127 grants to public or private universities, colleges or other providers of an alternative
128 licensure program in this State to award scholarships to students who attend the
129 university, college or provider to complete a program which is approved by the
130 State Board of Education and upon completion: (1) makes a student eligible to
131 obtain a license to teach kindergarten, any grade from grades 1 through 12 or in the
132 subject of special education; or (2) allows a student to specialize in early childhood
133 education. (NRS 391A.580) **Section 56** of this bill requires the State Board to
134 annually review and report on the Teach Nevada Scholarship Program. **Section 67**
135 of this bill makes a conforming change to indicate the proper placement of **section**
136 **56** in the Nevada Revised Statutes. **Section 68** of this bill: (1) revises provisions
137 relating to the priority of grant awards for the Teach Nevada Scholarship Program;
138 and (2) requires a student to have graduated from a high school in this State or a
139 county that borders this State and accepts pupils from this State or who have
140 successfully completed the high school equivalency assessment selected by the
141 State Board before 20 years of age to be eligible for a Teach Nevada Scholarship.
142 **Section 69** of this bill: (1) increases the maximum amount of a Teach Nevada
143 Scholarship to match the cost of receiving a bachelor's degree at a public university
144 in this State; and (2) allows a scholarship recipient to receive the 25 percent of
145 scholarship money retained by the State Board after maintaining employment as a
146 teacher at a private school in this State for 5 years.

147 **Sections 57-66** of this bill create the Nevada Teacher Advancement
148 Scholarship Program, which, in general, is structured similarly to the Teach Nevada
149 Scholarship Program. **Section 63** of this bill allows a Nevada Teacher
150 Advancement Scholarship to be used to obtain a master's degree in education or a
151 related field of study. **Section 63** similarly requires 25 percent of an award of a
152 Nevada Teacher Advancement Scholarship to be retained by the State Board, and
153 **section 64** allows this amount to be released to a scholarship recipient if he or she
154 maintains employment as a teacher at a public school or private school in this State
155 for 3 consecutive school years immediately following completion of the program
156 for which the Nevada Teacher Advancement Scholarship was awarded.

157 Existing law requires an elementary school to provide intervention services and
158 intensive instruction to a pupil during the time the pupil attends the school if the
159 pupil does not obtain a score in the subject area of reading on the criterion-
160 referenced examination in reading that meets the score prescribed by the State
161 Board. Existing law also authorizes the principal of such a school to retain the
162 pupil, rather than promote the pupil to the next grade, in certain circumstances, in
163 consultation with a literacy specialist and certain other persons. (NRS 388A.487,



164 392.760) **Sections 71 and 72** of this bill require a pupil enrolled in grade 3 to be
165 retained in grade 3, rather than promoted to grade 4, if the pupil does not obtain the
166 score in the subject area of reading on the criterion-referenced examination in
167 reading that meets the score prescribed by the State Board or receive an exemption
168 by the superintendent of schools of the school district or governing body of the
169 charter school. **Sections 71 and 72** also authorize a pupil to receive a good-cause
170 exemption to allow the pupil to be promoted to grade 4 without obtaining such a
171 score and require the State Board to prescribe an alternative examination for pupils
172 who do not obtain such a score. **Section 40** of this bill requires a pupil enrolled in a
173 charter school to be retained in grade 3 under similar circumstances. **Section 76** of
174 this bill revises the information that must be included in a written notice provided
175 to the parent or legal guardian of a pupil enrolled in kindergarten or grade 1, 2 or 3
176 who exhibits a deficiency in the subject area of reading. **Section 77** of this bill
177 requires a school to provide certain intervention services and intensive instruction
178 to a pupil who does not obtain a passing score in reading regardless of whether the
179 pupil is retained in grade 3. **Sections 40 and 78** of this bill require certain
180 information relating to pupils with a deficiency in reading who were retained in
181 grade 3 or not retained due to a good-cause exemption to be included in the annual
182 report of pupils receiving intervention services and intensive instruction to address
183 a deficiency in reading. **Sections 6 and 74** of this bill make conforming changes to
184 refer to provisions that have been renumbered by this bill.

185 Existing law requires, in general, a public employee who retires and is
186 subsequently reemployed in a position covered by the Public Employees'
187 Retirement System to forfeit his or her retirement benefits for the period of
188 reemployment. (NRS 286.520) If a position is designated as a position for which
189 there is a critical labor shortage, however, a retired public employee may fill the
190 position and continue to receive his or her retirement benefits during the period of
191 reemployment. (NRS 286.523) **Section 79** of this bill authorizes the Governor to
192 designate a position in any school district or charter school in this State as a
193 position for which there is a critical labor shortage, thereby enabling such a position
194 to be filled by a retired employee without loss of retirement benefits.

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

1 **Section 1.** NRS 385.620 is hereby amended to read as follows:

2 385.620 The Advisory Council shall:

3 1. Review the policy of parental involvement adopted by the
4 State Board and the policy of parental involvement and family
5 engagement adopted by the board of trustees of each school district
6 pursuant to NRS 392.457;

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



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

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

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

13 6. Identify the manner in which the level of parental
14 involvement and family engagement affects the performance,
15 attendance and discipline of pupils;

16 7. Identify methods to communicate effectively with and
17 provide outreach to parents, legal guardians and families of pupils
18 who are English learners;

19 8. Determine the necessity for the appointment of a statewide
20 parental involvement and family engagement coordinator or a
21 parental involvement and family engagement coordinator in each
22 school district, or both;

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

26 10. On or before February 1 of each year, submit a report to the
27 Director of the Legislative Counsel Bureau for transmission to the
28 Legislature in odd-numbered years and to the Legislative
29 Commission in even-numbered years, describing the activities of the
30 Advisory Council and any recommendations for legislation.

31 **Sec. 2.** NRS 385A.070 is hereby amended to read as follows:

32 385A.070 1. The board of trustees of each school district in
33 this State, in cooperation with associations recognized by the State
34 Board as representing licensed educational personnel in the district,
35 shall adopt a program providing for the accountability of the school
36 district to the residents of the district and to the State Board for the
37 quality of the schools and the educational achievement of the pupils
38 in the district, including, without limitation, pupils enrolled in
39 charter schools sponsored by the school district. The board of
40 trustees of each school district shall report the information required
41 by NRS 385A.070 to 385A.320, inclusive, for each charter school
42 sponsored by the school district. The information for charter schools
43 must be reported separately.

44 2. The board of trustees of each school district shall, on or
45 before December 31 of each year, prepare for the immediately



1 preceding school year a single annual report of accountability
2 concerning the educational goals and objectives of the school
3 district, the information prescribed by NRS 385A.070 to 385A.320,
4 inclusive, and such other information as is directed by the
5 Superintendent of Public Instruction. A separate reporting for a
6 group of pupils must not be made pursuant to NRS 385A.070 to
7 385A.320, inclusive, if the number of pupils in that group is
8 insufficient to yield statistically reliable information or the results
9 would reveal personally identifiable information about an individual
10 pupil. The Department shall use the mechanism approved by the
11 United States Department of Education for the statewide system of
12 accountability for public schools for determining the minimum
13 number of pupils that must be in a group for that group to yield
14 statistically reliable information.

15 3. The State Public Charter School Authority , ~~and~~ each
16 college or university within the Nevada System of Higher Education
17 *and each city or county* that sponsors a charter school shall, on or
18 before December 31 of each year, prepare for the immediately
19 preceding school year an annual report of accountability of the
20 charter schools sponsored by the State Public Charter School
21 Authority or institution, as applicable, concerning the accountability
22 information prescribed by the Department pursuant to this section.
23 The Department, in consultation with the State Public Charter
24 School Authority , ~~and~~ each college or university within the
25 Nevada System of Higher Education *and each city or county* that
26 sponsors a charter school, shall prescribe by regulation the
27 information that must be prepared by the State Public Charter
28 School Authority and institution, as applicable, which must include,
29 without limitation, the information contained in subsection 2 and
30 NRS 385A.070 to 385A.320, inclusive, as applicable to charter
31 schools. The Department shall provide for public dissemination of
32 the annual report of accountability prepared pursuant to this section
33 by posting a copy of the report on the Internet website maintained
34 by the Department.

35 4. The annual report of accountability prepared pursuant to this
36 section must be presented in an understandable and uniform format
37 and, to the extent practicable, provided in a language that parents
38 can understand.

39 **Sec. 3.** NRS 385A.080 is hereby amended to read as follows:
40 385A.080 1. The Superintendent of Public Instruction shall:

41 (a) Prescribe forms for the reports required pursuant to NRS
42 385A.070 and provide the forms to the respective school districts,
43 the State Public Charter School Authority , ~~and~~ each college or
44 university within the Nevada System of Higher Education *and each*
45 *city or county* that sponsors a charter school.



1 (b) Provide statistical information and technical assistance to the
2 school districts, the State Public Charter School Authority , ~~and~~
3 each college or university within the Nevada System of Higher
4 Education *and each city or county* that sponsors a charter school to
5 ensure that the reports provide comparable information with respect
6 to each school in each district, each charter school and among the
7 districts and charter schools throughout this State.

8 (c) Consult with a representative of the:

- 9 (1) Nevada State Education Association;
- 10 (2) Nevada Association of School Boards;
- 11 (3) Nevada Association of School Administrators;
- 12 (4) Nevada Parent Teacher Association;
- 13 (5) Budget Division of the Office of Finance;
- 14 (6) Legislative Counsel Bureau; and
- 15 (7) Charter School Association of Nevada,

16 ↪ concerning the program adopted pursuant to subsection 1 of NRS
17 385A.070 and consider any advice or recommendations submitted
18 by the representatives with respect to the program.

19 2. The Superintendent of Public Instruction may consult with
20 representatives of parent groups other than the Nevada Parent
21 Teacher Association concerning the program adopted pursuant to
22 subsection 1 of NRS 385A.070 and consider any advice or
23 recommendations submitted by the representatives with respect to
24 the program.

25 **Sec. 4.** NRS 385A.090 is hereby amended to read as follows:

26 385A.090 1. On or before September 30 of each year:

27 (a) The board of trustees of each school district, the State Public
28 Charter School Authority , ~~and~~ each college or university within
29 the Nevada System of Higher Education *and each city or county*
30 that sponsors a charter school shall provide written notice that the
31 report required pursuant to NRS 385A.070 is available on the
32 Internet website maintained by the school district, State Public
33 Charter School Authority , ~~or~~ institution ~~or~~ *or city or county*, if
34 any, or otherwise provide written notice of the availability of the
35 report. The written notice must be provided to the:

- 36 (1) Governor;
- 37 (2) State Board;
- 38 (3) Department;
- 39 (4) Committee;
- 40 (5) Bureau; and

41 (6) The Attorney General, with a specific reference to the
42 information that is reported pursuant to paragraph (e) of subsection
43 1 of NRS 385A.250.

44 (b) The board of trustees of each school district, the State Public
45 Charter School Authority , ~~and~~ each college or university within



1 the Nevada System of Higher Education *and each city or county*
2 that sponsors a charter school shall provide for public dissemination
3 of the annual report of accountability prepared pursuant to NRS
4 385A.070 by posting a copy of the report on the Internet website
5 maintained by the school district, the State Public Charter School
6 Authority , ~~{or}~~ the institution ~~{,}~~ *or the city or county*, if any. If a
7 school district does not maintain a website, the district shall
8 otherwise provide for public dissemination of the annual report by
9 providing a copy of the report to the schools in the school district,
10 including, without limitation, each charter school sponsored by the
11 district, the residents of the district, and the parents and guardians of
12 pupils enrolled in schools in the district, including, without
13 limitation, each charter school sponsored by the district. If the State
14 Public Charter School Authority , ~~{or}~~ the institution , *the city or the*
15 *county* does not maintain a website, the State Public Charter School
16 Authority , ~~{or}~~ the institution , *the city or the county*, as applicable,
17 shall otherwise provide for public dissemination of the annual report
18 by providing a copy of the report to each charter school it sponsors
19 and the parents and guardians of pupils enrolled in each charter
20 school it sponsors.

21 2. Upon the request of the Governor, the Attorney General, an
22 entity described in paragraph (a) of subsection 1 or a member of the
23 general public, the board of trustees of a school district, the State
24 Public Charter School Authority , ~~{or}~~ a college or university within
25 the Nevada System of Higher Education *or a city or county* that
26 sponsors a charter school, as applicable, shall provide a portion or
27 portions of the report required pursuant to NRS 385A.070.

28 **Sec. 5.** NRS 385A.240 is hereby amended to read as follows:

29 385A.240 1. The annual report of accountability prepared
30 pursuant to NRS 385A.070 must include information on the
31 attendance, truancy and transiency of pupils, including, without
32 limitation:

33 (a) Records of the attendance and truancy of pupils in all grades,
34 including, without limitation:

35 (1) The average daily attendance of pupils, for each school in
36 the district and the district as a whole, including, without limitation,
37 each charter school sponsored by the district.

38 (2) For each elementary school, middle school and junior
39 high school in the district, including, without limitation, each charter
40 school sponsored by the district that provides instruction to pupils
41 enrolled in a grade level other than high school, information that
42 compares the attendance of the pupils enrolled in the school with the
43 attendance of pupils throughout the district and throughout this
44 State. The information required by this subparagraph must be



1 provided in consultation with the Department to ensure the accuracy
2 of the comparison.

3 (b) The number of pupils in each grade who are retained in the
4 same grade pursuant to NRS 392.033 ~~[]~~ or 392.125 or ~~[392.760,]~~
5 *section 71 of this act*, for each school in the district and the district
6 as a whole, including, without limitation, each charter school
7 sponsored by the district.

8 (c) The transiency rate of pupils for each school in the district
9 and the district as a whole, including, without limitation, each
10 charter school sponsored by the district. For the purposes of this
11 paragraph, a pupil is not transient if the pupil is transferred to a
12 different school within the school district as a result of a change in
13 the zone of attendance by the board of trustees of the school district
14 pursuant to NRS 388.040.

15 (d) The number of habitual truants reported for each school in
16 the district and for the district as a whole, including, without
17 limitation, the number who are:

18 (1) Reported to an attendance officer, a school police officer
19 or a local law enforcement agency pursuant to paragraph (a) of
20 subsection 2 of NRS 392.144;

21 (2) Referred to an advisory board to review school
22 attendance pursuant to paragraph (b) of subsection 2 of NRS
23 392.144; and

24 (3) Referred for the imposition of administrative sanctions
25 pursuant to paragraph (c) of subsection 2 of NRS 392.144.

26 2. The information included pursuant to subsection 1 must
27 allow such information to be disaggregated by:

28 (a) Pupils who are economically disadvantaged;

29 (b) Pupils from major racial and ethnic groups;

30 (c) Pupils with disabilities;

31 (d) Pupils who are English learners;

32 (e) Pupils who are migratory children;

33 (f) Gender;

34 (g) Pupils who are homeless;

35 (h) Pupils in foster care; and

36 (i) Pupils whose parent or guardian is a member of the Armed
37 Forces of the United States, a reserve component thereof or the
38 National Guard.

39 3. On or before September 30 of each year:

40 (a) The board of trustees of each school district shall submit to
41 each advisory board to review school attendance created in the
42 county pursuant to NRS 392.126 the information required by
43 paragraph (a) of subsection 1.

44 (b) The State Public Charter School Authority , ~~[and]~~ each
45 college or university within the Nevada System of Higher Education



1 *and each city or county* that sponsors a charter school shall submit
2 to each advisory board to review school attendance created in a
3 county pursuant to NRS 392.126 the information regarding the
4 records of the attendance and truancy of pupils enrolled in
5 the charter school located in that county, if any, in accordance with
6 the regulations prescribed by the Department pursuant to subsection
7 3 of NRS 385A.070.

8 **Sec. 6.** NRS 385A.450 is hereby amended to read as follows:

9 385A.450 The annual report of accountability prepared by the
10 State Board pursuant to NRS 385A.400 must include information on
11 the attendance, truancy and transiency of pupils, including, without
12 limitation:

13 1. For all elementary schools, junior high schools and middle
14 schools, the rate of attendance, reported for each school district,
15 including, without limitation, each charter school in the district, and
16 for this State as a whole.

17 2. The number of pupils in each grade who are retained in the
18 same grade pursuant to NRS 392.033 ~~§~~ or 392.125 or ~~§392.760, §~~
19 *section 71 of this act*, reported for each school district, including,
20 without limitation, each charter school in the district, and for this
21 State as a whole.

22 3. The transiency rate of pupils, reported for each school
23 district, including, without limitation, each charter school in the
24 district, and for this State as a whole. For the purposes of this
25 subsection, a pupil is not a transient if the pupil is transferred to a
26 different school within the school district as a result of a change in
27 the zone of attendance by the board of trustees of the school district
28 pursuant to NRS 388.040.

29 4. The number of habitual truants reported for each school
30 district, including, without limitation, each charter school in the
31 district, and for this State as a whole, including, without limitation,
32 the number who are:

33 (a) Reported to an attendance officer, a school police officer or a
34 local law enforcement agency pursuant to paragraph (a) of
35 subsection 2 of NRS 392.144;

36 (b) Referred to an advisory board to review school attendance
37 pursuant to paragraph (b) of subsection 2 of NRS 392.144; and

38 (c) Referred for the imposition of administrative sanctions
39 pursuant to paragraph (c) of subsection 2 of NRS 392.144.

40 **Sec. 7.** NRS 385A.670 is hereby amended to read as follows:

41 385A.670 1. On or before July 31 of each year, the
42 Department shall determine whether each public school is meeting
43 the school achievement targets and performance targets established
44 pursuant to the statewide system of accountability for public
45 schools.



1 2. The determination pursuant to subsection 1 for a public
2 school, including, without limitation, a charter school sponsored by
3 the board of trustees of the school district, must be made in
4 consultation with the board of trustees of the school district in which
5 the public school is located. If a charter school is sponsored by the
6 State Public Charter School Authority, ~~for~~ a college or university
7 within the Nevada System of Higher Education ~~or~~ **or a city or**
8 **county**, the Department shall make a determination for the charter
9 school in consultation with the State Public Charter School
10 Authority, ~~for~~ the institution within the Nevada System of Higher
11 Education **or the city or county** that sponsors the charter school, as
12 applicable. The determination made for each school must be based
13 only upon the information and data for those pupils who are enrolled
14 in the school for a full academic year. On or before July 31 of each
15 year, the Department shall transmit:

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

19 (b) To the State Public Charter School Authority the
20 determination made for each charter school that is sponsored by the
21 State Public Charter School Authority.

22 (c) The determination made for the charter school to the
23 institution that sponsors the charter school if a charter school is
24 sponsored by a college or university within the Nevada System of
25 Higher Education ~~or~~ **or a city or county**.

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

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

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

35 ➤ The Department shall use the mechanism approved by the United
36 States Department of Education for the statewide system of
37 accountability for public schools for determining the number of
38 pupils that must be in a group for that group to yield statistically
39 reliable information.

40 4. If an irregularity in testing administration or an irregularity
41 in testing security occurs at a school and the irregularity invalidates
42 the test scores of pupils, those test scores must be included in the
43 scores of pupils reported for the school, the attendance of those
44 pupils must be counted towards the total number of pupils who took



1 the examinations and the pupils must be included in the total
2 number of pupils who were required to take the examinations.

3 5. As used in this section:

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

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

8 **Sec. 8.** NRS 385A.720 is hereby amended to read as follows:

9 385A.720 1. Except as otherwise provided in subsection 3:

10 (a) Based upon the information received from the Department
11 pursuant to NRS 385A.670, the board of trustees of each school
12 district shall, on or before August 15 of each year, issue a
13 preliminary rating for each public school in the school district in
14 accordance with the statewide system of accountability for public
15 schools, excluding charter schools sponsored by the State Public
16 Charter School Authority, ~~or~~ a college or university within the
17 Nevada System of Higher Education ~~or~~ *or a city or county.*

18 (b) The board of trustees shall make preliminary ratings for all
19 charter schools that are sponsored by the board of trustees.

20 (c) The Department shall make preliminary ratings for all
21 charter schools sponsored by the State Public Charter School
22 Authority, ~~and~~ all charter schools sponsored by a college or
23 university within the Nevada System of Higher Education ~~or~~ *and all*
24 *charter schools sponsored by a city or county.*

25 2. Except as otherwise provided in subsection 3:

26 (a) Before making a final rating for a school, the board of
27 trustees of the school district or the Department, as applicable, shall
28 provide the school an opportunity to review the data upon which the
29 preliminary rating is based and to present evidence.

30 (b) If the school is a public school of the school district or a
31 charter school sponsored by the board of trustees, the board of
32 trustees of the school district shall, in consultation with the
33 Department, make a final determination concerning the rating for
34 the school on September 15.

35 (c) If the school is a charter school sponsored by the State Public
36 Charter School Authority, ~~or~~ a college or university within the
37 Nevada System of Higher Education ~~or~~ *or a city or county*, the
38 Department shall make a final determination concerning the rating
39 for the school on September 15.

40 3. The Department may temporarily waive or otherwise pause
41 the requirement to make ratings for public schools that comply with
42 20 U.S.C. § 6311(c) pursuant to this section if the United States
43 Department of Education grants a waiver from or otherwise pauses
44 the requirements of 20 U.S.C. § 6311(c).



1 4. On or before September 15 of each year, the Department
2 shall post on the Internet website maintained by the Department the
3 determinations and final ratings made for all schools in this State.

4 **Sec. 9.** NRS 386.790 is hereby amended to read as follows:

5 386.790 1. As provided in this title, the board of trustees of
6 any school district may furnish transportation for all resident
7 children of school age in the school district attending a public
8 school, including pupils assigned to special schools or programs
9 pursuant to NRS 388.417 to 388.469, inclusive, or 388.5251 to
10 388.5267, inclusive:

11 (a) Who are not excused from school attendance by the
12 provisions of this title; and

13 (b) Who reside within the school district at such a distance from
14 the school as to make transportation necessary and desirable.

15 2. When the board of trustees of a school district whose
16 population is less than 100,000 furnishes transportation for pupils
17 attending public schools pursuant to subsection 1, the board may
18 also provide transportation for all resident children of school age in
19 the school district attending private schools not operated for profit,
20 over bus routes established for pupils attending public schools. If
21 such transportation is provided, the pupils attending such private
22 schools must be transported, if space is available, to and from the
23 points on the established routes nearest to the schools which they
24 attend.

25 3. The board of trustees of any school district may:

26 (a) Establish bus routes.

27 (b) Make regulations governing the conduct of pupils while
28 being transported.

29 (c) For the safety of pupils being transported, govern the
30 conduct of drivers by making and enforcing regulations not
31 inconsistent with regulations of the State Board of Education or with
32 law.

33 *4. The board of trustees of a school district that furnishes*
34 *transportation pursuant to this section may elect not to provide*
35 *transportation to pupils who attend a public school outside of the*
36 *zone of attendance that the pupil is otherwise required to attend*
37 *pursuant to paragraph (f) of subsection 2 of NRS 388.040.*

38 **Sec. 10.** Chapter 387 of NRS is hereby amended by adding
39 thereto the provisions set forth as sections 11 to 14, inclusive, of this
40 act.

41 **Sec. 11.** *As used in sections 11 to 14, inclusive, of this act,*
42 *unless the context otherwise requires, "Account" means the Early*
43 *Childhood Literacy and Readiness Account created by section 12*
44 *of this act.*



1 **Sec. 12. 1. The Early Childhood Literacy and Readiness**
2 **Account is hereby created in the State General Fund. The Account**
3 **must be administered by the Department.**

4 **2. The interest and income earned on:**

5 **(a) The money in the Account, after deducting any applicable**
6 **charge; and**

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

9 **↳ must be credited to the Account.**

10 **3. Any money remaining in the Account at the end of a fiscal**
11 **year, including, without limitation, any unexpended**
12 **appropriations made to the Account from the State General Fund,**
13 **does not revert to the State General Fund, and the balance in the**
14 **Account must be carried forward to the next fiscal year.**

15 **4. The Department may accept gifts and grants of money**
16 **from any source for deposit in the Account.**

17 **5. The money in the Account may only be used to award**
18 **grants to school districts, sponsors of charter schools and**
19 **nonprofit organizations to support early childhood literacy and**
20 **readiness programs pursuant to section 13 of this act.**

21 **Sec. 13. 1. The Department shall, to the extent money is**
22 **available, award grants of money to school districts, sponsors of**
23 **charter schools and nonprofit organizations to support early**
24 **childhood literacy and readiness programs. Each program**
25 **supported by a grant awarded pursuant to this section must:**

26 **(a) Serve children who are less than 6 years of age;**

27 **(b) Be evidence-based;**

28 **(c) Provide for appropriate individualized accommodations**
29 **and supports for children with disabilities; and**

30 **(d) Include a plan of reporting and accountability for the**
31 **performance of the program.**

32 **2. A school district, sponsor of a charter school or nonprofit**
33 **organization that wishes to receive a grant pursuant to this section**
34 **must submit an application to the Department. The Department**
35 **may approve such an application if the Department determines**
36 **that the application:**

37 **(a) Includes an implementation plan which is financially**
38 **sound; and**

39 **(b) Proposes to use all money available from the grant within 2**
40 **years or such shorter period of time as the Department determines**
41 **appropriate.**

42 **3. The Department shall prioritize the award of grants**
43 **pursuant to this section to a school district, sponsor of a charter**
44 **school or nonprofit organization to support an early childhood**
45 **literacy and readiness program that:**



- 1 (a) *Receives money from a private source;*
- 2 (b) *Receives money from a federal grant;*
- 3 (c) *Has demonstrated sustained success in improving the*
- 4 *literacy and readiness for elementary school of children less than*
- 5 *6 years of age; or*
- 6 (d) *Provides services to geographical areas with a higher*
- 7 *proportion of children entering kindergarten who have*
- 8 *demonstrated a deficit across early learning domains during the*
- 9 *immediately preceding 2 years.*

10 **Sec. 14.** *On or before November 1 of each year, the*

11 *Department shall:*

- 12 1. *Review all grants awarded pursuant to section 13 of this*
- 13 *act during the immediately preceding year;*
- 14 2. *Compile a report for the immediately preceding year which*
- 15 *must include, without limitation:*
- 16 (a) *The number of applications for a grant received pursuant*
- 17 *to section 13 of this act;*
- 18 (b) *The number of grants awarded pursuant to section 13 of*
- 19 *this act;*
- 20 (c) *The total cost of all grants awarded pursuant to section 13*
- 21 *of this act; and*
- 22 (d) *Such other information as may be prescribed by the*
- 23 *Department to demonstrate the effectiveness of recipients of a*
- 24 *grant awarded pursuant to section 13 of this act in improving the*
- 25 *literacy and readiness for elementary school of children less than*
- 26 *6 years of age.*

27 **Sec. 15.** NRS 387.1213 is hereby amended to read as follows:

28 387.1213 1. The Education Stabilization Account is hereby

29 created in the State Education Fund. Except as otherwise provided

30 in subsections 3 and 4, each year after the close of the previous

31 fiscal year and before the issuance of the State Controller's annual

32 report, each county school district shall transfer from the county

33 school district fund to the Education Stabilization Account any

34 amount by which the budgeted ending fund balance of the county

35 school district fund exceeds 16.6 percent of the total budgeted

36 expenditures for the fund. The interest and income earned on the

37 money in the Account, after deducting any applicable charges, must

38 be ~~credited to the Account.~~ *transferred as follows:*

- 39 (a) *Seventy-five percent to the Teach Nevada Scholarship*
- 40 *Program Account created by NRS 391A.575; and*
- 41 (b) *Twenty-five percent to the Nevada Teacher Advancement*
- 42 *Scholarship Program Account created by section 62 of this act.*

43 2. Money transferred pursuant to subsection 1 to the Education

44 Stabilization Account is a continuing appropriation solely for the



1 purpose of authorizing the expenditure of the transferred money for
2 the purposes set forth in this section.

3 3. The balance in the Education Stabilization Account must not
4 exceed 15 percent of the total of all appropriations and
5 authorizations from the State Education Fund, excluding the
6 Education Stabilization Account, for the immediately preceding
7 fiscal year. Any money transferred to the Education Stabilization
8 Account which exceeds this amount must instead be transferred ~~to~~
9 ~~the State Education Fund.~~ *as follows:*

10 *(a) If the balance in the Education Stabilization Account is 17*
11 *percent or more of the total of all appropriations and*
12 *authorizations from the State Education Fund, excluding the*
13 *Education Stabilization Account for the immediately preceding*
14 *year:*

15 *(1) An amount of the excess equal to 1 percent of the total*
16 *of all appropriations and authorizations from the State Education*
17 *Fund, excluding the Education Stabilization Account for the*
18 *immediately preceding year to the State Teacher Pipeline Account*
19 *created by section 54 of this act;*

20 *(2) An amount of the excess equal to 1 percent of the total*
21 *of all appropriations and authorizations from the State Education*
22 *Fund, excluding the Education Stabilization Account for the*
23 *immediately preceding year to the Early Childhood Literacy and*
24 *Readiness Account created by section 12 of this act; and*

25 *(3) The remainder of the excess to the State Education*
26 *Fund.*

27 *(b) If the balance in the Education Stabilization Account does*
28 *not exceed 17 percent of the total of all appropriations and*
29 *authorizations from the State Education Fund, excluding the*
30 *Education Stabilization Account for the immediately preceding*
31 *year:*

32 *(1) Fifty percent to the State Teacher Pipeline Account*
33 *created by section 54 of this act; and*

34 *(2) Fifty percent to the Early Childhood Literacy and*
35 *Readiness Account created by section 12 of this act.*

36 4. If the Interim Finance Committee finds that:

37 (a) Upon submission of a request from the Department, the
38 actual enrollment growth for a fiscal year exceeds the projected
39 enrollment growth by an amount that the Interim Finance
40 Committee determines would make a transfer of money to the State
41 Education Fund necessary to fund the excess enrollment; or

42 (b) The collection of revenue in any fiscal year will result in the
43 State Education Fund receiving 97 percent or less of the money
44 authorized for expenditure from the State Education Fund,



1 ➔ the Committee shall by resolution establish an amount of money
2 to transfer from the Education Stabilization Account to the State
3 Education Fund and direct the State Controller to transfer that
4 amount to the State Education Fund. The State Controller shall
5 thereupon make the transfer.

6 5. The balance remaining in the State Education Fund,
7 excluding the balance remaining in the Education Stabilization
8 Account, that has not been committed for expenditure on or before
9 June 30 of an odd-numbered fiscal year must be transferred to the
10 Education Stabilization Account to the extent that such a transfer
11 would not cause the balance in the Education Stabilization Account
12 to exceed the limit established in subsection 3.

13 **Sec. 16.** NRS 387.1214 is hereby amended to read as follows:

14 387.1214 1. After a direct legislative appropriation is made to
15 the State Education Fund from the State General Fund pursuant to
16 NRS 387.1212, the Legislature shall determine the statewide base
17 per pupil funding amount for each fiscal year of the biennium,
18 which is the amount of money expressed on a per pupil basis for
19 the projected enrollment of the public schools in this State, determined
20 to be sufficient by the Legislature to fund the costs of all public
21 schools in this State to operate and provide general education to all
22 pupils for any purpose for which specific funding is not
23 appropriated pursuant to paragraph (a), (b), (c) or ~~(e)~~ (f) of
24 subsection 2 or NRS 387.122. It is the intent of the Legislature that
25 the statewide base per pupil funding amount for any fiscal year, to
26 the extent practicable, be not less than the statewide base per pupil
27 funding amount for the immediately preceding fiscal year, adjusted
28 by inflation, unless the amount of money contained in the State
29 Education Fund, excluding the Education Stabilization Account,
30 decreases from the preceding fiscal year. If the amount of money
31 contained in the State Education Fund, excluding the Education
32 Stabilization Account, decreases from the preceding fiscal year, it is
33 the intent of the Legislature that a proportional reduction be made in
34 both the statewide base per pupil funding amount and the weighted
35 funding appropriated pursuant to paragraph ~~(e)~~ (f) of subsection 2.

36 2. After a direct legislative appropriation is made to the State
37 Education Fund from the State General Fund pursuant to NRS
38 387.1212, the money in the State Education Fund, excluding any
39 amount of money in the Education Stabilization Account, must be
40 appropriated as established by law for each fiscal year of the
41 biennium for the following purposes:

42 (a) To each school district, an amount of money determined to
43 be sufficient by the Legislature, when combined with any other
44 resources available for this purpose, to provide food services ~~and~~



1 ~~transportation~~ for pupils and any other similar service that the
2 Legislature deems appropriate.

3 (b) *Except as otherwise provided in subsection 3, to each*
4 *school district and charter school, an amount of money*
5 *determined to be sufficient by the Legislature, when combined*
6 *with any other resources available for this purpose, to provide*
7 *transportation for pupils.*

8 (c) To each school district, charter school or university school
9 for profoundly gifted pupils, an amount of money determined to be
10 sufficient by the Legislature, when combined with any other
11 resources available for this purpose, to provide local funding to
12 support pupils with disabilities.

13 ~~(d)~~ (d) To each school district, an amount of money
14 determined to be sufficient by the Legislature, when combined with
15 any other resources available for this purpose, to provide adjusted
16 base per pupil funding for each pupil estimated to be enrolled in the
17 school district.

18 ~~(d)~~ (e) To each charter school or university school for
19 profoundly gifted pupils, an amount of money determined to be
20 sufficient by the Legislature, when combined with any other
21 resources available for this purpose, to provide:

22 (1) The statewide base per pupil funding amount for each
23 pupil estimated to be enrolled full-time in a program of distance
24 education provided by the charter school or university school for
25 profoundly gifted pupils; and

26 (2) Adjusted base per pupil funding for each pupil estimated
27 to be enrolled in the charter school or university school for
28 profoundly gifted pupils other than a pupil identified in
29 subparagraph (1).

30 ~~(e)~~ (f) To each school district, charter school or university
31 school for profoundly gifted pupils, an amount of money determined
32 to be sufficient by the Legislature, when combined with any other
33 resources available for this purpose, to provide additional weighted
34 funding for each pupil estimated to be enrolled in the school district,
35 charter school or university school for profoundly gifted pupils who
36 is:

- 37 (1) An English learner;
38 (2) An at-risk pupil; or
39 (3) A gifted and talented pupil.

40 3. *A charter school must not receive any money appropriated*
41 *pursuant to paragraph (b) of subsection 2 unless the*
42 *Superintendent of Public Instruction has approved a*
43 *transportation plan for the charter school. Each charter school*
44 *that wishes to receive money appropriated pursuant to paragraph*
45 *(b) of subsection 2 must submit a transportation plan to the*



1 *Superintendent of Public Instruction. The Superintendent of*
2 *Public Instruction may approve a transportation plan if he or she*
3 *determines:*

4 (a) *The transportation plan will materially improve access to*
5 *education in the region served by the transportation plan;*

6 (b) *The transportation plan is financially viable;*

7 (c) *The cost of the transportation plan would not unreasonably*
8 *impact the apportionment of money under the Pupil-Centered*
9 *Funding Plan to other public schools; and*

10 (d) *The transportation plan would not cost more, on a per*
11 *pupil basis, than the average cost for transportation for other*
12 *public schools operating in the school district in which the charter*
13 *school is located.*

14 4. The adjusted base per pupil funding appropriated pursuant to
15 paragraph ~~(e)~~ (d) of subsection 2 for each school district must be
16 determined by applying the cost adjustment factor established
17 pursuant to NRS 387.1215 which applies to the school district and
18 the attendance area adjustment established pursuant to NRS
19 387.1218 which applies to each applicable area of the school district
20 to the statewide base per pupil funding amount.

21 ~~4.~~ 5. The adjusted base per pupil funding appropriated
22 pursuant to subparagraph (2) of paragraph ~~(d)~~ (e) of subsection 2
23 for each charter school or university school for profoundly gifted
24 pupils must be determined by applying the cost adjustment factor
25 established pursuant to NRS 387.1215 which applies to the charter
26 school or university school and, if applicable, the attendance area
27 adjustment established pursuant to NRS 387.1218 to the statewide
28 base per pupil funding amount.

29 ~~5.~~ 6. The weighted funding appropriated pursuant to
30 paragraph ~~(e)~~ (f) of subsection 2 must be established separately for
31 each category of pupils identified in that paragraph and expressed as
32 a multiplier to be applied to the statewide base per pupil funding
33 amount determined pursuant to subsection 1. A pupil who belongs
34 to more than one category of pupils or for whom a school district,
35 charter school or university school for profoundly gifted pupils is
36 eligible to receive the statewide multiplier pursuant to NRS 387.122
37 must receive only the weighted funding for the single category to
38 which the pupil belongs which has the largest multiplier or the
39 statewide multiplier, whichever is larger. It is the intent of the
40 Legislature that, to the extent practicable:

41 (a) The multiplier for each category of pupils for any fiscal year
42 be not less than the multiplier for the immediately preceding fiscal
43 year unless:

44 (1) The amount of money contained in the State Education
45 Fund, excluding the Education Stabilization Account, decreases



1 from the preceding fiscal year, in which event it is the intent of the
2 Legislature that a proportional reduction be made in both the
3 statewide base per pupil funding amount and the weighted funding
4 appropriated pursuant to paragraph ~~{(e)}~~ (f) of subsection 2; or

5 (2) The amount of money contained in the State Education
6 Fund, excluding the Education Stabilization Account, increases
7 from the preceding fiscal year but in an amount which, after funding
8 the appropriations required by paragraphs (a) to ~~{(d)}~~ (e), inclusive,
9 of subsection 2, is insufficient to fund the multiplier for each
10 category of pupils, in which event it is the intent of the Legislature
11 that the remaining money in the State Education Fund be used to
12 provide a multiplier for each category of pupils which is as close as
13 practicable to the multiplier for the preceding fiscal year;

14 (b) The recommendations of the Commission for the multiplier
15 for each category of pupils be considered and the multiplier for one
16 category of pupils may be changed by an amount that is not
17 proportional to the change in the multiplier for one or more other
18 categories of pupils if the Legislature determines that a
19 disproportionate need to serve the pupils in the affected category
20 exists; and

21 (c) If the multipliers for all categories of pupils in a fiscal year
22 are increased from the multipliers in the immediately preceding
23 fiscal year, a proportional increase is considered for the statewide
24 base per pupil funding amount.

25 ~~{6}~~ 7. For any money identified in subsection 4 of NRS
26 362.170 which is deposited to the credit of the State Education
27 Fund:

28 (a) The amount of such money for the county from which the
29 money was collected that does not exceed the total amount of
30 money appropriated pursuant to subsection 2 to the county school
31 district is deemed to be the first money appropriated pursuant to
32 subsection 2 for that county school district.

33 (b) The amount of such money for the county from which the
34 money was collected which exceeds the total amount of money
35 appropriated pursuant to subsection 2 to the county school district
36 must be transferred to the county school district and is hereby
37 authorized for expenditure as a continuing appropriation for the
38 purpose of mitigating the adverse effects of the cyclical nature of
39 the industry of extracting and processing minerals on the ability of
40 the county school district to offer its pupils a reasonably equal
41 educational opportunity.

42 ~~{7}~~ 8. The weighted funding appropriated pursuant to
43 paragraph ~~{(e)}~~ (f) of subsection 2:

44 (a) May not be used to settle or arbitrate disputes between a
45 recognized organization representing employees of a school district



1 or the governing body of a charter school and the school district or
2 governing body or to settle any negotiations; and

3 (b) May not be used to adjust the district-wide schedules of
4 salaries and benefits of the employees of a school district.

5 **Sec. 17.** NRS 387.1223 is hereby amended to read as follows:

6 387.1223 1. On or before October 1, January 1, April 1 and
7 July 1, each school district shall report to the Department, in the
8 form prescribed by the Department, the average daily enrollment of
9 pupils pursuant to this section for the immediately preceding quarter
10 of the school year. If October 1, January 1, April 1 or July 1 falls on
11 a Saturday, Sunday or legal holiday, the report may be submitted
12 before 5 p.m. on the next business day.

13 2. Except as otherwise provided in subsection 3, the yearly
14 apportionment from the State Education Fund for each school
15 district must be computed by:

16 (a) Multiplying the adjusted base per pupil funding established
17 for that school district for that school year by the sum of:

18 (1) The count of pupils enrolled in kindergarten and grades 1
19 to 12, inclusive, in a public school in the school district based on the
20 average daily enrollment of those pupils during the quarter.

21 (2) The count of pupils not included under subparagraph (1)
22 who are enrolled full-time in a program of distance education
23 provided by that school district, based on the average daily
24 enrollment of those pupils during the quarter.

25 (3) The count of pupils who reside in the county and are
26 enrolled:

27 (I) In a public school of the school district and are
28 concurrently enrolled part-time in a program of distance education
29 provided by another school district or a charter school, based on the
30 average daily enrollment of those pupils during the quarter.

31 (II) In a charter school and are concurrently enrolled part-
32 time in a program of distance education provided by the school
33 district, based on the average daily enrollment of those pupils during
34 the quarter.

35 (4) The count of pupils not included under subparagraph (1),
36 (2) or (3), who are receiving special education pursuant to the
37 provisions of NRS 388.417 to 388.469, inclusive, and 388.5251 to
38 388.5267, inclusive, based on the average daily enrollment of those
39 pupils during the quarter and excluding the count of pupils who
40 have not attained the age of 5 years and who are receiving special
41 education pursuant to NRS 388.435.

42 (5) Six-tenths the count of pupils who have not attained the
43 age of 5 years and who are receiving special education pursuant to
44 NRS 388.435, based on the average daily enrollment of those pupils
45 during the quarter.



1 (6) The count of children detained in facilities for the
2 detention of children, alternative programs and juvenile forestry
3 camps receiving instruction pursuant to the provisions of NRS
4 388.550, 388.560 and 388.570, based on the average daily
5 enrollment of those pupils during the quarter.

6 (7) The count of pupils who are enrolled in classes for at
7 least one semester pursuant to subsection 1 of NRS 388A.471,
8 subsection 1 of NRS 388A.474 or subsection 1 of NRS 392.074,
9 based on the average daily enrollment of pupils during the quarter
10 and expressed as a percentage of the total time services are provided
11 to those pupils per school day in proportion to the total time services
12 are provided during a school day to pupils who are counted pursuant
13 to subparagraph (1).

14 (8) The count of pupils enrolled in a challenge school based
15 on the average daily enrollment of those pupils calculated in the
16 manner set forth in an agreement entered into pursuant to
17 NRS 388D.330.

18 (b) Adding to the amount computed in paragraph (a) the
19 amounts appropriated pursuant to paragraphs (a), (b), (c) and ~~(e)~~
20 (f) of subsection 2 of NRS 387.1214.

21 3. Except as otherwise provided in subsection 4, if the
22 enrollment of pupils in a school district or a charter school that is
23 located within the school district based on the average daily
24 enrollment of pupils during the quarter of the school year is less
25 than or equal to 95 percent of the enrollment of pupils in the same
26 school district or charter school based on the average daily
27 enrollment of pupils during the same quarter of the immediately
28 preceding school year, the enrollment of pupils during the same
29 quarter of the immediately preceding school year must be used for
30 purposes of making the monthly apportionments from the State
31 Education Fund to that school district or charter school pursuant to
32 NRS 387.124.

33 4. If the Department determines that a school district or charter
34 school deliberately causes a decline in the enrollment of pupils in
35 the school district or charter school to receive a higher
36 apportionment pursuant to subsection 3, including, without
37 limitation, by eliminating grades or moving into smaller facilities,
38 the enrollment number from the current school year must be used
39 for purposes of apportioning money from the State Education Fund
40 to that school district or charter school pursuant to NRS 387.124.

41 5. The Department shall prescribe a process for reconciling the
42 quarterly reports submitted pursuant to subsection 1 to account for
43 pupils who leave the school district or a public school during the
44 school year.



1 6. Pupils who are excused from attendance at examinations or
2 have completed their work in accordance with the rules of the board
3 of trustees must be credited with attendance during that period.

4 7. Pupils who are incarcerated in a facility or institution
5 operated by the Department of Corrections must not be counted for
6 the purpose of computing the yearly apportionment pursuant to this
7 section. The average daily attendance for such pupils must be
8 reported to the Department of Education.

9 8. Pupils who are enrolled in courses which are approved by
10 the Department as meeting the requirements for an adult to earn a
11 high school diploma must not be counted for the purpose of
12 computing the yearly apportionment pursuant to this section.

13 **Sec. 18.** NRS 387.124 is hereby amended to read as follows:

14 387.124 Except as otherwise provided in this section and NRS
15 387.1241, 387.1242 and 387.528:

16 1. On or before the first day of each month, the Superintendent
17 of Public Instruction shall apportion the State Education Fund
18 among the several county school districts, charter schools and
19 university schools for profoundly gifted pupils in amounts
20 approximating one-twelfth of their respective yearly apportionments
21 less any amount set aside as a reserve or contained in the Education
22 Stabilization Account. Except as otherwise provided in NRS
23 387.1244, the apportionment to a school district, computed on a
24 yearly basis, equals the amounts established by law for each school
25 year pursuant to paragraphs (a) ~~[(b), (c)]~~ **to (d), inclusive**, and ~~[(e)]~~
26 **(f)** of subsection 2 of NRS 387.1214 for all pupils who attend a
27 public school operated by the school district located in the county.

28 2. Except as otherwise provided in NRS 387.1244, in addition
29 to the apportionments made pursuant to this section, if a pupil is
30 enrolled part-time in a program of distance education and part-time
31 in a:

32 (a) Public school other than a charter school, an apportionment
33 must be made to the school district in which the pupil resides. The
34 school district in which the pupil resides shall allocate a percentage
35 of the apportionment to the school district or charter school that
36 provides the program of distance education in the amount set forth
37 in the agreement entered into pursuant to NRS 388.854.

38 (b) Charter school, an apportionment must be made to the
39 charter school in which the pupil is enrolled. The charter school in
40 which the pupil is enrolled shall allocate a percentage of the
41 apportionment to the school district or charter school that provides
42 the program of distance education in the amount set forth in the
43 agreement entered into pursuant to NRS 388.858.

44 3. The Director of the State Department of Agriculture shall
45 apportion, on or before August 1 of each year, the money designated



1 as the "Nutrition State Match" pursuant to NRS 387.105 to those
2 school districts that participate in the National School Lunch
3 Program, 42 U.S.C. §§ 1751 et seq. The apportionment to a school
4 district must be directly related to the district's reimbursements for
5 the Program as compared with the total amount of reimbursements
6 for all school districts in this State that participate in the Program.

7 **Sec. 19.** NRS 387.1241 is hereby amended to read as follows:

8 387.1241 Except as otherwise provided in NRS 387.124,
9 387.1242, 387.1244 and 387.528:

10 1. The apportionment to a charter school, computed on a yearly
11 basis, is equal to the amounts established by law for each school
12 year pursuant to paragraphs ~~[(d) and]~~ (b), (e) and (f) of subsection 2
13 of NRS 387.1214 for all pupils who attend the charter school, minus
14 the sponsorship fee prescribed by NRS 388A.414 and minus all the
15 funds attributable to pupils who are enrolled in the charter school
16 but are concurrently enrolled part-time in a program of distance
17 education provided by a school district or another charter school.

18 2. The governing body of a charter school may submit a
19 written request to the Superintendent of Public Instruction to
20 receive, in the first year of operation of the charter school, an
21 apportionment 30 days before the apportionment is required to be
22 made pursuant to subsections 1 and 2 of NRS 387.124. Upon receipt
23 of such a request, the Superintendent of Public Instruction may
24 make the apportionment 30 days before the apportionment is
25 required to be made. A charter school may receive all 12
26 apportionments in advance in its first year of operation.

27 **Sec. 20.** NRS 387.1242 is hereby amended to read as follows:

28 387.1242 Except as otherwise provided in NRS 387.124,
29 387.1241, 387.1244 and 387.528:

30 1. The apportionment to a university school for profoundly
31 gifted pupils, computed on a yearly basis, is equal to the amounts
32 established by law for each school year pursuant to paragraphs ~~[(d)~~
33 ~~and]~~ (e) and (f) of subsection 2 of NRS 387.1214 for all pupils who
34 attend the university school.

35 2. The governing body of a university school for profoundly
36 gifted pupils may submit a written request to the Superintendent of
37 Public Instruction to receive, in the first year of operation of the
38 university school, an apportionment 30 days before the
39 apportionment is required to be made pursuant to subsection 1 of
40 NRS 387.124. Upon receipt of such a request, the Superintendent of
41 Public Instruction may make the apportionment 30 days before the
42 apportionment is required to be made. A university school for
43 profoundly gifted pupils may receive all 12 apportionments in
44 advance in its first year of operation.



1 **Sec. 21.** NRS 387.12445 is hereby amended to read as
2 follows:

3 387.12445 1. Except as otherwise provided in subsection 2,
4 each school district shall ensure that all adjusted base per pupil
5 funding received by the school district pursuant to paragraph ~~(e)~~
6 (d) of subsection 2 of NRS 387.1214 is accounted for separately
7 and, after a deduction for the administrative expenses of the school
8 district in an amount which does not exceed the amount prescribed
9 by the Department by regulation for each school district, be
10 distributed and used as described in this subsection. The adjusted
11 base per pupil funding provided to each school district must:

12 (a) Be distributed by each school district to its public schools in
13 a manner that ensures each pupil in the school district receives a
14 reasonably equal educational opportunity.

15 (b) Be used to support the educational needs of all pupils in the
16 school district, including, without limitation, operating each public
17 school in the school district, training and supporting educational
18 personnel and carrying out any program or service established by, or
19 requirement imposed pursuant to, this title for any purpose for
20 which specific funding is not appropriated pursuant to paragraph (a),
21 (b), (c) or ~~(e)~~ (f) of subsection 2 of NRS 387.1214 or
22 NRS 387.122.

23 2. If a school district determines that an additional amount of
24 money is necessary to satisfy requirements for maintenance of effort
25 or any other requirement under federal law for pupils with
26 disabilities enrolled in the school district, the school district may
27 transfer the necessary amount of money from the adjusted base per
28 pupil funding received by the school district for that purpose.

29 3. Each school district shall ensure that all weighted funding
30 received by the school district pursuant to paragraph ~~(e)~~ (f)
31 of subsection 2 of NRS 387.1214 is accounted for separately and
32 distributed directly to each school in which the relevant pupils are
33 estimated to be enrolled.

34 4. Each public school shall account separately for the local
35 funding for pupils with disabilities received by the public school
36 pursuant to paragraph ~~(b)~~ (c) of subsection 2 of NRS 387.1214, for
37 the adjusted base per pupil funding received by the public school
38 pursuant to paragraph ~~(e)~~ (d) of subsection 2 of NRS 387.1214, for
39 each category of weighted funding received by the public school
40 pursuant to paragraph ~~(e)~~ (f) of subsection 2 of NRS 387.1214 and
41 for money received from the statewide multiplier pursuant to NRS
42 387.122. Unless the provisions of subsection 7 or 8 impose greater
43 restrictions on the use of weighted funding by a public school, the
44 public school must use the weighted funding received for each
45 relevant pupil:



1 (a) As a supplement to the adjusted base per pupil funding
2 received for the pupil; and

3 (b) Solely for the purpose of providing such additional
4 educational programs, services or support as are necessary to ensure
5 the pupil receives a reasonably equal educational opportunity.

6 5. Except as otherwise provided in subsection 6, the separate
7 accounting required by subsection 4 for pupils with disabilities and
8 gifted and talented pupils must include:

9 (a) The amount of money provided to the public school for
10 special education; and

11 (b) The cost of:

12 (1) Instruction provided by licensed special education
13 teachers and supporting staff;

14 (2) Related services, including, without limitation, services
15 provided by psychologists, therapists and health-related personnel;

16 (3) Transportation of the pupils with disabilities and gifted
17 and talented pupils to and from school;

18 (4) The direct supervision of educational and supporting
19 programs; and

20 (5) The supplies and equipment needed for providing special
21 education.

22 6. Money received from federal sources must be accounted for
23 separately and excluded from the accounting required pursuant to
24 subsection 5.

25 7. A public school that receives weighted funding for one or
26 more at-risk pupils must use that weighted funding only to provide
27 Victory services and, if one or more at-risk pupils for whom the
28 school received weighted funding in the at-risk pupil category also
29 belong to one or more other categories of pupils who receive
30 weighted funding, the additional services for each such at-risk pupil
31 which are appropriate for each category to which the at-risk pupil
32 belongs.

33 8. A public school that receives weighted funding for one or
34 more pupils who are English learners must use that weighted
35 funding only to provide Zoom services and, if one or more English
36 learners for whom the school received weighted funding in the
37 English learner category also belong to one or more other categories
38 of pupils who receive weighted funding, the additional services for
39 each such English learner which are appropriate for each category to
40 which the English learner belongs.

41 9. The Department shall adopt regulations prescribing the
42 maximum amount of money that each school district may deduct for
43 its administrative expenses from the adjusted base per pupil funding
44 received by the school district. When adopting such regulations, the
45 Department may express the maximum amount of money that may



1 be deducted as a percentage of the adjusted base per pupil funding
2 received by the school district.

3 10. As used in this section:

4 (a) "Victory services" means any one or more of the following
5 services:

6 (1) A prekindergarten program provided free of charge.

7 (2) A summer academy or other instruction for pupils
8 provided free of charge at times during the year when school is not
9 in session.

10 (3) Additional instruction or other learning opportunities
11 provided free of charge at times of day when school is not in
12 session.

13 (4) Professional development for teachers and other
14 educational personnel concerning instructional practices and
15 strategies that have proven to be an effective means to increase pupil
16 achievement in populations of at-risk pupils.

17 (5) Incentives for hiring and retaining teachers and other
18 licensed educational personnel who provide Victory services.

19 (6) Employment of paraprofessionals, other educational
20 personnel and other persons who provide Victory services.

21 (7) A reading skills center.

22 (8) Integrated student supports, wrap-around services and
23 evidence-based programs designed to meet the needs of at-risk
24 pupils.

25 (9) Any other service or program that has a demonstrated
26 record of success for similarly situated pupils in comparable school
27 districts and has been reviewed and approved as a Victory service
28 by the Superintendent of Public Instruction.

29 (b) "Zoom services" means any one or more of the following
30 services:

31 (1) A prekindergarten program provided free of charge.

32 (2) A reading skills center.

33 (3) Professional development for teachers and other licensed
34 educational personnel regarding effective instructional practices and
35 strategies for pupils who are English learners.

36 (4) Incentives for hiring and retaining teachers and other
37 licensed educational personnel who provide Zoom services.

38 (5) Engagement and involvement with parents and families
39 of pupils who are English learners, including, without limitation,
40 increasing effective, culturally appropriate communication with and
41 outreach to parents and families to support the academic
42 achievement of those pupils.

43 (6) A summer academy or, for those schools that do not
44 operate on a traditional school calendar, an intersession academy
45 provided free of charge, including, without limitation, the provision



1 of transportation to attend the summer academy or intersession
2 academy.

3 (7) An extended school day.

4 (8) Any other service or program that has a demonstrated
5 record of success for similarly situated pupils in comparable school
6 districts and has been reviewed and approved as a Zoom service by
7 the Superintendent of Public Instruction.

8 **Sec. 22.** NRS 387.1246 is hereby amended to read as follows:

9 387.1246 1. The Commission on School Funding, consisting
10 of ~~11~~ 13 members, is hereby created.

11 2. The Commission consists of the following members, who
12 may not be Legislators:

13 (a) One member appointed by the Governor, who serves as
14 Chair;

15 (b) Two members appointed by the Majority Leader of the
16 Senate;

17 (c) Two members appointed by the Speaker of the Assembly;

18 (d) One member appointed by the Minority Leader of the
19 Senate;

20 (e) One member appointed by the Minority Leader of the
21 Assembly;

22 (f) Two members appointed by the Governor, each of whom is
23 the chief financial officer of a school district in this State which has
24 more than 40,000 pupils enrolled in its public schools, nominated by
25 the Nevada Association of School Superintendents or its successor
26 organization; ~~and~~

27 (g) Two members appointed by the Governor, each of whom is
28 the chief financial officer of a school district in this State which has
29 40,000 or fewer pupils enrolled in its public schools ~~and~~ *or the*
30 *superintendent of such a school district who has previously served*
31 *as the chief financial officer of the school district for not less than*
32 *3 years*, nominated by the Nevada Association of School
33 Superintendents or its successor organization ~~and~~;

34 (h) *One member appointed by the Governor who has*
35 *demonstrated expertise in the operation, performance and*
36 *accountability of schools and school districts and the achievement*
37 *and educational outcomes of pupils; and*

38 (i) *One member appointed by the Governor who is an expert in*
39 *the field of education, made in consultation with the Nevada*
40 *Association of School Superintendents.*

41 ➔ In making appointments to the Commission, the appointing
42 authorities shall consider whether the membership generally reflects
43 the geographic distribution of pupils in the State.

44 3. Each member of the Commission must:

45 (a) Be a resident of this State;



1 (b) Not have been registered as a lobbyist pursuant to NRS
2 218H.200 for a period of at least 2 years immediately preceding
3 appointment to the Commission;

4 (c) Have relevant experience in public education;

5 (d) Have relevant experience in fiscal policy, school finance or
6 similar or related financial activities;

7 (e) Have the education, experience and skills necessary to
8 effectively execute the duties and responsibilities of a member of
9 the Commission; and

10 (f) Have demonstrated ability in the field of economics, taxation
11 or other discipline necessary to school finance and be able to bring
12 knowledge and professional judgment to the deliberations of the
13 Commission.

14 4. Each member of the Commission serves a term of 3 years
15 and may be reappointed to additional terms.

16 5. Each member may be removed by the appointing authority
17 for good cause. A vacancy on the Commission must be filled in the
18 same manner as the original appointment.

19 6. The Commission shall:

20 (a) Elect a Vice Chair from among its members at its first
21 meeting for a term of 3 years. A vacancy in the office of Vice Chair
22 must be filled by the Commission by election for the remainder of
23 the existing term.

24 (b) Adopt such rules governing the conduct of the Commission
25 as it deems necessary.

26 (c) Hold its first meeting on or before October 1, 2019, and hold
27 such additional number of meetings as may be necessary to
28 accomplish the tasks assigned to it. ~~[in the time allotted.]~~

29 7. A majority of the members of the Commission constitutes a
30 quorum and a majority of those present must concur in any decision.

31 8. The Department shall provide the Commission with meeting
32 rooms, data processing services and administrative and clerical
33 assistance ~~[]~~ ***and undertake any research, analysis, study or other
34 work required by the Commission to carry out its duties pursuant
35 to NRS 387.12463.*** The Superintendent of Public Instruction and
36 Office of Finance shall jointly provide the Commission with
37 professional staff services.

38 9. While engaged in the business of the Commission, each
39 member is entitled to receive the per diem allowance and travel
40 expenses provided for state officers and employees generally.

41 ~~[10. The Commission may meet only between July 1 of an
42 odd-numbered year and September 30 of the subsequent even-
43 numbered year.]~~



1 **Sec. 23.** NRS 387.12463 is hereby amended to read as
2 follows:

3 387.12463 1. The Commission shall:

4 (a) Provide guidance to school districts and the Department on
5 the implementation of the Pupil-Centered Funding Plan.

6 (b) Monitor the implementation of the Pupil-Centered Funding
7 Plan and make any recommendations to the Joint Interim Standing
8 Committee on Education that the Commission determines would,
9 within the limits of appropriated funding, improve the
10 implementation of the Pupil-Centered Funding Plan or correct any
11 deficiencies of the Department or any school district or public
12 school in carrying out the Pupil-Centered Funding Plan.

13 (c) Review the statewide base per pupil funding amount, the
14 adjusted base per pupil funding for each school district and the
15 multiplier for weighted funding for each category of pupils
16 appropriated by law pursuant to NRS 387.1214 for each biennium
17 and recommend any revisions the Commission determines to be
18 appropriate to create an optimal level of funding for the public
19 schools in this State, including, without limitation, by
20 recommending the creation or elimination of one or more categories
21 of pupils to receive additional weighted funding. If the Commission
22 makes a recommendation pursuant to this paragraph which would
23 require more money to implement than was appropriated from the
24 State Education Fund in the immediately preceding biennium,
25 the Commission shall also identify a method to fully fund the
26 recommendation within 10 years after the date of the
27 recommendation.

28 (d) Review the laws and regulations of this State relating to
29 education, make recommendations to the Joint Interim Standing
30 Committee on Education for any revision of such laws and
31 regulations that the Commission determines would improve the
32 efficiency or effectiveness of public education in this State and
33 notify each school district of each such recommendation.

34 (e) Review and recommend to the Department revisions of the
35 cost adjustment factors for each county established pursuant to NRS
36 387.1215 and the method for calculating the attendance area
37 adjustment established pursuant to NRS 387.1218.

38 (f) *Review the academic progress made by pupils in each*
39 *public school and each private school that enrolls one or more*
40 *pupils on whose behalf the school was provided a grant pursuant*
41 *to NRS 388D.270 since the implementation of the Pupil-Centered*
42 *Funding Plan, including, without limitation, any changes to the*
43 *academic progress of such pupils as the result of any additional*
44 *money provided to each such school by the Pupil-Centered*



1 *Funding Plan or Nevada Educational Choice Scholarship*
2 *Program. In performing such a review, the Commission shall:*

3 (1) *Use metrics to measure the academic achievement of*
4 *pupils which include, without limitation:*

5 (I) *The rate of graduation of pupils from high school by*
6 *type of diploma;*

7 (II) *The performance of pupils on standardized*
8 *examinations in math, reading and science;*

9 (III) *The number of credentials or other certifications in*
10 *fields of career and technical education earned by pupils;*

11 (IV) *The number of pupils who earn a passing score on*
12 *an advanced placement examination;*

13 (V) *The number of pupils who earn a passing score on*
14 *an international baccalaureate examination;*

15 (VI) *The percentage of pupils in each school who lack a*
16 *sufficient number of credits to graduate by the end of their 12th*
17 *grade year;*

18 (VII) *The percentage of pupils in each school who drop*
19 *out;*

20 (VIII) *The number of pupils who enroll in higher*
21 *education upon graduation;*

22 (IX) *The number of pupils who enroll in a vocational or*
23 *technical school or apprenticeship training program;*

24 (X) *The attendance rate for pupils;*

25 (XI) *The number of violent acts by pupils and*
26 *disciplinary actions against pupils; and*

27 (XII) *Any other metric prescribed by the Commission;*

28 (2) *Use metrics to measure the improvement of pupils*
29 *enrolled in elementary school in literacy which include, without*
30 *limitation:*

31 (I) *The literacy rate for pupils in first, third and fifth*
32 *grades;*

33 (II) *The number of pupils in elementary school who*
34 *were promoted to the next grade after testing below proficient in*
35 *reading in the immediately preceding school year, separated by*
36 *grade level and by level of performance on the relevant test;*

37 (III) *The number of schools that employ a licensed*
38 *teacher designated to serve as a literacy specialist pursuant to NRS*
39 *388.159 and the number of schools that fail to employ and*
40 *designate such a licensed teacher; and*

41 (IV) *Any other metric prescribed by the Commission;*

42 (3) *Use metrics to measure the ability of public schools to*
43 *hire and retain sufficient staff to meet the needs of the public*
44 *schools which include, without limitation:*



1 (I) The rate of vacancies in positions for teachers,
2 support staff and administrators;

3 (II) The attendance rate for teachers;

4 (III) The retention rate for teachers;

5 (IV) The number of schools and classrooms within each
6 school in which the number of pupils in attendance exceeds the
7 designed capacity for the school or classroom;

8 (V) The number of classes taught by a substitute teacher
9 for more than 25 percent of the school year; and

10 (VI) Any other metric prescribed by the Commission;

11 (4) Use metrics to measure the extent to which schools meet
12 the needs and expectations of pupils, parents or legal guardians of
13 pupils, teachers and administrators which include, without
14 limitation:

15 (I) The results of an annual survey of satisfaction of
16 school employees;

17 (II) The results of an annual survey of satisfaction of
18 pupils, parents or legal guardians of pupils and graduates; and

19 (III) Any other metric prescribed by the Commission;

20 (5) Identify the progress made by each school, school
21 district and charter school on improving the literacy of pupils
22 enrolled in elementary school;

23 (6) Make recommendations for strategies to increase the
24 efficacy, efficiency, transparency and accountability of public
25 schools; and

26 (7) Make recommendations to the Department, school
27 districts and charter schools to improve the reporting, tracking,
28 monitoring, analyzing and dissemination of data relating to pupil
29 achievement and financial accountability, including, without
30 limitation, revisions to the metrics identified in subparagraphs (1)
31 to (4), inclusive.

32 (g) Review and consider strategies to improve the accessibility
33 of existing and new programs for pupils within and between public
34 schools, including, without limitation, open zoning.

35 2. Each school district and each charter school shall submit a
36 quarterly report to the Commission that identifies how funding
37 from the Pupil-Centered Funding Plan is being used to improve
38 the academic performance and progress of pupils and includes,
39 without limitation, all data or metrics collected by the school
40 district or charter school to demonstrate such improvement. The
41 Commission shall review the reports submitted pursuant to this
42 subsection and transmit the reports, along with any commentary
43 or recommendations relating to the reports, to the Governor, the
44 Director of the Legislative Counsel Bureau, the Joint Interim



1 *Standing Committee on Education and the Interim Finance*
2 *Committee.*

3 3. *After receiving the reports submitted to the Commission*
4 *pursuant to subsection 2, the Governor may, with the approval of*
5 *the Legislature or Interim Finance Committee if the Legislature is*
6 *not in session, direct a school district or charter school to take*
7 *such remedial actions as the Governor determines to be necessary*
8 *and appropriate to address any deficiency identified in the reports*
9 *submitted pursuant to subsection 2.*

10 4. The Commission shall ~~present~~ :

11 (a) *Present* any recommendations pursuant to paragraphs (a) to
12 ~~(e),~~ (g), inclusive, of subsection 1 at a meeting of the Joint Interim
13 Standing Committee on Education for consideration and ~~revision~~
14 *recommendations* by the Committee ~~[- The Joint Interim Standing~~
15 ~~Committee on Education shall review each recommendation of the~~
16 ~~Commission and determine whether to]~~ ; and

17 (b) *After consideration of the recommendations of the Joint*
18 *Interim Standing Committee on Education,* transmit the
19 ~~recommendation~~ *recommendations* or a revised version of the
20 ~~recommendation~~ *recommendations* to the Governor ~~or~~ and
21 *the Director of the Legislative Counsel Bureau for distribution to*
22 the Legislature.

23 **Sec. 24.** NRS 387.12468 is hereby amended to read as
24 follows:

25 387.12468 1. On or before October 1 of each year, each
26 school district shall create a report that includes a description of the
27 personnel employed and services provided by the school district
28 during the immediately preceding school year and any changes that
29 the school district anticipates making to the personnel and services
30 during the current school year. The school district shall post a copy
31 of the report on the Internet website maintained by the school
32 district.

33 2. On or before October 1 of each year, each public school
34 shall create a report that includes a description of the personnel
35 employed and services provided by the school during the
36 immediately preceding school year and any changes the school
37 anticipates making to the personnel and services during the current
38 school year. The public school shall post a copy of the report on the
39 Internet website maintained by the public school or, if the public
40 school does not maintain an Internet website, on the Internet website
41 maintained by the school district or the governing body or sponsor
42 of the public school, as applicable.

43 3. The Department shall prescribe by regulation the format and
44 contents of the information to be provided to create the report
45 created by each school district pursuant to subsection 1 and each



1 public school pursuant to subsection 2. The reports must include, as
2 applicable and without limitation:

3 (a) Each grade level at which the public school enrolls pupils;

4 (b) The number of pupils attending the public school;

5 (c) The average class size at the public school;

6 (d) The number of persons employed by the public school to
7 provide instruction, support to pupils, administrative support and
8 other personnel including, without limitation, the number of
9 employees in any subgroup of each type or classification of
10 personnel as prescribed by the Department;

11 (e) The professional development provided by the public school;

12 (f) The amount of money spent per pupil for supplies, materials,
13 equipment and textbooks;

14 (g) For each category of pupils for which the public school
15 receives any additional funding, including, without limitation, pupils
16 with disabilities, pupils who are English learners, at-risk pupils and
17 gifted and talented pupils:

18 (1) The number of pupils in each category who attend the
19 public school;

20 (2) If the Department determines that pupils within a
21 category must be divided based on severity of need, the number of
22 pupils in each such subcategory; and

23 (3) The number of persons employed to provide instruction,
24 support to pupils, administrative support and other personnel
25 employed by the public school and dedicated to providing services
26 to each category or subcategory of pupils, including, without
27 limitation, any subgroup of each kind of personnel prescribed by the
28 Department;

29 (h) The total amount of money received to support the
30 operations of the public school, divided by the number of pupils
31 enrolled in the public school and expressed as a per pupil amount;

32 (i) The total amount of money received by the public school as
33 adjusted base per pupil funding, divided by the number of pupils
34 enrolled in the public school and expressed as a per pupil amount;
35 and

36 (j) The amount of money received by the public school as
37 weighted funding for each category of pupils supported by weighted
38 funding, divided by the number of pupils enrolled in the public
39 school who are identified in the appropriate category and expressed
40 as a per pupil amount for each category.

41 ***4. The Department shall prepare any reports or provide any***
42 ***data necessary for a school district or public school to produce the***
43 ***reports required by subsections 1 and 2, respectively.***



1 **Sec. 25.** NRS 388.040 is hereby amended to read as follows:
2 388.040 1. Except as otherwise provided in subsection 2, the
3 board of trustees of a school district that includes more than one
4 school which offers instruction in the same grade or grades may
5 zone the school district and determine which pupils must attend
6 each school.

7 2. The establishment of zones pursuant to subsection 1 does
8 not preclude a pupil from attending a:

9 (a) Charter school;

10 (b) University school for profoundly gifted pupils;

11 (c) Public school outside the zone of attendance that the pupil is
12 otherwise required to attend if the pupil is a child in foster care who
13 is remaining in his or her school of origin pursuant to
14 NRS 388E.105;

15 (d) Public school outside the zone of attendance that the pupil is
16 otherwise required to attend if the pupil has been issued a fictitious
17 address pursuant to NRS 217.462 to 217.471, inclusive, or the
18 parent or legal guardian with whom the pupil resides has been
19 issued a fictitious address pursuant to NRS 217.462 to 217.471,
20 inclusive; ~~or~~

21 (e) Public school outside the zone of attendance that the pupil is
22 otherwise required to attend if the pupil is an English learner
23 enrolling in the school pursuant to subsection 5 of NRS 388.408 ~~;~~;
24 *or*

25 (f) *Public school outside the zone of attendance that the pupil*
26 *is otherwise required to attend if the public school is not at*
27 *capacity in the grade or classes required by the pupil.*

28 3. *The superintendent of each school district shall:*

29 (a) *Establish an application process for a pupil to attend a*
30 *public school outside the zone of attendance that the pupil is*
31 *otherwise required to attend pursuant to paragraph (f) of*
32 *subsection 2. Such a process must:*

33 (1) *Include a deadline by which an application must be*
34 *submitted each school year;*

35 (2) *Provide for the notification of pupils and principals*
36 *when an application is approved; and*

37 (3) *Require an application only if a pupil wishes to attend a*
38 *public school outside the zone of attendance of the pupil.*

39 (b) *Establish capacity limits for each grade level and class*
40 *within each public school in the school district.*

41 (c) *Publish, in coordination with the Office of School Choice*
42 *created by section 45 of this act, the capacity limits established by*
43 *paragraph (b).*

44 (d) *Allow a pupil whose application to attend a public school*
45 *outside the zone of attendance that the pupil is otherwise required*



1 *to attend is approved to permanently transfer to that public school*
2 *without requiring an additional application in any subsequent*
3 *school year.*

4 *4. The application process established pursuant to paragraph*
5 *(a) of subsection 3 must not consider any of the following factors*
6 *in determining whether to approve an application:*

7 *(a) The academic, artistic or athletic ability of a pupil;*

8 *(b) The participation of a pupil in any extracurricular activity*
9 *or the skill of a pupil in such an activity;*

10 *(c) Whether a pupil is a pupil with a disability;*

11 *(d) Whether a pupil is an English learner; or*

12 *(e) Except as otherwise provided in this paragraph, whether a*
13 *pupil has previously been the subject of disciplinary action. The*
14 *superintendent of a school district may deny the application of a*
15 *pupil who, in the school year for which the application is*
16 *submitted or the immediately preceding school year, was*
17 *suspended for 10 or more days or expelled.*

18 *5. If an application to attend a public school outside the zone*
19 *of attendance that a pupil is otherwise required to attend pursuant*
20 *to paragraph (f) of subsection 2 is approved, the board of trustees*
21 *of a school district may, but is not required to, provide*
22 *transportation for the pupil to the public school pursuant to NRS*
23 *386.790 to 386.845, inclusive.*

24 *6. As used in this section:*

25 *(a) "Expelled" has the meaning ascribed to "expel" or*
26 *"expulsion" in NRS 392.4603.*

27 *(b) "Suspended" has the meaning ascribed to "suspend" or*
28 *"suspension" in NRS 392.4607.*

29 **Sec. 26.** NRS 388.380 is hereby amended to read as follows:

30 388.380 1. Except as otherwise provided in ~~[subsection]~~
31 *subsections 3 ~~H~~ and 4*, the board of trustees of a school district in a
32 county whose population is 100,000 or more shall and any other
33 board of trustees of a school district may:

34 (a) Establish and maintain a program of career and technical
35 education giving instruction in the subjects approved by the State
36 Board.

37 (b) Raise and expend money for the establishment and
38 maintenance of a program of career and technical education.

39 2. A pupil who successfully completes a program of career and
40 technical education and who otherwise satisfies the requirements for
41 graduation from high school must be awarded a high school diploma
42 with an endorsement indicating that the pupil has successfully
43 completed the program of career and technical education. The
44 provisions of this subsection do not preclude a pupil from receiving
45 more than one endorsement on his or her diploma, if applicable.



1 3. The board of trustees of each school district shall
2 incorporate into the curriculum:

3 (a) Guidance and counseling in career and technical education in
4 accordance with NRS 389.041; and

5 (b) Technology.

6 4. *The board of trustees of each large school district, as*
7 *defined in NRS 388G.530, shall, and each other board of trustees*
8 *of a school district may, establish and maintain a program of*
9 *career and technical education giving instruction to pupils who*
10 *wish to become a teacher. A program established and maintained*
11 *pursuant to this subsection must include, without limitation, the*
12 *opportunity for a pupil who successfully completes the program to*
13 *earn, through enrollment in dual credit courses at a community*
14 *college, state college or university that has been approved for dual*
15 *credit pursuant to NRS 389.160, at least 12 units of credit*
16 *applicable toward earning a credential, certificate or degree, as*
17 *applicable, at the community college, state college or university.*

18 5. The State Board shall adopt regulations prescribing the
19 endorsement of career and technical education for a high school
20 diploma.

21 **Sec. 27.** NRS 388.429 is hereby amended to read as follows:

22 388.429 1. The Legislature declares that funding provided for
23 each school year establishes financial resources sufficient to ensure
24 a reasonably equal educational opportunity to pupils with
25 disabilities residing in Nevada through the use of local funding for
26 pupils with disabilities prescribed by paragraph ~~(b)~~ (c) of
27 subsection 2 of NRS 387.1214 and the statewide multiplier
28 established pursuant to NRS 387.122.

29 2. Subject to the provisions of NRS 388.417 to 388.469,
30 inclusive, the board of trustees of each school district shall make
31 such special provisions as may be necessary for the education of
32 pupils with disabilities.

33 3. The board of trustees of a school district in a county whose
34 population is less than 700,000 may provide early intervening
35 services. Such services must be provided in accordance with the
36 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
37 seq., and the regulations adopted pursuant thereto.

38 4. The board of trustees of a school district shall establish
39 uniform criteria governing eligibility for instruction under the
40 special education programs provided for by NRS 388.417 to
41 388.469, inclusive. The criteria must prohibit the placement of a
42 pupil in a program for pupils with disabilities solely because the
43 pupil is a disciplinary problem in school. The criteria are subject to
44 such standards as may be prescribed by the State Board.



1 **Sec. 28.** NRS 388.795 is hereby amended to read as follows:
2 388.795 1. The Commission shall establish a plan for the use
3 of educational technology in the public schools of this State. In
4 preparing the plan, the Commission shall consider:

5 (a) Plans that have been adopted by the Department and the
6 school districts and charter schools in this State;

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

8 (c) The information reported pursuant to NRS 385A.310 and
9 similar information included in the annual report of accountability
10 information prepared by the State Public Charter School Authority ,
11 ~~and~~ a college or university within the Nevada System of Higher
12 Education *and a city or county* that sponsors a charter school
13 pursuant to subsection 3 of NRS 385A.070;

14 (d) The results of the assessment of needs conducted pursuant to
15 subsection 6; and

16 (e) Any other information that the Commission or the
17 Committee deems relevant to the preparation of the plan.

18 2. The plan established by the Commission must include
19 recommendations for methods to:

20 (a) Incorporate educational technology into the public schools of
21 this State;

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

24 (c) Increase the availability of educational technology to assist
25 licensed teachers and other educational personnel in complying with
26 the requirements of continuing education, including, without
27 limitation, the receipt of credit for college courses completed
28 through the use of educational technology;

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

31 (e) Address the needs of teachers in incorporating the use of
32 educational technology in the classroom, including, without
33 limitation, the completion of training that is sufficient to enable the
34 teachers to instruct pupils in the use of educational technology.

35 3. The Department shall provide:

36 (a) Administrative support;

37 (b) Equipment; and

38 (c) Office space,

39 ↪ as is necessary for the Commission to carry out the provisions of
40 this section.

41 4. The following entities shall cooperate with the Commission
42 in carrying out the provisions of this section:

43 (a) The State Board.

44 (b) The board of trustees of each school district.

45 (c) The superintendent of schools of each school district.



1 (d) The Department.

2 5. The Commission shall:

3 (a) Develop technical standards for educational technology and
4 any electrical or structural appurtenances necessary thereto,
5 including, without limitation, uniform specifications for computer
6 hardware and wiring, to ensure that such technology is compatible,
7 uniform and can be interconnected throughout the public schools of
8 this State.

9 (b) Allocate money to the school districts from the Trust Fund
10 for Educational Technology created pursuant to NRS 388.800 and
11 any money appropriated by the Legislature for educational
12 technology, subject to any priorities for such allocation established
13 by the Legislature.

14 (c) Establish criteria for the board of trustees of a school district
15 that receives an allocation of money from the Commission to:

16 (1) Repair, replace and maintain computer systems.

17 (2) Upgrade and improve computer hardware and software
18 and other educational technology.

19 (3) Provide training, installation and technical support related
20 to the use of educational technology within the district.

21 (d) Submit to the Governor, the Committee and the Department
22 its plan for the use of educational technology in the public schools
23 of this State and any recommendations for legislation.

24 (e) Review the plan annually and make revisions as it deems
25 necessary or as directed by the Committee or the Department.

26 (f) In addition to the recommendations set forth in the plan
27 pursuant to subsection 2, make further recommendations to the
28 Committee and the Department as the Commission deems
29 necessary.

30 6. During the spring semester of each even-numbered school
31 year, the Commission shall conduct an assessment of the needs of
32 each school district relating to educational technology. In
33 conducting the assessment, the Commission shall consider:

34 (a) The recommendations set forth in the plan pursuant to
35 subsection 2;

36 (b) The plan for educational technology of each school district,
37 if applicable;

38 (c) Evaluations of educational technology conducted for the
39 State or for a school district, if applicable; and

40 (d) Any other information deemed relevant by the Commission.

41 ➔ The Commission shall submit a final written report of the
42 assessment to the Superintendent of Public Instruction on or before
43 April 1 of each even-numbered year.

44 7. The Superintendent of Public Instruction shall prepare a
45 written compilation of the results of the assessment conducted by



1 the Commission and transmit the written compilation on or before
2 June 1 of each even-numbered year to the Committee and to the
3 Director of the Legislative Counsel Bureau for transmission to the
4 next regular session of the Legislature.

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

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

17 **Sec. 29.** NRS 388A.105 is hereby amended to read as follows:

18 388A.105 The Department shall adopt regulations that
19 prescribe:

20 1. The process for submission of an application pursuant to
21 NRS 388A.220 by the board of trustees of a school district, ~~for~~ a
22 college or university within the Nevada System of Higher Education
23 *or a city or county* to the Department for authorization to sponsor
24 charter schools, the contents of the application, the process for the
25 Department to review the application and the timeline for review;

26 2. The process for submission of an application to form a
27 charter school to the board of trustees of a school district, ~~and~~ a
28 college or university within the Nevada System of Higher Education
29 ~~and~~ *and a city or county*, and the contents of the application;

30 3. The process for submission of an application to renew a
31 charter contract to the board of trustees of a school district, ~~and~~ a
32 college or university within the Nevada System of Higher Education
33 ~~and~~ *and a city or county*, and the contents of the application;

34 4. The criteria and type of investigation that must be applied by
35 the board of trustees of a school district, ~~and~~ a college or
36 university within the Nevada System of Higher Education *and a city*
37 *or county* in determining whether to approve an application to form
38 a charter school, an application to renew a charter contract or a
39 request for an amendment of a charter contract;

40 5. The process for submission of an amendment of a charter
41 contract to the board of trustees of a school district, ~~and~~ a college
42 or university within the Nevada System of Higher Education *and a*
43 *city or county* pursuant to NRS 388A.276 and the contents of the
44 application; and



1 6. In consultation with the State Public Charter School
2 Authority, other sponsors of charter schools, governing bodies of
3 charter schools and persons who may be affected:

4 (a) Requirements for the annual independent audits of charter
5 schools, including, without limitation, required training for
6 prospective auditors on the expectations and scope of the audits; and

7 (b) Ethics requirements for the governing bodies of charter
8 schools.

9 **Sec. 30.** NRS 388A.159 is hereby amended to read as follows:

10 388A.159 1. The State Public Charter School Authority is
11 hereby deemed a local educational agency for all purposes,
12 including, without limitation:

13 (a) The provision of a free and appropriate public education to
14 each pupil enrolled in a charter school sponsored by the State Public
15 Charter School Authority;

16 (b) The provision of special education and related services
17 provided by a charter school sponsored by the State Public Charter
18 School Authority; and

19 (c) Directing the proportionate share of any money available
20 from federal and state categorical grant programs to charter schools
21 which are sponsored by the State Public Charter School Authority ,
22 ~~for~~ a college or university within the Nevada System of Higher
23 Education *or a city or county* that are eligible to receive such
24 money.

25 2. A college or university within the Nevada System of Higher
26 Education *or a city or county* that sponsors a charter school shall
27 enter into an agreement with the State Public Charter School
28 Authority for the provision of any necessary functions of a local
29 educational agency. A charter school that receives money pursuant
30 to such a grant program shall comply with any applicable reporting
31 requirements to receive the grant.

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

34 **Sec. 31.** NRS 388A.171 is hereby amended to read as follows:

35 388A.171 The State Public Charter School Authority shall:

36 1. Before March 1 of each even-numbered year:

37 (a) In consultation with the Department and each board of
38 trustees of a school district , ~~and~~ college or university within the
39 Nevada System of Higher Education *and city or county* that
40 sponsors a charter school, review all statutes and regulations from
41 which charter schools are not exempt and determine whether such
42 statutes and regulations assisted or impeded the charter schools in
43 achieving their academic, fiscal and organizational goals and
44 objectives;



1 (b) Make recommendations to the Joint Interim Standing
2 Committee on Education concerning any legislation that would
3 assist charter schools in achieving their academic, fiscal and
4 organizational goals; and

5 (c) Make recommendations to the State Board and the
6 Department concerning any changes to regulations that would assist
7 charter schools in achieving their academic, fiscal and
8 organizational goals.

9 2. Make available information concerning the formation and
10 operation of charter schools in this State and the academic, fiscal
11 and organizational performance of each charter school in this State
12 to pupils, parents and legal guardians of pupils, teachers and other
13 educational personnel and members of the general public. The State
14 Public Charter School Authority shall update such information
15 annually.

16 **Sec. 32.** NRS 388A.220 is hereby amended to read as follows:

17 388A.220 1. The board of trustees of a school district may
18 apply to the Department for authorization to sponsor charter schools
19 within the school district in accordance with the regulations adopted
20 by the Department pursuant to NRS 388A.105 or 388A.110. An
21 application must be approved by the Department before the board of
22 trustees may sponsor a charter school. Not more than 180 days after
23 receiving approval to sponsor charter schools, the board of trustees
24 shall provide public notice of its ability to sponsor charter schools
25 and solicit applications for charter schools.

26 2. The State Public Charter School Authority shall sponsor
27 charter schools whose applications have been approved by the State
28 Public Charter School Authority pursuant to NRS 388A.255. Except
29 as otherwise provided by specific statute, if the State Public Charter
30 School Authority sponsors a charter school, the State Public Charter
31 School Authority is responsible for the evaluation, monitoring and
32 oversight of the charter school.

33 3. A college or university within the Nevada System of Higher
34 Education may submit an application to the Department to sponsor
35 charter schools in accordance with the regulations adopted by the
36 Department pursuant to NRS 388A.105 or 388A.110. An
37 application must be approved by the Department before a college or
38 university within the Nevada System of Higher Education may
39 sponsor charter schools.

40 4. *A city or county may submit an application to the*
41 *Department to sponsor charter schools in accordance with the*
42 *regulations adopted by the Department pursuant to NRS 388A.105*
43 *or 388A.110. An application must be approved by the Department*
44 *before a city or county may sponsor charter schools.*



1 **5.** The board of trustees of a school district , ~~or~~ a college or
2 university within the Nevada System of Higher Education *or a city*
3 *or county* may enter into an agreement with the State Public Charter
4 School Authority to provide technical assistance and support in
5 preparing an application to sponsor a charter school and planning
6 and executing the duties of a sponsor of a charter school as
7 prescribed in this section.

8 ~~5.1~~ **6.** Before a board of trustees of a school district , ~~or~~ a
9 college or university within the Nevada System of Higher Education
10 *or a city or county* that is approved to sponsor charter schools
11 approves an application to form a charter school, the board of
12 trustees , ~~or~~ college or university ~~or~~ *or city or county*, as
13 applicable, shall prepare, in collaboration with the Department and,
14 to the extent practicable, the school district in which the proposed
15 charter school will be located and any other sponsor of a charter
16 school located in that school district, an evaluation of :

17 (a) *The* demographic information of pupils ~~and the~~ ;

18 (b) *The* academic needs of pupils ~~and the~~ ;

19 (c) *The* needs of any pupils who are at risk of dropping out of
20 school in the geographic areas served by the sponsor ~~or~~ ; *and*

21 (d) *The extent to which public schools in the area to be served*
22 *by a charter school exceed the ratio of pupils per licensed teacher*
23 *established by NRS 388.700, enroll pupils beyond the stated*
24 *capacity of the public school or otherwise surpass any generally*
25 *accepted standards for class sizes.*

26 ~~6.1~~ **7.** On or before January 31 of each year, the State Public
27 Charter School Authority shall prepare, in collaboration with the
28 Department and, to the extent practicable, the board of trustees of
29 each school district in this State and any other sponsor of a charter
30 school in this State, an evaluation of :

31 (a) *The* demographic information of pupils ~~and the~~ ;

32 (b) *The* academic needs of pupils ~~and the~~ ;

33 (c) *The* needs of any pupils who are at risk of dropping out of
34 school in this State ~~or~~ ; *and*

35 (d) *The extent to which public schools in areas served by*
36 *charter schools exceed the ratio of pupils per licensed teacher*
37 *established by NRS 388.700, enroll pupils beyond the stated*
38 *capacity of the public schools or otherwise surpass any generally*
39 *accepted standards for class sizes.*

40 **Sec. 33.** NRS 388A.229 is hereby amended to read as follows:

41 388A.229 1. The sponsor of a charter school shall ensure the
42 collection, analysis and reporting of all data from the results of
43 pupils enrolled in the charter school on statewide examinations to
44 determine whether the charter school is meeting the performance
45 indicators, measures and metrics for the achievement and



1 proficiency of pupils as set forth in the performance framework for
2 the charter school in a manner that complies with all applicable
3 federal and state laws.

4 2. The sponsor of the charter school may aggregate data
5 reported by the State and collected by the sponsor concerning pupil
6 achievement and school performance at separate facilities operated
7 by the same governing body or charter management organization
8 and across all grades served by the charter school for the purpose of
9 evaluating and reporting pupil achievement and school performance.
10 Such an aggregation of data may include, without limitation, a
11 weighted average of data concerning pupil achievement and school
12 performance of each elementary school, junior high school, middle
13 school or high school program operated by the charter school. The
14 sponsor may also disaggregate such data by facility and by grade
15 level or group of grade levels to provide greater transparency and
16 accountability. The sponsor may also adopt policies for determining
17 pupil achievement and school performance at a charter school. Any
18 data reported pursuant to this subsection must be reported in a
19 manner that complies with the Family Educational Rights and
20 Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations
21 adopted pursuant thereto.

22 3. The State Board may adopt regulations to place
23 requirements on the manner in which data is reported by the board
24 of trustees of a school district, ~~for~~ a college or university within the
25 Nevada System of Higher Education *or a city or county* that
26 sponsors a charter school including, without limitation, the manner
27 in which data must be aggregated or disaggregated in any report.

28 4. The State Public Charter School Authority may adopt
29 regulations establishing requirements concerning the manner in
30 which it reports data, including, without limitation, the manner in
31 which data must be aggregated or disaggregated in any report.

32 **Sec. 34.** NRS 388A.249 is hereby amended to read as follows:

33 388A.249 1. A committee to form a charter school or charter
34 management organization may submit the application to the
35 proposed sponsor of the charter school. If an application proposes to
36 convert an existing public school, homeschool or other program of
37 home study into a charter school, the proposed sponsor shall deny
38 the application.

39 2. The proposed sponsor of a charter school shall, in reviewing
40 an application to form a charter school:

41 (a) Assemble a team of reviewers, which may include, without
42 limitation, natural persons from different geographic areas of the
43 United States who possess the appropriate knowledge and expertise
44 with regard to the academic, financial and organizational experience
45 of charter schools, to review and evaluate the application;



1 (b) Conduct a thorough evaluation of the application, which
2 includes an in-person interview with the applicant designed to elicit
3 any necessary clarifications or additional information about the
4 proposed charter school and determine the ability of the applicants
5 to establish a high-quality charter school;

6 (c) Consider the degree to which the proposed charter school
7 will address the needs identified in the evaluation prepared by the
8 proposed sponsor pursuant to subsection ~~5 or~~ 6 or 7 of NRS
9 388A.220, as applicable;

10 (d) If the proposed sponsor is not the board of trustees of a
11 school district, solicit input from the board of trustees of the school
12 district in which the proposed charter school will be located;

13 (e) Base its determination on documented evidence collected
14 through the process of reviewing the application;

15 (f) Adhere to the policies and practices developed by the
16 proposed sponsor pursuant to subsection 2 of NRS 388A.223; and

17 (g) Consider the academic, financial and organizational
18 performance of any charter schools that currently hold a contract
19 with the proposed operators, including, without limitation, a charter
20 management organization or educational management organization,
21 of the proposed charter school.

22 3. The proposed sponsor of a charter school may approve an
23 application to form a charter school only if the proposed sponsor
24 determines that:

25 (a) The application:

26 (1) Complies with this chapter and the regulations applicable
27 to charter schools; and

28 (2) Is complete in accordance with the regulations of the
29 Department and the policies and practices of the sponsor;

30 (b) The applicant has demonstrated competence in accordance
31 with the criteria for approval prescribed by the sponsor pursuant to
32 subsection 2 of NRS 388A.223 that will likely result in a successful
33 opening and operation of the charter school;

34 (c) Based on the most recent evaluation prepared by the
35 proposed sponsor pursuant to subsection ~~5 or~~ 6 or 7 of NRS
36 388A.220, as applicable, the proposed charter school will address
37 one or more of the needs identified in the evaluation; and

38 (d) It has received sufficient input from the public, including,
39 without limitation, input received at the meeting held pursuant to
40 subsection 1 of NRS 388A.252 or subsection 1 of NRS 388A.255,
41 as applicable.

42 4. The identity of each member of the team of reviewers
43 assembled by a proposed sponsor of a charter school is confidential
44 for 5 years after the review of an application to form a charter
45 school is complete and must not be disclosed unless ordered by a



1 district court in an action brought pursuant to subsection 3 of
2 NRS 388A.255.

3 5. On or before January 1 of each odd-numbered year, the
4 Superintendent of Public Instruction shall submit a written report to
5 the Director of the Legislative Counsel Bureau for transmission to
6 the next regular session of the Legislature. The report must include:

7 (a) A list of each application to form a charter school that was
8 submitted to the board of trustees of a school district, the State
9 Public Charter School Authority, a college or a university during the
10 immediately preceding biennium;

11 (b) The educational focus of each charter school for which an
12 application was submitted;

13 (c) The current status of the application; and

14 (d) If the application was denied, the reasons for the denial.

15 **Sec. 35.** NRS 388A.252 is hereby amended to read as follows:

16 388A.252 1. If the board of trustees of a school district, ~~{or}~~
17 a college or a university within the Nevada System of Higher
18 Education ~~{, as applicable,}~~ *or a city or county* receives an
19 application to form a charter school, the board of trustees, ~~{or}~~ the
20 institution ~~{}~~ *or the city or county*, as applicable, shall consider the
21 application at a meeting that must be held not later than 60 days
22 after the receipt of the application, or a later period mutually agreed
23 upon by the committee to form the charter school and the board of
24 trustees of the school district, ~~{or}~~ the institution ~~{}~~ *or the city or*
25 *county*, as applicable, and ensure that notice of the meeting has been
26 provided pursuant to chapter 241 of NRS. The board of trustees, the
27 college or ~~{the}~~ university ~~{}~~ *or the city or county*, as applicable,
28 shall review an application in accordance with the requirements for
29 review set forth in subsections 2 and 3 of NRS 388A.249.

30 2. The board of trustees, the college or ~~{the}~~ university ~~{}~~ *or*
31 *the city or county*, as applicable, may approve an application if the
32 requirements of subsection 3 of NRS 388A.249 are satisfied.

33 3. The board of trustees, the college or ~~{the}~~ university ~~{}~~ *or*
34 *the city or county*, as applicable, shall provide written notice to the
35 applicant of its approval or denial of the application. If the board of
36 trustees, the college or ~~{the}~~ university ~~{}~~ *or the city or county*, as
37 applicable, denies an application, it shall include in the written
38 notice the reasons for the denial and the deficiencies. The applicant
39 must be granted 30 days after receipt of the written notice to correct
40 any deficiencies identified in the written notice and resubmit the
41 application.

42 4. If the board of trustees, the college or ~~{the}~~ university ~~{}~~ *or*
43 *the city or county*, as applicable, denies an application after it has
44 been resubmitted pursuant to subsection 3, the applicant may submit
45 a written request for sponsorship by the State Public Charter School



1 Authority not more than 30 days after receipt of the written notice of
2 denial. Any request that is submitted pursuant to this subsection
3 must be accompanied by the application to form the charter school.

4 **Sec. 36.** NRS 388A.258 is hereby amended to read as follows:

5 388A.258 Notwithstanding the provisions of NRS 388A.249,
6 388A.252 and 388A.255, the State Public Charter School Authority
7 may adopt regulations establishing timelines and procedures by
8 which the State Public Charter School Authority will review
9 applications and the board of trustees of a school district , ~~that is~~
10 ~~approved to sponsor charter schools or~~ a college or university
11 within the Nevada System of Higher Education *or city or county*
12 that is approved to sponsor charter schools may adopt policies
13 establishing timelines and procedures by which the board of trustees
14 , ~~or~~ college or university ~~or~~ *or city or county*, as applicable, will
15 review applications. These regulations or policies may:

16 1. Establish different timelines and review procedures for
17 different types of applicants; and

18 2. Authorize or require an applicant to submit an abbreviated
19 application, the contents of such an application and criteria that the
20 State Public Charter School Authority will use to determine whether
21 to invite the applicant to submit a full application that meets the
22 requirements of NRS 388A.243 and 388A.246 or deny the
23 abbreviated application and recommend that the applicant make
24 substantial revisions and submit the application during another
25 application cycle.

26 **Sec. 37.** NRS 388A.270 is hereby amended to read as follows:

27 388A.270 1. If the proposed sponsor of a charter school
28 approves an application to form a charter school, it shall negotiate,
29 develop and execute a charter contract with the governing body of
30 the charter school. A charter contract must be executed not later
31 than 60 days before the charter school commences operation. The
32 charter contract must be in writing and incorporate, without
33 limitation:

34 (a) The performance framework for the charter school;

35 (b) A description of the administrative relationship between the
36 sponsor of the charter school and the governing body of the charter
37 school, including, without limitation, the rights and duties of the
38 sponsor and the governing body; and

39 (c) Any pre-opening conditions which the sponsor has
40 determined are necessary for the charter school to satisfy before the
41 commencement of operation to ensure that the charter school meets
42 all building, health, safety, insurance and other legal requirements.

43 2. The charter contract must be signed by a member of the
44 governing body of the charter school and:



1 (a) If the board of trustees of a school district is the sponsor of
2 the charter school, the superintendent of schools of the school
3 district;

4 (b) If the State Public Charter School Authority is the sponsor of
5 the charter school, the Chair of the State Public Charter School
6 Authority; ~~or~~

7 (c) If a college or university within the Nevada System of
8 Higher Education is the sponsor of the charter school, the president
9 of the college or university ~~is~~; *or*

10 *(d) If a city or county is the sponsor of the charter school, the*
11 *mayor of the city or the chair of the board of county*
12 *commissioners, as applicable.*

13 3. Before the charter contract is executed, the sponsor of the
14 charter school must approve the charter contract at a meeting of the
15 sponsor held in accordance with chapter 241 of NRS.

16 4. The sponsor of the charter school shall, not later than 10
17 days after the execution of the charter contract, provide to the
18 Department:

19 (a) Written notice of the charter contract and the date of
20 execution; and

21 (b) A copy of the charter contract and any other documentation
22 relevant to the charter contract.

23 5. If the board of trustees approves the application, the board of
24 trustees shall be deemed the sponsor of the charter school.

25 6. If the State Public Charter School Authority approves the
26 application:

27 (a) The State Public Charter School Authority shall be deemed
28 the sponsor of the charter school.

29 (b) Neither the State of Nevada, the State Board, the State
30 Public Charter School Authority nor the Department is an employer
31 of the members of the governing body of the charter school or any
32 of the employees of the charter school.

33 7. If a college or university within the Nevada System of
34 Higher Education approves the application:

35 (a) That institution shall be deemed the sponsor of the charter
36 school.

37 (b) Neither the State of Nevada, the State Board nor the
38 Department is an employer of the members of the governing body of
39 the charter school or any of the employees of the charter school.

40 8. *If a city or county approves the application:*

41 *(a) The city or county shall be deemed the sponsor of the*
42 *charter school.*

43 *(b) Neither the State of Nevada, the State Board nor the*
44 *Department is an employer of the members of the governing body*



1 *of the charter school or any of the employees of the charter*
2 *school.*

3 9. Except as otherwise provided in NRS 388A.285, a charter
4 contract must be for a term of 6 years. The term of the charter
5 contract begins on the first day of operation of the charter school
6 after the charter contract has been executed. The sponsor of the
7 charter school may require, or the governing body of the charter
8 school may request that the sponsor authorize, the charter school to
9 delay commencement of operation for 1 school year.

10 **Sec. 38.** NRS 388A.279 is hereby amended to read as follows:

11 388A.279 1. The State Public Charter School Authority, the
12 board of trustees of the school district , ~~for~~ a college or university
13 within the Nevada System of Higher Education ~~or~~ *or a city or*
14 *county*, as applicable, which sponsors a charter school may hold a
15 public hearing concerning any request to amend a charter contract of
16 the charter school it sponsors, including, without limitation, a
17 request to amend a charter contract for the purpose of:

18 (a) Expanding the charter school to offer instruction in grade
19 levels for which the charter school does not already offer
20 instruction.

21 (b) Increasing the total enrollment of a charter school or the
22 enrollment of pupils in a particular grade level in the charter school
23 for a school year to more than 120 percent of the enrollment
24 prescribed in the charter contract for that school year.

25 (c) Reducing the total enrollment of a charter school or the
26 enrollment of pupils in a particular grade level in the charter school
27 for a school year to less than 80 percent of the enrollment prescribed
28 in the charter contract for that school year.

29 (d) Seeking to acquire an additional facility in any county of this
30 State to expand the enrollment of the charter school.

31 (e) Consolidating the operations of multiple charter schools
32 pursuant to NRS 388A.282.

33 2. A charter contract may not be amended in any manner
34 described in subsection 1 unless the amendment is approved by the
35 State Public Charter School Authority, the board of trustees of the
36 school district , ~~for~~ a college or university within the Nevada
37 System of Higher Education ~~or~~ *or a city or county*, as applicable.

38 3. The State Public Charter School Authority, the board of
39 trustees of the school district , ~~for~~ a college or university within the
40 Nevada System of Higher Education ~~or~~ *or a city or county*, as
41 applicable, must deny a request to amend a charter contract in the
42 manner described in paragraph (d) or (e) of subsection 1 if the State
43 Public Charter School Authority, the board of trustees , ~~for~~ a
44 college or university within the Nevada System of Higher Education
45 ~~or~~ *or a city or county*, as applicable, determines that:



1 (a) Except as otherwise provided in subsection 6 of NRS
2 388A.274, the charter school is not meeting the requirements of the
3 performance framework concerning academics, finances or
4 organization established pursuant to NRS 388A.273; or

5 (b) The governing body does not have a comprehensive and
6 feasible plan to operate additional facilities.

7 **Sec. 39.** NRS 388A.378 is hereby amended to read as follows:

8 388A.378 1. The governing body of a charter school may
9 contract with the board of trustees of the school district in which the
10 charter school is located or in which a pupil enrolled in the charter
11 school resides, ~~for~~ with the Nevada System of Higher Education *or*
12 *with a city or county* for the provision of facilities to operate the
13 charter school or to perform any service relating to the operation of
14 the charter school, including, without limitation, transportation, the
15 provision of health services for the pupils who are enrolled in
16 the charter school and the provision of school police officers. If the
17 board of trustees of a school district, ~~for~~ a college or university
18 within the Nevada System of Higher Education *or a city or county*
19 is the sponsor of the charter school, the governing body and the
20 sponsor must enter into a service agreement pursuant to NRS
21 388A.381 before the provision of such services other than for the
22 provision of school police officers when the provisions of NRS
23 388A.384 apply. If the board of trustees of a school district provides
24 services to a charter school pursuant to this section or NRS
25 388A.474, it shall not charge more than its cost for providing such
26 services determined on a cost per pupil basis.

27 2. A charter school may use any public facility located within
28 the school district in which the charter school is located. A charter
29 school may use school buildings owned by the school district only
30 upon approval of the board of trustees of the school district.

31 3. The board of trustees of a school district may donate surplus
32 personal property of the school district to a charter school that is
33 located within the school district.

34 4. A charter school may:

35 (a) Acquire by construction, purchase, devise, gift, exchange or
36 lease, or any combination of those methods, and construct,
37 reconstruct, improve, maintain, equip and furnish any building,
38 structure or property to be used for any of its educational purposes
39 and the related appurtenances, easements, rights-of-way,
40 improvements, paving, utilities, landscaping, parking facilities and
41 lands;

42 (b) Mortgage, pledge or otherwise encumber all or any part of
43 its property or assets;

44 (c) Borrow money and otherwise incur indebtedness; and



1 (d) Use public money to purchase real property or buildings
2 with the approval of the sponsor.

3 **Sec. 40.** NRS 388A.487 is hereby amended to read as follows:

4 388A.487 1. The governing body of a charter school that
5 operates as an elementary school shall adopt rules for the provision
6 of intervention services and intensive instruction to *and the*
7 *academic retention of* pupils who are enrolled in the charter school
8 that are consistent with NRS 392.750, 392.760 and 392.765 ~~{}~~ *and*
9 *section 71 of this act.* The rules must:

10 (a) Prescribe the programs and instruction which will be
11 provided to a pupil who has been identified as deficient in the
12 subject area of reading in accordance with the plan established
13 pursuant to NRS 388.157.

14 (b) Require the school to provide to a pupil who has been
15 identified as deficient in the subject area of reading with
16 intervention services and intensive instruction in accordance with
17 the plan established pursuant to NRS 388.157.

18 (c) *Require a pupil enrolled in grade 3 to be retained in the*
19 *same grade, rather than promoted to grade 4, when required*
20 *pursuant to section 71 of this act.*

21 2. On or before October 15 of each year, the governing body of
22 each charter school that operates as an elementary school shall:

23 (a) Prepare a report concerning the number and percentage of
24 pupils at the charter school who : ~~{were:}~~

25 (1) ~~{Designated}~~ *Were designated* in grade 3 to be provided
26 intervention services and intensive instruction while enrolled in an
27 elementary school of a charter school pursuant to NRS 392.760 for a
28 deficiency in the subject area of reading, including whether or not
29 any such pupils were previously provided intervention services and
30 intensive instruction while enrolled in an elementary school of a
31 charter school; ~~{and}~~

32 (2) Received educational programs or services identified
33 pursuant to subsection 1 of NRS 392.750 at each grade level and
34 whose proficiency in the subject area of reading:

35 (I) Did not improve at a rate prescribed by the governing
36 body of a charter school, indicating a need for more intensive or
37 different interventions; *or*

38 (II) Improved at a rate prescribed by the governing body
39 of a charter school, indicating growth toward performing at a level
40 determined by a statewide assessment to be within the level
41 established by the State Board for pupils enrolled in the same grade
42 in which the pupils are enrolled; ~~{and}~~

43 (3) *Were retained in grade 3 pursuant to section 71 of this*
44 *act, including whether or not any such pupils were previously*
45 *retained in kindergarten or grade 1 or 2; and*



1 (4) *Were not retained in grade 3 because a good-cause*
2 *exemption was approved pursuant to section 72 of this act but who*
3 *were previously retained in kindergarten or grade 1 or 2 for a total*
4 *of 2 years;*

5 (b) Submit a copy of the report to the Department, the
6 Legislature and the sponsor of the charter school; and

7 (c) Post the report on the Internet website maintained by the
8 charter school and otherwise make the report available to the parents
9 and legal guardians of pupils enrolled in the charter school and the
10 general public.

11 **Sec. 41.** Chapter 388D of NRS is hereby amended by adding
12 thereto the provisions set forth as sections 42 to 45, inclusive, of this
13 act.

14 **Sec. 42.** *“Executive Director” means the Executive Director*
15 *of the Office of School Choice appointed pursuant to section 45 of*
16 *this act.*

17 **Sec. 43.** *“Office” means the Office of School Choice created*
18 *by section 45 of this act.*

19 **Sec. 44.** *“Scholarship organization” means an organization*
20 *in this State that meets the requirements set forth in*
21 *NRS 388D.270.*

22 **Sec. 45. 1.** *The Office of School Choice is hereby created*
23 *within the Department.*

24 **2.** *The Executive Director of the Office:*

25 **(a)** *Is appointed by and serves at the pleasure of the Governor.*

26 **(b)** *Is responsible to the Superintendent of Public Instruction.*

27 **(c)** *Is in the unclassified service of the State.*

28 **3.** *The Executive Director is responsible for the*
29 *administration of:*

30 **(a)** *The Office; and*

31 **(b)** *The Nevada Educational Choice Scholarship Program*
32 *established pursuant to NRS 388D.250 to 388D.280, inclusive, and*
33 *sections 42 to 45, inclusive, of this act and any other federal, state*
34 *or local programs that support options for school choice.*

35 **4.** *The Office shall:*

36 **(a)** *Support quality public and private educational choice*
37 *programs;*

38 **(b)** *Provide structure, information and assistance to pupils,*
39 *families, schools, sponsors of charter schools teachers and*
40 *administrators to promote the success of pupils in any generally*
41 *accepted means of educating pupils in kindergarten through grade*
42 *12, including, without limitation, traditional public schools,*
43 *charter schools, magnet schools, private schools, micro schools,*
44 *virtual schools, and homeschools;*



1 (c) *Ensure pupils and their families have access to all*
2 *information necessary to evaluate all public and private school*
3 *options, including, without limitation, policies and requirements*
4 *for enrollment and admission, and make such information*
5 *available on the Internet website of the Office;*

6 (d) *Develop a uniform set of data, standards and metrics to*
7 *measure the performance and educational outcomes of pupils for*
8 *the evaluation and comparison of schools to enable pupils and*
9 *their families to make informed decisions on options for school*
10 *choice;*

11 (e) *Periodically create reports based on the measurements*
12 *gathered pursuant to paragraph (d) and publish such reports on*
13 *the Internet website of the Office;*

14 (f) *Collaborate with the State Board and the State Public*
15 *Charter School Authority to increase access to options for school*
16 *choice that produce educational outcomes which are above*
17 *average for pupils;*

18 (g) *Determine the number of available seats in charter schools*
19 *in this State and publish such information on the Internet website*
20 *of the Office;*

21 (h) *When determined to be appropriate by the Executive*
22 *Director, provide direct support to pupils and their families to*
23 *assist in navigating the options for school choice available in this*
24 *State;*

25 (i) *Make recommendations to the Superintendent of Public*
26 *Instruction for evidence-based strategies to increase options for*
27 *school choice and improve educational outcomes of pupils;*

28 (j) *Design, develop and administer a program for open zoning*
29 *in public schools; and*

30 (k) *Engage in any other activities to increase options for*
31 *school choice and allow pupils and their families to efficiently*
32 *choose such options.*

33 **Sec. 46.** NRS 388D.250 is hereby amended to read as follows:
34 388D.250 NRS 363A.139, 363B.119 and 388D.250 to
35 388D.280, inclusive, *and sections 42 to 45, inclusive, 84, 87 and 88*
36 *of this act* may be cited as the Nevada Educational Choice
37 Scholarship Program.

38 **Sec. 47.** NRS 388D.260 is hereby amended to read as follows:
39 388D.260 As used in NRS 388D.250 to 388D.280, inclusive,
40 *and sections 42 to 45, inclusive, of this act*, unless the context
41 otherwise requires, ~~["scholarship organization" means an~~
42 ~~organization in this State that meets the requirements set forth in~~
43 ~~NRS 388D.270.]~~ *the words and terms defined in sections 42, 43*
44 *and 44 of this act have the meanings ascribed to them in those*
45 *sections.*



1 **Sec. 48.** NRS 388D.270 is hereby amended to read as follows:
2 388D.270 1. A scholarship organization must:

3 (a) Be exempt from taxation pursuant to section 501(c)(3) of the
4 Internal Revenue Code, 26 U.S.C. § 501(c)(3).

5 (b) Not own or operate any school in this State, including,
6 without limitation, a private school, which receives any grant money
7 pursuant to the Nevada Educational Choice Scholarship Program.

8 (c) Accept donations from taxpayers and other persons and may
9 also solicit and accept gifts and grants.

10 (d) Not expend more than 5 percent of the total amount of
11 money accepted pursuant to paragraph (c) to pay its administrative
12 expenses.

13 (e) Provide grants on behalf of pupils who are members of a
14 household that has a household income which is not more than ~~300~~
15 500 percent of the federally designated level signifying poverty to
16 allow those pupils to attend schools in this State chosen by the
17 parents or legal guardians of those pupils, including, without
18 limitation, private schools. The total amount of a grant provided by
19 the scholarship organization on behalf of a pupil pursuant to this
20 paragraph must not exceed ~~[\$7,755 for Fiscal Year 2015-2016.]~~ *the*
21 *adjusted base per pupil funding that would apply pursuant to*
22 *subsection 5 of NRS 387.1214 to the school attended by the pupil*
23 *if the school were a charter school.*

24 (f) Not limit to a single school the schools for which it provides
25 grants.

26 (g) Except as otherwise provided in paragraph (e), not limit to
27 specific pupils the grants provided pursuant to that paragraph.

28 2. ~~The maximum amount of a grant provided by the~~
29 ~~scholarship organization pursuant to paragraph (e) of subsection 1~~
30 ~~must be adjusted on July 1 of each year for the fiscal year beginning~~
31 ~~that day and ending June 30 in a rounded dollar amount~~
32 ~~corresponding to the percentage of increase in the Consumer Price~~
33 ~~Index (All Items) published by the United States Department of~~
34 ~~Labor for the preceding calendar year.]~~ On May 1 of each year, the
35 ~~[Department of Education]~~ *Executive Director* shall ~~determine the~~
36 ~~amount of increase required by this subsection, establish the~~
37 ~~adjusted amounts to take effect on July 1 of that year and notify~~
38 ~~each scholarship organization of the adjusted amounts. The~~
39 ~~Department of Education shall also~~ post the ~~adjusted amounts~~
40 *maximum amount of a grant authorized pursuant to paragraph (e)*
41 *of subsection 1 for each school in this State eligible to receive such*
42 *a grant on [its] the Internet website [] of the Office.*

43 3. A grant provided on behalf of a pupil pursuant to subsection
44 1 must be paid directly to the school chosen by the parent or legal
45 guardian of the pupil.



1 4. A scholarship organization shall provide each taxpayer and
2 other person who makes a donation, gift or grant of money to the
3 scholarship organization pursuant to paragraph (c) of subsection 1
4 with an affidavit, signed under penalty of perjury, which includes,
5 without limitation:

6 (a) A statement that the scholarship organization satisfies the
7 requirements set forth in subsection 1; and

8 (b) The total amount of the donation, gift or grant made to the
9 scholarship organization.

10 5. Each school in which a pupil is enrolled for whom a grant is
11 provided by a scholarship organization shall maintain a record of the
12 academic progress of the pupil. The record must be maintained in
13 such a manner that the information may be aggregated and reported
14 for all such pupils if reporting is required by the regulations of the
15 ~~Department of Education.~~ *Executive Director.*

16 6. The ~~Department of Education.~~ *Executive Director:*

17 (a) Shall adopt regulations prescribing the contents of and
18 procedures for applications for grants provided pursuant to
19 subsection 1.

20 (b) May adopt such other regulations as the ~~Department~~
21 *Executive Director* determines necessary to carry out the provisions
22 of this section.

23 7. As used in this section, "private school" has the meaning
24 ascribed to it in NRS 394.103.

25 **Sec. 49.** NRS 388D.280 is hereby amended to read as follows:

26 388D.280 A scholarship organization which receives a
27 donation, gift or grant of money described in NRS 388D.270 shall
28 report to the ~~Department of Education.~~ *Executive Director,* on or
29 before January 31 of each year, on a form prescribed by the
30 ~~Department.~~ *Executive Director:*

31 1. The name, address and contact information of the
32 scholarship organization;

33 2. The total number of such donations, gifts and grants
34 received by the scholarship organization during the immediately
35 preceding calendar year;

36 3. The total dollar amount of such donations, gifts and grants
37 received during the immediately preceding calendar year;

38 4. The total number of pupils for whom the scholarship
39 organization made grants during the immediately preceding calendar
40 year pursuant to NRS 388D.270;

41 5. The total dollar amount of such grants made during the
42 immediately preceding calendar year; and

43 6. For each school for which such a grant was made during the
44 immediately preceding calendar year:

45 (a) The name and address of the school;



1 (b) The number of pupils enrolled in the school for whom such a
2 grant was made; and

3 (c) The total dollar amount of such grants provided for pupils
4 enrolled in the school.

5 **Sec. 50.** NRS 388G.130 is hereby amended to read as follows:

6 388G.130 1. Except as otherwise provided in subsection 10,
7 the empowerment team of a public school, other than a charter
8 school that is sponsored by the State Public Charter School
9 Authority, ~~for~~ by a college or university within the Nevada System
10 of Higher Education ~~or~~ *or by a city or county*, that develops an
11 empowerment plan pursuant to NRS 388G.120 shall submit the
12 proposed empowerment plan to the designee of the board of trustees
13 appointed pursuant to this subsection for review and approval
14 pursuant to this section. The board of trustees shall designate a
15 person to review each proposed empowerment plan and recommend
16 the approval or denial of the plan to the board of trustees.

17 2. The board of trustees shall approve or deny the
18 empowerment plan. The approval or denial of an empowerment plan
19 must be based solely upon the contents of the plan and may not
20 consider the amount of money required to carry out the
21 empowerment plan if the plan is within the limits of the total
22 apportionment to the school pursuant to subsection 4 of
23 NRS 388G.120.

24 3. Except as otherwise provided in subsection 10, if the board
25 of trustees approves an empowerment plan, the president of the
26 board of trustees, the principal of the public school and the chair of
27 the empowerment team, if the principal is not the chair, shall each
28 sign the plan. The empowerment plan is effective for 3 years unless
29 the empowerment team determines that the school will no longer
30 operate under the plan or the board of trustees of the school district
31 revokes the plan.

32 4. Except as otherwise provided in subsection 10, if the board
33 of trustees denies an empowerment plan, the board of trustees shall:

34 (a) Return the plan to the empowerment team with a written
35 statement indicating the reason for the denial; and

36 (b) Provide the empowerment team with a reasonable
37 opportunity to correct any deficiencies identified in the written
38 statement and resubmit it for approval. An empowerment plan may
39 be resubmitted not more than once in a school year.

40 5. Except as otherwise provided in subsection 10, an
41 empowerment plan for a public school is not effective and a public
42 school shall not operate as an empowerment school unless the plan
43 is signed by the president of the board of trustees of the school
44 district, the principal of the public school and the chair of the
45 empowerment team, if the principal is not the chair. If an



1 empowerment plan includes a request for a waiver from a statute
2 contained in this title or a regulation of the State Board or the
3 Department, a public school may operate under the approved plan
4 but the requested waivers from state law are not effective unless
5 approved by the State Board pursuant to subsection 7.

6 6. Except as otherwise provided in subsection 10, the
7 empowerment team may submit a written request to the board of
8 trustees for an amendment to the empowerment plan approved
9 pursuant to this section, including an explanation of the reason for
10 the amendment. An amendment must be approved in the same
11 manner as the empowerment plan was approved.

12 7. If the empowerment plan includes a request for a waiver
13 from a statute or regulation, the board of trustees shall forward the
14 approved empowerment plan to the State Board for review of the
15 request for a waiver. The State Board shall review the empowerment
16 plan and may approve or deny the request for a waiver from a
17 statute or regulation unless the statute or regulation is required by
18 federal law or is required to carry out federal law.

19 8. If the State Board approves the request for a waiver for a
20 school, the Department shall provide written notice of the approval
21 to the board of trustees of the school district that submitted the
22 empowerment plan on behalf of the school.

23 9. If the State Board denies a request for a waiver, the State
24 Board shall:

25 (a) Return the request to the school district with a written
26 statement indicating the reason for the denial; and

27 (b) Except as otherwise provided in subsection 10, provide the
28 empowerment team with a reasonable opportunity to correct any
29 deficiencies identified in the written statement and resubmit it for
30 approval. A request for a waiver may be resubmitted by the school
31 district, after the empowerment team corrects any deficiencies, not
32 more than once in a school year.

33 10. If an empowerment team has not been established pursuant
34 to the exception provided in subsection 2 of NRS 388G.100, the
35 principal of the school shall carry out the responsibilities and duties
36 assigned to the empowerment team pursuant to this section.

37 **Sec. 51.** NRS 388G.140 is hereby amended to read as follows:

38 388G.140 1. Except as otherwise provided in subsection 7,
39 the empowerment team of a charter school that is sponsored by the
40 State Public Charter School Authority, ~~for~~ by a college or
41 university within the Nevada System of Higher Education *or by a*
42 *city or county* which develops an empowerment plan pursuant to
43 NRS 388G.120 shall submit the proposed plan to the Department
44 for transmission to the State Board for review and approval pursuant
45 to this section.



1 2. The State Board shall review each proposed empowerment
2 plan and approve or deny the plan, including a request for a waiver
3 from a statute contained in this title or a regulation of the State
4 Board or the Department, if applicable. The approval or denial of an
5 empowerment plan must be based solely upon the contents of the
6 plan and may not consider the amount of money required to carry
7 out the empowerment plan if the plan is within the limits of the total
8 apportionment to the charter school pursuant to subsection 4 of
9 NRS 388G.120.

10 3. Except as otherwise provided in subsection 7, if the State
11 Board approves an empowerment plan, the President of the State
12 Board, the principal of the charter school and the chair of the
13 empowerment team, if the principal is not the chair, shall each sign
14 the plan. The empowerment plan is effective for 3 years unless the
15 empowerment team determines that the school will no longer
16 operate under the plan or the State Board revokes the plan.

17 4. Except as otherwise provided in subsection 7, if the State
18 Board denies an empowerment plan, the State Board shall:

19 (a) Return the plan to the empowerment team with a written
20 statement indicating the reason for the denial; and

21 (b) Provide the empowerment team with a reasonable
22 opportunity to correct any deficiencies identified in the written
23 statement and resubmit it for approval. An empowerment plan may
24 be resubmitted not more than once in a school year.

25 5. Except as otherwise provided in subsection 7, an
26 empowerment plan for a charter school that is sponsored by the
27 State Public Charter School Authority, ~~for~~ by a college or
28 university within the Nevada System of Higher Education *or by a*
29 *city or county* is not effective and a charter school shall not operate
30 as an empowerment school unless the plan is signed by the President
31 of the State Board, the principal of the charter school and the chair
32 of the empowerment team, if the principal is not the chair.

33 6. Except as otherwise provided in subsection 7, the
34 empowerment team may submit a written request to the Department
35 for an amendment to the empowerment plan approved pursuant to
36 this section, including an explanation of the reason for the
37 amendment. An amendment must be approved in the same manner
38 as the empowerment plan was approved.

39 7. If an empowerment team has not been established pursuant
40 to the exception provided in subsection 2 of NRS 388G.100, the
41 principal of the school shall carry out the responsibilities and duties
42 assigned to the empowerment team pursuant to this section.

43 **Sec. 52.** NRS 388G.200 is hereby amended to read as follows:

44 388G.200 1. Each empowerment school, other than a charter
45 school that is sponsored by the State Public Charter School



1 Authority, ~~for~~ by a college or university within the Nevada System
2 of Higher Education ~~for~~ *or by a city or county*, shall, on a quarterly
3 basis, submit to the board of trustees of the school district in which
4 the school is located a report that includes:

5 (a) The financial status of the school; and

6 (b) A description of the school's compliance with each
7 component of the empowerment plan for the school.

8 2. Each charter school that is sponsored by the State Public
9 Charter School Authority, ~~for~~ by a college or university within the
10 Nevada System of Higher Education *or by a city or county* which is
11 approved to operate as an empowerment school shall, on a quarterly
12 basis, submit to the Department a report that includes:

13 (a) The financial status of the school; and

14 (b) A description of the school's compliance with each
15 component of the empowerment plan for the school.

16 3. The board of trustees of a school district shall conduct a
17 financial audit of each empowerment school within the school
18 district, other than a charter school that is sponsored by the State
19 Public Charter School Authority, ~~for~~ by a college or university
20 within the Nevada System of Higher Education ~~for~~ *or by a city or*
21 *county*. Each financial audit must be conducted on an annual basis
22 and more frequently if determined necessary by the board of
23 trustees.

24 4. The Department shall conduct a financial audit of each
25 charter school that is sponsored by the State Public Charter School
26 Authority, ~~for~~ by a college or university within the Nevada System
27 of Higher Education *or by a city or county* which operates as an
28 empowerment school on an annual basis and more frequently if
29 determined necessary by the Department.

30 5. On or before July 1 of each year, the board of trustees of
31 each school district shall compile the reports and audits required
32 pursuant to subsections 1 and 3, if any, and forward the compilation
33 to the:

34 (a) Governor;

35 (b) Department; and

36 (c) Joint Interim Standing Committee on Education.

37 6. On or before July 1 of each year, the Department shall
38 compile the reports and audits required pursuant to subsections 2
39 and 4, if any, and forward the compilation to the:

40 (a) Governor; and

41 (b) Joint Interim Standing Committee on Education.

42 **Sec. 53.** NRS 388G.650 is hereby amended to read as follows:

43 388G.650 1. On or before January 15 of each year, to assist
44 the local school precincts in preparing their budgets for the next
45 school year, the superintendent shall establish and make public:



1 (a) The average unit cost for each type of employee employed to
2 work at a local school precinct which is determined based upon the
3 average unit cost across the large school district. A separate average
4 unit cost must be established for teachers and substitute teachers,
5 respectively.

6 (b) A list of equipment, services and supplies that a local school
7 precinct may obtain from the large school district using the money
8 allocated to the local school precinct and the cost for such
9 equipment, services and supplies. The cost of such equipment,
10 services and supplies must not exceed the actual cost to the large
11 school district to provide the equipment, services and supplies to the
12 local school precinct.

13 2. ~~Each~~ *Except as otherwise provided in subsections 3 and*
14 *4, each* local school precinct must carry forward its year-end
15 balance to the next school year for use by the local school precinct.
16 The large school district must account for any such amount that is
17 carried forward as a restricted fund balance.

18 3. *If the year-end balance carried forward pursuant to*
19 *subsection 2 in any school year exceeds 2 percent of the actual*
20 *expenditures of the local school precinct during the immediately*
21 *preceding school year, the local school precinct shall develop a*
22 *plan in cooperation with the large school district to use such a*
23 *year-end balance and submit the plan to the large school district*
24 *within 90 days after the end of the school year from which the*
25 *year-end balance was carried forward. The plan must include*
26 *spending the entire amount of money by which the year-end*
27 *balance carried forward pursuant to subsection 2 exceeds 2*
28 *percent of the actual expenditures of the local school precinct*
29 *during the immediately preceding school year for one or more of*
30 *the following purposes, in order of priority:*

31 (a) *Deferred maintenance within the local school precinct;*

32 (b) *Tutoring or other programs to improve the academic*
33 *achievement of pupils within the local school precinct;*

34 (c) *Programs to support social, emotional and academic*
35 *development of pupils within the local school precinct;*

36 (d) *Extracurricular programs for pupils within the local school*
37 *precinct;*

38 (e) *One-time incentive payments on the basis of merit to*
39 *teachers within the local school precinct;*

40 (f) *One-time incentive payments on the basis of merit to*
41 *support staff within the local school precinct;*

42 (g) *Tutoring or other programs to improve the academic*
43 *achievement of pupils within the large school district;*

44 (h) *Programs to support social, emotional and academic*
45 *development of pupils within the large school district;*



1 (i) *Extracurricular programs for pupils within the large school*
2 *district;*

3 (j) *One-time incentive payments on the basis of merit to*
4 *teachers within the large school district; and*

5 (k) *One-time incentive payments on the basis of merit to*
6 *support staff within the large school district.*

7 4. *If a local school precinct:*

8 (a) *Fails to submit a plan required by subsection 3 to the large*
9 *school district within 90 days after the end of a school year from*
10 *which a year-end balance exceeding 2 percent of the actual*
11 *expenditures of the local school precinct during the immediately*
12 *preceding school year was carried forward; or*

13 (b) *Fails to spend the entire amount of money by which the*
14 *year-end balance carried forward pursuant to subsection 2*
15 *exceeded 2 percent of the actual expenditures of the local school*
16 *precinct during the immediately preceding school year pursuant to*
17 *a plan submitted pursuant to subsection 3 within 2 years after the*
18 *submission of the plan,*

19 ↪ *the large school district shall transfer the amount of money by*
20 *which the balance carried forward exceeded 2 percent of*
21 *the actual expenditures of the local school precinct during the*
22 *immediately preceding school year, less any amount spent by the*
23 *local school precinct pursuant to a plan submitted pursuant to*
24 *subsection 3, to the Education Stabilization Account created by*
25 *NRS 387.1213. The local school precinct shall reduce any balance*
26 *carried forward by any amount transferred to the Education*
27 *Stabilization Account pursuant to this subsection.*

28 **Sec. 54.** Chapter 389 of NRS is hereby amended by adding
29 thereto a new section to read as follows:

30 1. *The State Teacher Pipeline Account is hereby created in*
31 *the State General Fund. The Account must be administered by the*
32 *State Board.*

33 2. *The interest and income on:*

34 (a) *The money in the Account, after deducting any applicable*
35 *charges; and*

36 (b) *Unexpired appropriations made to the Account from the*
37 *State General Fund,*

38 ↪ *must be credited to the Account.*

39 3. *Any money remaining in the Account at the end of a fiscal*
40 *year, including, without limitation, any unexpended*
41 *appropriations made to the Account from the State General Fund*
42 *does not revert to the State General Fund, and the balance in the*
43 *Account must be carried forward to the next fiscal year.*

44 4. *The State Board may accept gifts and grants of money*
45 *from any source for deposit in the Account.*



1 5. *The money in the Account may only be used to award*
2 *grants to school districts to support programs of career and*
3 *technical education created pursuant to subsection 4 of*
4 *NRS 388.380.*

5 **Sec. 55.** Chapter 391A of NRS is hereby amended by adding
6 thereto the provisions set forth as sections 56 to 66, inclusive, of this
7 act.

8 **Sec. 56.** *On or before November 1 of each year, the State*
9 *Board shall:*

10 1. *Review all Teach Nevada Scholarships awarded for the*
11 *immediately preceding academic year;*

12 2. *Compile a report for the immediately preceding academic*
13 *year which must include, without limitation:*

14 (a) *The number of students who applied for a Teach Nevada*
15 *Scholarship;*

16 (b) *The number of scholarship recipients;*

17 (c) *The total cost of all Teach Nevada Scholarships;*

18 (d) *The graduation rate of scholarship recipients;*

19 (e) *The percentage of students who:*

20 (1) *Were scholarship recipients in the academic year that*
21 *immediately precedes the year which is the subject of the report;*

22 (2) *Did not graduate by the end of the academic year that*
23 *immediately precedes the year which is the subject of the report;*
24 *and*

25 (3) *Received a Nevada Teacher Advancement Scholarship,*
26 *as defined in section 60 of this act, for the academic year which is*
27 *the subject of the report;*

28 (f) *The percentage of scholarship recipients who graduated*
29 *and became employed as a teacher at a public school or private*
30 *school in this State; and*

31 (g) *The number of scholarship recipients who subsequently*
32 *fulfilled the requirements of subsection 4 of NRS 391A.585; and*

33 3. *Submit the report compiled pursuant to subsection 2 to the*
34 *Governor and the Director of the Legislative Counsel Bureau for*
35 *distribution to the next regular session of the Legislature.*

36 **Sec. 57.** *As used in sections 57 to 66, inclusive, of this act,*
37 *unless the context otherwise requires, the words and terms defined*
38 *in sections 58 to 61, inclusive, of this act have the meanings*
39 *ascribed to them in those sections.*

40 **Sec. 58.** *“Account” means the Nevada Teacher Advancement*
41 *Scholarship Program Account created by section 62 of this act.*

42 **Sec. 59.** *“Nevada Teacher Advancement Scholarship” means*
43 *a scholarship awarded by a university, college or other provider of*
44 *an alternative licensure program to a student pursuant to section*
45 *64 of this act.*



1 **Sec. 60.** *“Other provider of an alternative licensure*
2 *program” means an entity, other than a university or college,*
3 *which has been approved by the Commission on Professional*
4 *Standards in Education in accordance with the regulations*
5 *adopted pursuant to NRS 391.019 to provide education and*
6 *training to a student which will lead to an alternative route to*
7 *licensure for the student.*

8 **Sec. 61.** *“Scholarship recipient” means the recipient of a*
9 *Nevada Teacher Advancement Scholarship awarded pursuant to*
10 *section 64 of this act.*

11 **Sec. 62.** 1. *The Nevada Teacher Advancement Scholarship*
12 *Program Account is hereby created in the State General Fund.*
13 *The Account must be administered by the State Board.*

14 2. *The interest and income earned on:*

15 (a) *The money in the Account, after deducting any applicable*
16 *charge; and*

17 (b) *Unexpended appropriations made to the Account from the*
18 *State General Fund,*

19 ↳ *must be credited to the Account.*

20 3. *Any money remaining in the Account at the end of a fiscal*
21 *year, including, without limitation, any unexpended*
22 *appropriations made to the Account from the State General Fund,*
23 *does not revert to the State General Fund, and the balance in the*
24 *Account must be carried forward to the next fiscal year.*

25 4. *The State Board may accept gifts and grants of money*
26 *from any source for deposit in the Account.*

27 5. *The money in the Account may only be used to:*

28 (a) *Award grants to universities, colleges and other providers*
29 *of an alternative licensure program that are approved to award*
30 *Nevada Teacher Advancement Scholarships pursuant to section*
31 *64 of this act.*

32 (b) *Disburse the money retained pursuant to paragraph (b) of*
33 *subsection 2 of section 63 of this act to a scholarship recipient who*
34 *meets the requirements of subsection 4 of section 64 of this act.*

35 **Sec. 63.** 1. *A public or private university or college or other*
36 *provider of an alternative licensure program in this State is*
37 *eligible to apply to the State Board for a grant from the Account to*
38 *award scholarships to students who attend the university, college*
39 *or other provider of an alternative licensure program to complete*
40 *a program offered by the university, college or other provider of*
41 *an alternative licensure program that has been approved by the*
42 *State Board and which results in a master’s degree in education or*
43 *a related field of study.*

44 2. *The State Board shall:*



1 (a) Establish the number of Nevada Teacher Advancement
2 Scholarships that will be available each year based upon the
3 amount of money available in the Account.

4 (b) Review all applications submitted pursuant to subsection 1
5 and award a grant of money from the Account to an approved
6 university, college or other provider of an alternative licensure
7 program to the extent that money is available in an amount
8 determined by the State Board. The State Board shall retain 25
9 percent of such an award in the Account for disbursement to a
10 scholarship recipient who meets the requirements of subsection 4
11 of section 64 of this act.

12 3. The State Board:

13 (a) Shall prioritize the award of grants from the Account to a
14 university, college or other provider of an alternative licensure
15 program that demonstrates the university, college or other
16 provider of an alternative licensure program will provide
17 scholarships to a greater number of recipients who:

18 (1) Have successfully completed a teacher preparatory
19 program at a public school established pursuant to subsection 4 of
20 NRS 388.380;

21 (2) Received the Teach Nevada Scholarship, as defined in
22 NRS 391A.570, and successfully fulfilled the requirements of
23 subsection 4 of NRS 391A.585; or

24 (3) Are veterans or the spouses of veterans.

25 (b) May prioritize the award of grants from the Account to a
26 university, college or other provider of an alternative licensure
27 program that demonstrates the university, college or other
28 provider of an alternative licensure program will provide
29 scholarships to a greater number of recipients who:

30 (1) Agree to complete the requirements to obtain an
31 endorsement to teach English as a second language or an
32 endorsement to teach special education;

33 (2) Intend to teach in public schools in this State which
34 have the highest shortage of teachers;

35 (3) Have been economically disadvantaged or belong to a
36 racial or ethnic minority group; or

37 (4) Will be eligible to teach in a subject area for which
38 there is a shortage of teachers. Such a subject area may include,
39 without limitation, science, technology, engineering, mathematics,
40 special education or English as a second language.

41 4. A student may apply for a Nevada Teacher Advancement
42 Scholarship from a university, college or other provider of an
43 alternative licensure program that receives a grant from the
44 Account only if:



1 (a) *The student attends or has been accepted to attend the*
2 *university, college or other provider of an alternative licensure*
3 *program to complete a program described in subsection 1; and*

4 (b) *The student has taught in a public school or private school*
5 *in this State for not less than 2 of the immediately preceding 5*
6 *years.*

7 5. *An application submitted by the student must identify the*
8 *program to be completed and the date by which the student must*
9 *complete the program to finish on schedule.*

10 6. *The State Board may adopt any regulations necessary to*
11 *carry out the provisions of sections 57 to 66, inclusive, of this act.*

12 **Sec. 64.** 1. *Each university, college or other provider of an*
13 *alternative licensure program that is awarded a grant of money*
14 *from the Account pursuant to section 63 of this act shall use the*
15 *money to award Nevada Teacher Advancement Scholarships to*
16 *students who will attend the university, college or other provider of*
17 *an alternative licensure program with the intent to complete a*
18 *program described in subsection 1 of section 63 of this act. Such*
19 *students may include, without limitation, students who have*
20 *completed a bachelor's degree and taught in a public school in*
21 *this State for at least 2 years.*

22 2. *A university, college or other provider of an alternative*
23 *licensure program may award a Nevada Teacher Advancement*
24 *Scholarship to a scholarship recipient in an amount:*

25 (a) *Not to exceed the cost of receiving a master's degree at a*
26 *public university in this State prorated over the number of*
27 *semesters required for the student to complete the program; and*

28 (b) *Equal to the difference between the amount of tuition,*
29 *registration fees and other mandatory fees charged to the student*
30 *for the program described in subsection 1 of section 63 of this act,*
31 *excluding any amount of the tuition and fees that is waived by the*
32 *university, college or other provider of an alternative licensure*
33 *program, and the total amount of any other gift aid received by the*
34 *student.*

35 3. *A university, college or other provider of an alternative*
36 *licensure program that awards a Nevada Teacher Advancement*
37 *Scholarship shall, at the beginning of each semester disburse to*
38 *the scholarship recipient 75 percent of the scholarship money*
39 *awarded to the scholarship recipient for the semester.*

40 4. *A scholarship recipient may only receive the 25 percent of*
41 *the scholarship money that is retained by the State Board pursuant*
42 *to paragraph (b) of subsection 2 of section 63 of this act if the*
43 *scholarship recipient:*

44 (a) *Completes the program for which he or she was awarded*
45 *the scholarship;*



1 (b) *Maintains employment as a teacher at a public school or*
2 *private school in this State for 3 consecutive school years*
3 *immediately following completion of the program unless the State*
4 *Board waives this requirement for good cause shown; and*

5 (c) *Meets any other requirements established by the State*
6 *Board.*

7 5. *To receive the 25 percent of the scholarship money*
8 *retained by the State Board pursuant to paragraph (b) of*
9 *subsection 2 of section 63 of this act, a scholarship recipient who*
10 *meets the requirements set forth in subsection 4 must request the*
11 *State Board to disburse the money within 1 year after the 2-year*
12 *anniversary of the date on which the scholarship recipient meets*
13 *the requirements of subsection 4.*

14 6. *As used in this section, "gift aid" means any grant or*
15 *scholarship awarded to a student which is restricted for use only to*
16 *pay for tuition, registration fees or other mandatory fees.*

17 **Sec. 65.** 1. *If a scholarship recipient does not complete the*
18 *program for which the scholarship was awarded for any reason,*
19 *including, without limitation, withdrawing from the university,*
20 *college or other provider of an alternative licensure program or*
21 *pursuing another course of study, the university, college or other*
22 *provider of an alternative licensure program that awarded the*
23 *scholarship must pay to the State Board for credit to the Account:*

24 (a) *Any amount of money that the university, college or other*
25 *provider of an alternative licensure program has received but has*
26 *not yet disbursed to the scholarship recipient pursuant to section*
27 *64 of this act; and*

28 (b) *An amount of money equal to the total amount of money*
29 *disbursed to the scholarship recipient pursuant to section 64 of*
30 *this act or \$1,000, whichever is less.*

31 2. *If a scholarship recipient completes the program for which*
32 *the scholarship was awarded on schedule, as described in the*
33 *application for the scholarship submitted pursuant to section 63 of*
34 *this act, to the extent that money is available for this purpose, the*
35 *State Board shall pay \$1,000 to the university, college or other*
36 *provider of an alternative licensure program that awarded the*
37 *scholarship. Any money received by a university, college or other*
38 *provider of an alternative licensure program pursuant to this*
39 *section must be used to pay costs associated with providing a*
40 *program described in subsection 1 of section 63 of this act.*

41 **Sec. 66.** *On or before November 1 of each year, the State*
42 *Board shall:*

43 1. *Review all Nevada Teacher Advancement Scholarships*
44 *awarded for the immediately preceding academic year;*



1 2. *Compile a report for the immediately preceding academic*
2 *year which must include, without limitation:*

3 (a) *The number of students who applied for a Nevada Teacher*
4 *Advancement Scholarship;*

5 (b) *The number of scholarship recipients;*

6 (c) *The total cost of all Nevada Teacher Advancement*
7 *Scholarships;*

8 (d) *The graduation rate of scholarship recipients;*

9 (e) *The percentage of students who:*

10 (1) *Received a Teach Nevada Scholarship, as defined in*
11 *NRS 391A.570, in the academic year that immediately precedes*
12 *the year which is the subject of the report;*

13 (2) *Did not graduate by the end of the academic year that*
14 *immediately precedes the year which is the subject of the report;*
15 *and*

16 (3) *Were scholarship recipients for the academic year*
17 *which is the subject of the report;*

18 (f) *The percentage of scholarship recipients who graduated*
19 *and became employed as teachers at a public school or private*
20 *school in this State; and*

21 (g) *The number of scholarship recipients who subsequently*
22 *fulfilled the requirements of subsection 4 of section 64 of this act;*
23 *and*

24 3. *Submit the report compiled pursuant to subsection 2 to the*
25 *Governor and the Director of the Legislative Counsel Bureau for*
26 *distribution to the next regular session of the Legislature.*

27 **Sec. 67.** NRS 391A.550 is hereby amended to read as follows:

28 391A.550 As used in NRS 391A.550 to 391A.590, inclusive,
29 *and section 56 of this act*, unless the context otherwise requires, the
30 words and terms defined in NRS 391A.555 to 391A.570, inclusive,
31 have the meanings ascribed to them in those sections.

32 **Sec. 68.** NRS 391A.580 is hereby amended to read as follows:

33 391A.580 1. A public or private university, college or other
34 provider of an alternative licensure program in this State is eligible
35 to apply to the State Board for a grant from the Account to award
36 scholarships to students who attend the university, college or other
37 provider of an alternative licensure program to complete a program
38 offered by the university, college or other provider of an alternative
39 licensure program that has been approved by the State Board and
40 which:

41 (a) Upon completion makes a student eligible to obtain a license
42 to teach kindergarten, any grade from grades 1 through 12 or in the
43 subject area of special education in this State; or

44 (b) Allows a student to specialize in the subject area of early
45 childhood education.



1 2. The State Board shall:

2 (a) Establish the number of Teach Nevada Scholarships that will
3 be available each year based upon the amount of money available in
4 the Account.

5 (b) Review all applications submitted pursuant to subsection 1
6 and award a grant of money from the Account to an approved
7 university, college or other provider of an alternative licensure
8 program to the extent that money is available in an amount
9 determined by the State Board. The State Board shall retain 25
10 percent of such an award in the Account for disbursement to a
11 scholarship recipient who meets the requirements of subsection 4 of
12 NRS 391A.585.

13 3. The State Board ~~may~~:

14 (a) *Shall prioritize the award of grants from the Account to a*
15 *university, college or other provider of an alternative licensure*
16 *program will provide scholarships to a greater number of*
17 *recipients who:*

18 (1) *Have successfully completed a teacher preparatory*
19 *program at a public school established pursuant to subsection 4 of*
20 *NRS 388.380; or*

21 (2) *Are veterans or the spouses of veterans.*

22 (b) *May* prioritize the award of grants from the Account to a
23 university, college or other provider of an alternative licensure
24 program that demonstrates the university, college or other provider
25 of an alternative licensure program will provide scholarships to a
26 greater number of recipients who:

27 ~~(a) Are veterans or the spouses of veterans;~~

28 (1) *Agree to complete the requirements to obtain an*
29 *endorsement to teach English as a second language or an*
30 *endorsement to teach special education;*

31 ~~(b)~~ (2) Intend to teach in public schools in this State which
32 have the highest shortage of teachers;

33 ~~(c)~~ (3) Have been economically disadvantaged or belong to a
34 racial or ethnic minority group; or

35 ~~(d)~~ (4) Will be eligible to teach in a subject area for which
36 there is a shortage of teachers. Such a subject area may include,
37 without limitation, science, technology, engineering, mathematics,
38 special education or English as a second language.

39 4. A student may apply for a Teach Nevada Scholarship from a
40 university, college or other provider of an alternative licensure
41 program that receives a grant from the Account only if:

42 (a) The student attends or has been accepted to attend the
43 university, college or other provider of an alternative licensure
44 program to complete a program described in subsection 1; and



1 (b) The student ~~[agrees to complete the requirements to obtain~~
2 ~~an endorsement to teach English as a second language or an~~
3 ~~endorsement to teach special education.]~~ *obtained a high school*
4 *diploma awarded by a public or private high school located in this*
5 *State or public high school that is located in a county that borders*
6 *this State and accepts pupils who are residents of this State or*
7 *successfully completed the high school equivalency assessment*
8 *selected by the State Board pursuant to NRS 390.055 before 20*
9 *years of age.*

10 5. An application submitted by the student must identify the
11 program to be completed and the date by which the student must
12 complete the program to finish on schedule.

13 6. The State Board may adopt any regulations necessary to
14 carry out the provisions of NRS 391A.550 to 391A.590, inclusive ~~[]~~
15 *, and section 56 of this act.*

16 **Sec. 69.** NRS 391A.585 is hereby amended to read as follows:

17 391A.585 1. Each university, college or other provider of an
18 alternative licensure program that is awarded a grant of money from
19 the Account pursuant to NRS 391A.580 shall use the money to
20 award Teach Nevada Scholarships to students who will attend the
21 university, college or other provider of an alternative licensure
22 program with the intent to complete a program described in
23 subsection 1 of NRS 391A.580. Such students may include, without
24 limitation:

25 (a) Recent high school graduates who enroll in a program
26 described in subsection 1 of NRS 391A.580;

27 (b) Students who are enrolled at a university or college who
28 change their academic program or major to a program described in
29 subsection 1 of NRS 391A.580;

30 (c) Students who have completed some credits at a university or
31 college and who enroll in a program described in subsection 1 of
32 NRS 391A.580;

33 (d) Students who possess a bachelor's degree in a field other
34 than education who pursue an alternative route to licensure as a
35 teacher;

36 (e) Veterans and the spouses of veterans; and

37 (f) Students who have had some experience working in a
38 classroom, including, without limitation, as a paraprofessional or
39 substitute teacher.

40 2. A university, college or other provider of an alternative
41 licensure program may award a Teach Nevada Scholarship to a
42 scholarship recipient in an amount ~~[not]~~ :

43 (a) *Not* to exceed ~~[\$3,000 per semester or \$24,000 in the~~
44 ~~aggregate.]~~ *the cost of receiving a bachelor's degree at a public*



1 *university in this State prorated over the number of semesters*
2 *required for the student to complete the program; and*

3 *(b) Equal to the difference between the amount of tuition,*
4 *registration fees and other mandatory fees charged to the student*
5 *for the program described in subsection 1 of NRS 391A.580,*
6 *excluding any amount of the tuition and fees that is waived by the*
7 *university, college or other provider of an alternative licensure*
8 *program, and the total amount of any other gift aid received by the*
9 *student.*

10 3. A university, college or other provider of an alternative
11 licensure program that awards a Teach Nevada Scholarship shall, at
12 the beginning of each semester disburse to the scholarship recipient
13 75 percent of the scholarship money awarded to the scholarship
14 recipient for the semester.

15 4. A scholarship recipient may only receive the 25 percent of
16 the scholarship money that is retained by the State Board pursuant to
17 paragraph (b) of subsection 2 of NRS 391A.580 if the scholarship
18 recipient:

19 (a) Completes the program for which he or she was awarded the
20 scholarship;

21 (b) Maintains employment as a teacher at a public school *or*
22 *private school* in this State for 5 consecutive school years
23 immediately following completion of the program unless the State
24 Board waives this requirement for good cause shown; and

25 (c) Meets any other requirements established by the State Board.

26 5. To receive the 25 percent of the scholarship money retained
27 by the State Board pursuant to paragraph (b) of subsection 2 of NRS
28 391A.580, a scholarship recipient who meets the requirements set
29 forth in subsection 4 must request the State Board to disburse the
30 money within 1 year after the 5-year anniversary of the date on
31 which the scholarship recipient meets the requirements of
32 subsection 4.

33 6. *As used in this section, "gift aid" means any grant or*
34 *scholarship awarded to a student which is restricted for use only to*
35 *pay for tuition, registration fees or other mandatory fees.*

36 **Sec. 70.** Chapter 392 of NRS is hereby amended by adding
37 thereto the provisions set forth as sections 71 and 72 of this act.

38 **Sec. 71. 1.** *Except as otherwise provided in this section, a*
39 *pupil enrolled in grade 3 must be retained in grade 3, rather than*
40 *promoted to grade 4, if the pupil does not obtain a score in the*
41 *subject area of reading on the criterion-referenced examination*
42 *administered pursuant to NRS 390.105 that meets the passing*
43 *score prescribed by the State Board.*

44 2. *If a pupil will be retained in grade 3 pursuant to this*
45 *section, the principal of the school must provide written notice to*



1 *the parent or legal guardian of the pupil that the pupil will be*
2 *retained in grade 3.*

3 *3. The board of trustees of each school district and the*
4 *governing body of a charter school, as applicable, shall develop a*
5 *policy by which the principal of a school may promote a pupil who*
6 *is retained in grade 3 pursuant to this section to grade 4 at any*
7 *time during the school year if the pupil demonstrates adequate*
8 *proficiency in the subject area of reading. The policy must include*
9 *the specific criteria a pupil must satisfy to be eligible for*
10 *promotion, including, without limitation, a reasonable expectation*
11 *that the pupil's progress will allow him or her to sufficiently*
12 *master the requirements for a fourth-grade reading level. If a*
13 *pupil is promoted after November 1 of a school year, he or she*
14 *must demonstrate proficiency in reading at a level prescribed by*
15 *the State Board.*

16 *4. If a principal of a school determines that a pupil is not*
17 *academically ready for promotion to grade 4 after being retained*
18 *in grade 3 and the pupil received intensive instructional services*
19 *pursuant to NRS 392.760, the school district in which the pupil is*
20 *enrolled must allow the parent or legal guardian of the pupil to*
21 *decide, in consultation with the principal of the school, whether*
22 *to place the pupil in a transitional setting which is designed to*
23 *produce learning gains sufficient for the pupil to meet the*
24 *performance standards required for grade 4, while continuing to*
25 *receive remediation in the subject area of reading.*

26 *5. The State Board shall prescribe by regulation an*
27 *alternative examination for administration to pupils enrolled in*
28 *grade 3 who do not obtain the passing score in the subject area of*
29 *reading on the criterion-referenced examination administered*
30 *pursuant to NRS 390.105 and the passing score such a pupil must*
31 *obtain on the alternative examination to be promoted to grade 4*
32 *without the approval for a good-cause exemption pursuant to*
33 *section 72 of this act.*

34 **Sec. 72.** *1. The superintendent of schools of a school*
35 *district or the governing body of a charter school, as applicable,*
36 *may authorize the promotion of a pupil to grade 4 who would*
37 *otherwise be retained in grade 3 only if the superintendent or*
38 *governing body, as applicable, approves a good-cause exemption*
39 *for the pupil upon a determination by the principal of the school*
40 *pursuant to subsection 3 that the pupil is eligible for such an*
41 *exemption.*

42 *2. A good-cause exemption must be approved for a pupil who*
43 *previously was retained in grade 3. Any other pupil is eligible for a*
44 *good-cause exemption if the pupil:*



1 (a) *Demonstrates an acceptable level of proficiency in reading*
2 *on an alternative standardized reading assessment approved by the*
3 *State Board;*

4 (b) *Demonstrates, through a portfolio of the pupil's work,*
5 *proficiency in reading at grade level, as evidenced by*
6 *demonstration of mastery of the academic standards in reading*
7 *beyond grade 3;*

8 (c) *Is an English learner and has received not less than 2 years*
9 *of instruction in a program of instruction that teaches English as*
10 *a second language;*

11 (d) *Received intensive remediation in the subject area of*
12 *reading for 2 or more years but still demonstrates a deficiency in*
13 *reading and was previously retained in kindergarten or grade 1 or*
14 *2 for a total of 2 years;*

15 (e) *Is a pupil with a disability and his or her individualized*
16 *education program indicates that the pupil's participation in the*
17 *criterion-referenced examinations administered pursuant to NRS*
18 *390.105 is not appropriate; or*

19 (f) *Is a pupil with a disability and:*

20 (1) *He or she participates in the criterion-referenced*
21 *examinations administered pursuant to NRS 390.105;*

22 (2) *His or her individualized education program or plan*
23 *developed in accordance with section 504 of the Rehabilitation Act*
24 *of 1973, 29 U.S.C. § 794, documents that the pupil has received*
25 *intensive remediation in reading for more than 2 years, but he or*
26 *she still demonstrates a deficiency in reading; and*

27 (3) *He or she was previously retained in kindergarten or*
28 *grade 1, 2 or 3.*

29 3. *The principal of a school in which a pupil who may be*
30 *retained in grade 3 pursuant to subsection 1 is enrolled shall*
31 *consider the factors set forth in subsection 2 and determine*
32 *whether the pupil is eligible for a good-cause exemption. In*
33 *making the determination, the principal must consider*
34 *documentation provided by the pupil's teacher indicating whether*
35 *the promotion of the pupil is appropriate based upon the record of*
36 *the pupil. Such documentation must only consist of the existing*
37 *plan for monitoring the progress of the pupil, the pupil's*
38 *individualized education program, if applicable, and the pupil's*
39 *plan developed in accordance with section 504 of the*
40 *Rehabilitation Act of 1973, 29 U.S.C. § 794, if applicable. If the*
41 *principal determines that promotion of the pupil to grade 4 is*
42 *appropriate, the principal must submit a written recommendation*
43 *to the superintendent of schools of the school district or to the*
44 *governing body of the charter school, as applicable. The*
45 *superintendent of schools or the governing body of the charter*



1 *school, as applicable, shall approve or deny the recommendation*
2 *of the principal and provide written notice to the principal of the*
3 *approval or denial.*

4 *4. A principal who determines that a pupil is eligible for a*
5 *good-cause exemption pursuant to subsection 3 shall notify the*
6 *parent or legal guardian of the pupil if the superintendent of*
7 *schools of the school district or the governing body of the charter*
8 *school, as applicable, has approved the good-cause exemption.*

9 *5. The principal of a school in which a pupil for whom a*
10 *good-cause exemption is approved pursuant to subsection 3 and*
11 *who is promoted to grade 4 must ensure that the pupil continues to*
12 *be provided intervention services and intensive instruction in the*
13 *subject area of reading pursuant to NRS 392.760.*

14 *6. As used in this section, "individualized education*
15 *program" has the meaning ascribed to it in 20 U.S.C. §*
16 *1414(d)(1)(A).*

17 **Sec. 73.** NRS 392.015 is hereby amended to read as follows:

18 392.015 1. The board of trustees of a school district shall,
19 upon application, allow any pupil who resides on an Indian
20 reservation located in two or more counties to attend the school
21 nearest to the pupil's residence, without regard to the school district
22 in which the pupil's residence is located. For the purposes of
23 apportionment of money, if such a pupil attends a school outside the
24 county in which the pupil resides, the pupil must be counted as
25 being enrolled in the district in which he or she attends school.

26 2. A pupil who is allowed to attend a school outside the school
27 district in which the pupil's residence is located pursuant to this
28 section must remain in that school for the full school year.

29 3. The school district which pays the additional costs of
30 transporting a pupil pursuant to this section to a school outside the
31 school district in which the pupil's residence is located is entitled to
32 be reimbursed for those costs by the school district in which the
33 pupil is enrolled. Such additional costs must be paid from money
34 received by the school district in which the pupil is enrolled from
35 the State Education Fund pursuant to paragraph ~~(a)~~ (b) of
36 subsection 2 of NRS 387.1214.

37 4. The provisions of this section do not apply to a pupil who:

38 (a) Is ineligible to attend public school pursuant to NRS
39 392.4675; or

40 (b) Resides on an Indian reservation pursuant to an order issued
41 by a court of competent jurisdiction in another state adjudging the
42 pupil to be delinquent and committing him or her to the custody of a
43 public or private institution or agency in this state.



1 **Sec. 74.** NRS 392.125 is hereby amended to read as follows:
2 392.125 1. Except as otherwise provided in subsection 4 ~~4~~
3 *and section 71 of this act*, before any pupil enrolled in a public
4 school may be retained in the same grade rather than promoted to
5 the next higher grade for the succeeding school year, the pupil's
6 teacher and principal must make a reasonable effort to arrange a
7 meeting and to meet with the pupil's parents or guardian to discuss
8 the reasons and circumstances.

9 2. Except as otherwise provided in ~~NRS 392.760,~~ *section 71*
10 *of this act*, the teacher and the principal in joint agreement have the
11 final authority to retain a pupil in the same grade for the succeeding
12 school year.

13 3. Except as otherwise provided in subsection 2 of NRS
14 392.033 for the promotion of a pupil to high school ~~4~~ *and in*
15 *section 71 of this act*, no pupil may be retained more than one time
16 in the same grade.

17 4. Except as otherwise provided in NRS 388A.487, this section
18 does not apply to the academic retention of pupils who are enrolled
19 in a charter school.

20 **Sec. 75.** NRS 392.128 is hereby amended to read as follows:

21 392.128 1. Each advisory board to review school attendance
22 created pursuant to NRS 392.126 shall:

23 (a) Review the records of the attendance and truancy of pupils
24 submitted to the advisory board to review school attendance by the
25 board of trustees of the school district, ~~or~~ the State Public Charter
26 School Authority or a college or university within the Nevada
27 System of Higher Education *or a city or county* that sponsors a
28 charter school pursuant to subsection 3 of NRS 385A.240;

29 (b) Identify factors that contribute to the truancy of pupils in the
30 school district;

31 (c) Establish programs to reduce the truancy of pupils in the
32 school district, including, without limitation, the coordination of
33 services available in the community to assist with the intervention,
34 diversion and discipline of pupils who are truant;

35 (d) At least annually, evaluate the effectiveness of those
36 programs;

37 (e) Establish a procedure for schools and school districts for the
38 reporting of the status of pupils as habitual truants; and

39 (f) Inform the parents and legal guardians of the pupils who are
40 enrolled in the schools within the district of the policies and
41 procedures adopted pursuant to the provisions of this section.

42 2. The chair of an advisory board may divide the advisory
43 board into subcommittees. The advisory board may delegate one or
44 more of the duties of the advisory board to a subcommittee of the
45 advisory board, including, without limitation, holding hearings



1 pursuant to NRS 392.147. If the chair of an advisory board divides
2 the advisory board into subcommittees, the chair shall notify the
3 board of trustees of the school district of this action. Upon receipt of
4 such a notice, the board of trustees shall establish rules and
5 procedures for each such subcommittee. A subcommittee shall abide
6 by the applicable rules and procedures when it takes action or makes
7 decisions.

8 3. An advisory board to review school attendance may work
9 with a family resource center or other provider of community
10 services to provide assistance to pupils who are truant. The advisory
11 board shall identify areas within the school district in which
12 community services are not available to assist pupils who are truant.
13 As used in this subsection, "family resource center" has the meaning
14 ascribed to it in NRS 430A.040.

15 4. An advisory board to review school attendance created in a
16 county pursuant to NRS 392.126 may use money appropriated by
17 the Legislature and any other money made available to the advisory
18 board for the use of programs to reduce the truancy of pupils in the
19 school district. The advisory board to review school attendance
20 shall, on a quarterly basis, provide to the board of trustees of the
21 school district an accounting of the money used by the advisory
22 board to review school attendance to reduce the truancy of pupils in
23 the school district.

24 **Sec. 76.** NRS 392.750 is hereby amended to read as follows:

25 392.750 If a pupil enrolled at a public elementary school in
26 kindergarten or grade 1, 2 or 3 or who newly enrolls in a public
27 elementary school exhibits a deficiency in the subject area of
28 reading based upon state or local assessments and the observations
29 of the pupil's teacher, the principal of the school must provide
30 written notice of the deficiency to the parent or legal guardian of the
31 pupil within 30 days after the date on which the deficiency is
32 discovered. The written notice must, without limitation:

33 1. Identify the educational programs and services that the pupil
34 will receive to improve the pupil's proficiency in the subject area of
35 reading, including, without limitation, the programs and services
36 included in the plan to improve the literacy of pupils enrolled in
37 elementary school that has been approved by the Department
38 pursuant to NRS 388.157;

39 2. Explain that if the pupil does not achieve adequate
40 proficiency in the subject area of reading before the completion of
41 grade 3, *the pupil will be retained in grade 3, rather than promoted*
42 *to grade 4, unless the pupil receives a good-cause exemption*
43 *pursuant to section 72 of this act, and the school will provide the*
44 *pupil with intervention services and intensive instruction each year*
45 *that the pupil is enrolled in the elementary school, unless it is*



1 determined that such services and instruction are no longer
2 necessary;

3 3. Describe, explain and, if appropriate, demonstrate the
4 strategies which the parent or legal guardian may use at home to
5 help improve the proficiency of the pupil in the subject area of
6 reading;

7 4. Explain that the criterion-referenced examination in ~~{only}~~
8 the subject area of reading administered pursuant to NRS 390.105 is
9 not the only factor used to determine whether the pupil will be
10 ~~{provided intervention services and intensive instruction while the~~
11 ~~pupil is enrolled in an elementary school;}~~ *retained in grade 3 and*
12 *that other options are available for the pupil to demonstrate*
13 *proficiency if the pupil is eligible for a good-cause exemption*
14 *pursuant to section 72 of this act;*

15 5. Describe the policy and specific criteria adopted by the
16 board of trustees of the school district or governing body of a
17 charter school, as applicable, pursuant to NRS 392.765 regarding
18 ~~{the}~~ :

19 (a) *The* provision of intervention services and intensive
20 instruction to a pupil enrolled in an elementary school; *and*

21 (b) *The promotion of a pupil to grade 4 at any time during the*
22 *school year if the pupil is retained in grade 3 pursuant to section*
23 *71 of this act;*

24 6. Include information regarding the English literacy
25 development of a pupil who is an English learner;

26 7. Describe, explain and, if appropriate, demonstrate the
27 strategies which the parent or legal guardian may use at home to
28 help improve the English literacy of a pupil who is an English
29 learner;

30 8. To the extent practicable, be provided in a language that the
31 parent or legal guardian can understand;

32 9. Explain that a plan to monitor the growth of the pupil in the
33 subject area of reading will regularly assess the pupil and the
34 elementary school will provide notice to the parent or legal guardian
35 the status of the growth of the pupil; and

36 10. Explain that services and the programs provided to the
37 pupil will be adjusted to improve the deficiency in the subject area
38 of reading.

39 **Sec. 77.** NRS 392.760 is hereby amended to read as follows:

40 392.760 1. Except as otherwise provided in this section, an
41 elementary school must provide to a pupil enrolled in the school
42 intervention services and intensive instruction if the pupil does not
43 obtain a score in ~~{only}~~ the subject area of reading on the criterion-
44 referenced examination administered pursuant to NRS 390.105 that
45 meets the passing score prescribed by the State Board. *The school*



1 *must provide such services and instruction to a pupil, regardless of*
2 *whether the pupil is retained in grade 3 pursuant to section 71 of*
3 *this act or is not retained in grade 3 because a good-cause*
4 *exemption was approved pursuant to section 72 of this act.*

5 2. The principal of a school, in consultation with the literacy
6 specialist designated pursuant to NRS 388.159 and any teacher or
7 other person with knowledge and expertise related to providing
8 intervention services and intensive instruction to the pupil ~~F~~;

9 ~~—(a) Shall~~ shall ensure that the pupil continues to be provided
10 intervention services and intensive instruction in the subject area of
11 reading for as long as it is determined to be necessary while the
12 pupil is enrolled at the elementary school. Such instruction must
13 include, without limitation, strategies based upon evidence-based
14 research that will improve proficiency in the subject area of reading.

15 ~~[(b) May retain the pupil in grade 3 rather than promote the~~
16 ~~pupil to grade 4 when authorized pursuant to NRS 392.125.]~~

17 **Sec. 78.** NRS 392.775 is hereby amended to read as follows:

18 392.775 On or before October 15 of each year, the board of
19 trustees of each school district shall:

20 1. Prepare a report concerning the number and percentage of
21 pupils at each public elementary school within the school district
22 who:

23 (a) Were designated in grade 3 to be provided intervention
24 services and intensive instruction while enrolled in an elementary
25 school pursuant to NRS 392.760 for a deficiency in the subject area
26 of reading, including whether or not any such pupils were
27 previously provided intervention services and intensive instruction;
28 ~~and~~

29 (b) Received educational programs or services identified
30 pursuant to subsection 1 of NRS 392.750 at each grade level and
31 whose proficiency in the subject area of reading:

32 (1) Did not improve at a rate prescribed by the board of
33 trustees of the school district, indicating a need for more intensive or
34 different interventions; and

35 (2) Improved at a rate prescribed by the board of trustees of
36 the school district, indicating progress toward performing at a level
37 determined by a statewide assessment to be within the level
38 established by the State Board for pupils enrolled in the same grade
39 in which the pupils are enrolled ~~F~~;

40 (c) *Were retained in grade 3 pursuant to section 71 of this act*
41 *for a deficiency in the subject area of reading, including whether*
42 *or not any such pupils were previously retained in kindergarten or*
43 *grade 1 or 2; and*

44 (d) *Were not retained in grade 3 because a good-cause*
45 *exemption was approved pursuant to section 72 of this act but who*



1 *were previously retained in kindergarten or grade 1 or 2 for a total*
2 *of 2 years.*

3 2. Submit a copy of the report to the Department ~~[]~~ *and* the
4 Legislature. ~~[and sponsor of the charter school.]~~

5 3. Post the report on the Internet website maintained by the
6 school district and otherwise make the report available to the parents
7 and legal guardians of pupils enrolled in the school district and the
8 general public.

9 **Sec. 79.** NRS 286.523 is hereby amended to read as follows:

10 286.523 1. It is the policy of this State to ensure that the
11 reemployment of a retired public employee pursuant to this section
12 is limited to positions of extreme need. An employer who desires to
13 employ such a retired public employee to fill a position for which
14 there is a critical labor shortage must make the determination of
15 reemployment based upon the appropriate and necessary delivery of
16 services to the public.

17 2. The provisions of subsections 1 and 2 of NRS 286.520 do
18 not apply to a retired employee who accepts employment or an
19 independent contract with a public employer under the System if:

20 (a) The retired employee fills a position for which there is a
21 critical labor shortage; and

22 (b) At the time of the retired employee's reemployment, the
23 retired employee is receiving:

24 (1) A benefit that is not actuarially reduced pursuant to
25 subsection 6 of NRS 286.510; or

26 (2) A benefit actuarially reduced pursuant to subsection 6 of
27 NRS 286.510 and has reached the required age at which the retired
28 employee could have retired with a benefit that was not actuarially
29 reduced pursuant to subsection 6 of NRS 286.510.

30 3. A retired employee who is reemployed under the
31 circumstances set forth in subsection 2 may reenroll in the System
32 as provided in NRS 286.525.

33 4. ~~[Positions]~~ *Except as otherwise provided in subsection 8,*
34 *positions* for which there are critical labor shortages must be
35 determined in an open public meeting held by the designating
36 authority as follows:

37 (a) Except as otherwise provided in this subsection, the State
38 Board of Examiners shall designate positions in State Government
39 for which there are critical labor shortages.

40 (b) The Supreme Court shall designate positions in the Judicial
41 Branch of State Government for which there are critical labor
42 shortages.

43 (c) The Board of Regents shall designate positions in the
44 Nevada System of Higher Education for which there are critical
45 labor shortages.



1 (d) The board of trustees of each school district shall designate
2 positions within the school district for which there are critical labor
3 shortages.

4 (e) The governing body of a charter school shall designate
5 positions within the charter school for which there are critical labor
6 shortages.

7 (f) The governing body of a local government shall designate
8 positions with the local government for which there are critical labor
9 shortages.

10 (g) The Board shall designate positions within the System for
11 which there are critical labor shortages.

12 5. In determining whether a position is a position for which
13 there is a critical labor shortage **§** *pursuant to subsection 4*, the
14 designating authority shall make findings based upon the criteria set
15 forth in this subsection that support the designation. Before making
16 a designation, the designating authority shall consider all efforts
17 made by the applicable employer to fill the position through other
18 means. The written findings made by the designating authority must
19 include:

20 (a) The history of the rate of turnover for the position;

21 (b) The number of openings for the position and the number of
22 qualified candidates for those openings after all other efforts of
23 recruitment have been exhausted;

24 (c) The length of time the position has been vacant;

25 (d) The difficulty in filling the position due to special
26 circumstances, including, without limitation, special educational or
27 experience requirements for the position; and

28 (e) The history and success of the efforts to recruit for the
29 position, including, without limitation, advertising, recruitment
30 outside of this State and all other efforts made.

31 6. A designating authority that designates a position as a
32 critical need position *pursuant to subsection 4* shall submit to the
33 System its written findings which support that designation made
34 pursuant to subsection 5 on a form prescribed by the System. The
35 System shall compile the forms received from each designating
36 authority and provide a biennial report on the compilation to the
37 Interim Retirement and Benefits Committee of the Legislature.

38 7. A designating authority shall not designate a position
39 pursuant to subsection 4 as a position for which there is a critical
40 labor shortage for a period longer than 2 years. To be redesignated
41 as such a position, the designating authority must consider and make
42 new findings in an open public meeting as to whether the position
43 continues to meet the criteria set forth in subsection 5.

44 **8. *In addition to any position designated as a position for***
45 ***which there is a critical labor shortage pursuant to subsection 4,***



1 *the Governor may designate a position in any school district or*
2 *charter school in this State as a position for which there is a*
3 *critical labor shortage. If the Governor makes such a designation,*
4 *he or she shall notify the System of each position so designated. A*
5 *designation pursuant to this subsection remains in effect until*
6 *revoked by the Governor.*

7 **Sec. 80.** NRS 363A.130 is hereby amended to read as follows:

8 363A.130 1. Except as otherwise provided in NRS 360.203,
9 there is hereby imposed an excise tax on each employer at the rate
10 of 2 percent of the wages, as defined in NRS 612.190, paid by the
11 employer during a calendar quarter with respect to employment in
12 connection with the business activities of the employer.

13 2. The tax imposed by this section:

14 (a) Does not apply to any person or other entity or any wages
15 this State is prohibited from taxing under the Constitution, laws or
16 treaties of the United States or the Nevada Constitution.

17 (b) Must not be deducted, in whole or in part, from any wages of
18 persons in the employment of the employer.

19 3. Each employer shall, on or before the last day of the month
20 immediately following each calendar quarter for which the
21 employer is required to pay a contribution pursuant to
22 NRS 612.535:

23 (a) File with the Department a return on a form prescribed by
24 the Department; and

25 (b) Remit to the Department any tax due pursuant to this section
26 for that calendar quarter.

27 4. In determining the amount of the tax due pursuant to this
28 section, an employer is entitled to subtract from the amount
29 calculated pursuant to subsection 1 a credit in an amount equal to 50
30 percent of the amount of the commerce tax paid by the employer
31 pursuant to chapter 363C of NRS for the preceding taxable year.
32 The credit may only be used for any of the 4 calendar quarters
33 immediately following the end of the taxable year for which the
34 commerce tax was paid. The amount of credit used for a calendar
35 quarter may not exceed the amount calculated pursuant to
36 subsection 1 for that calendar quarter. Any unused credit may not be
37 carried forward beyond the fourth calendar quarter immediately
38 following the end of the taxable year for which the commerce tax
39 was paid, and a taxpayer is not entitled to a refund of any unused
40 credit.

41 5. An employer who makes a donation of money to a
42 scholarship organization during the calendar quarter for which a
43 return is filed pursuant to this section is entitled, in accordance with
44 NRS 363A.139, to a credit equal to the amount authorized pursuant
45 to NRS 363A.139 against any tax otherwise due pursuant to this



1 section. As used in this subsection, “scholarship organization” has
2 the meaning ascribed to it in ~~NRS 388D.260.]~~ *section 44 of this*
3 *act.*

4 **Sec. 81.** NRS 363A.139 is hereby amended to read as follows:

5 363A.139 1. Any taxpayer who is required to pay a tax
6 pursuant to NRS 363A.130 may receive a credit against the tax
7 otherwise due for any donation of money made by the taxpayer to a
8 scholarship organization in the manner provided by this section.

9 2. To receive the credit authorized by subsection 1, a taxpayer
10 who intends to make a donation of money to a scholarship
11 organization must, before making such a donation, notify the
12 scholarship organization of the taxpayer’s intent to make the
13 donation and to seek the credit authorized by subsection 1. A
14 scholarship organization shall, before accepting any such donation,
15 apply to the Department of Taxation for approval of the credit
16 authorized by subsection 1 for the donation. The Department of
17 Taxation shall, within 20 days after receiving the application,
18 approve or deny the application and provide to the scholarship
19 organization notice of the decision and, if the application is
20 approved, the amount of the credit authorized. Upon receipt of
21 notice that the application has been approved, the scholarship
22 organization shall provide notice of the approval to the taxpayer
23 who must, not later than 30 days after receiving the notice, make the
24 donation of money to the scholarship organization. If the taxpayer
25 does not make the donation of money to the scholarship
26 organization within 30 days after receiving the notice, the
27 scholarship organization shall provide notice of the failure to
28 the Department of Taxation and the taxpayer forfeits any claim to
29 the credit authorized by subsection 1.

30 3. The Department of Taxation shall approve or deny
31 applications for the credit authorized by subsection 1 in the order in
32 which the applications are received.

33 4. Except as otherwise provided in subsection 5, the
34 Department of Taxation may, for each fiscal year, approve
35 applications for the credit authorized by subsection 1 until the total
36 amount of the credits authorized by subsection 1 and approved by
37 the Department of Taxation pursuant to this subsection, ~~and]~~
38 subsection 4 of NRS 363B.119, *subsection 4 of section 84 of this*
39 *act and subsection 4 of section 87 of this act* is ~~[\$6,655,000.]~~:

40 (a) *For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent*
41 *of all money deposited for credit to the State Education Fund in*
42 *the fiscal year pursuant to subsection 2 of NRS 387.1212.*

43 (b) *For Fiscal Years 2025-2026 and 2026-2027, 1 percent of*
44 *all money deposited for credit to the State Education Fund in the*
45 *fiscal year pursuant to subsection 2 of NRS 387.1212.*



1 (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of
2 all money deposited for credit to the State Education Fund in the
3 fiscal year pursuant to subsection 2 of NRS 387.1212.

4 (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of
5 all money deposited for credit to the State Education Fund in the
6 fiscal year pursuant to subsection 2 of NRS 387.1212.

7 (e) For Fiscal Year 2031-2032 and each fiscal year thereafter,
8 5 percent of all money deposited for credit to the State Education
9 Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.

10 ↪ The amount of any credit which is forfeited pursuant to
11 subsection 2 must not be considered in calculating the amount of
12 credits authorized for any fiscal year.

13 5. ~~Except as otherwise provided in this subsection, in addition~~
14 ~~to the amount of credits authorized by subsection 4 for Fiscal Years~~
15 ~~2019-2020, 2020-2021 and 2021-2022, the Department of Taxation~~
16 ~~may approve applications for the credit authorized by subsection 1~~
17 ~~for each of those fiscal years until the total amount of the credits~~
18 ~~authorized by subsection 1 and approved by the Department of~~
19 ~~Taxation pursuant to this subsection and subsection 5 of NRS~~
20 ~~363B.119 is \$4,745,000. The provisions of subsection 4 do not~~
21 ~~apply to the amount of credits authorized by this subsection and the~~
22 ~~amount of credits authorized by this subsection must not be~~
23 ~~considered when determining the amount of credits authorized for a~~
24 ~~fiscal year pursuant to subsection 4.]~~ If, in ~~[Fiscal Year 2019-2020,~~
25 ~~2020-2021 or 2021-2022,]~~ any fiscal year, the amount of credits
26 authorized by subsection 1 and approved pursuant to ~~[this]~~
27 subsection ~~[and] 4~~, subsection ~~[5] 4~~ of NRS 363B.119, *subsection 4*
28 *of section 84 of this act and subsection 4 of section 87 of this act*
29 less than ~~[\$4,745,000,]~~ *the amount of credits authorized for that*
30 *fiscal year*, the remaining amount of credits pursuant to ~~[this]~~
31 subsection ~~[and] 4~~, subsection ~~[5] 4~~ of NRS 363B.119, *subsection 4*
32 *of section 84 of this act and subsection 4 of section 87 of this act*
33 must be carried forward and made available for approval during
34 subsequent fiscal years until the total amount of credits authorized
35 by subsection 1 and approved pursuant to ~~[this]~~ subsection ~~[and] 4~~,
36 subsection ~~[5] 4~~ of NRS 363B.119, *subsection 4 of section 84 of*
37 *this act and subsection 4 of section 87 of this act* is equal to
38 ~~[\$14,235,000,]~~ *5 percent of all money deposited for credit to the*
39 *State Education Fund in the fiscal year pursuant to subsection 2*
40 *of NRS 387.1212.* The amount of any credit which is forfeited
41 pursuant to subsection 2 must not be considered in calculating the
42 amount of credits authorized pursuant to this subsection.

43 6. If a taxpayer applies to and is approved by the Department
44 of Taxation for the credit authorized by subsection 1, the amount of
45 the credit provided by this section is equal to the amount approved



1 by the Department of Taxation pursuant to subsection 2, which must
2 not exceed the amount of the donation made by the taxpayer to a
3 scholarship organization. The total amount of the credit applied
4 against the taxes described in subsection 1 and otherwise due from a
5 taxpayer must not exceed the amount of the donation.

6 7. If the amount of the tax described in subsection 1 and
7 otherwise due from a taxpayer is less than the credit to which the
8 taxpayer is entitled pursuant to this section, the taxpayer may, after
9 applying the credit to the extent of the tax otherwise due, carry the
10 balance of the credit forward for not more than 5 years after the end
11 of the calendar year in which the donation is made or until the
12 balance of the credit is applied, whichever is earlier.

13 8. As used in this section, "scholarship organization" has the
14 meaning ascribed to it in ~~NRS 388D.260.~~ *section 44 of this act.*

15 **Sec. 82.** NRS 363B.110 is hereby amended to read as follows:

16 363B.110 1. Except as otherwise provided in NRS 360.203,
17 there is hereby imposed an excise tax on each employer at the rate
18 of 1.475 percent of the amount by which the sum of all the wages,
19 as defined in NRS 612.190, paid by the employer during a calendar
20 quarter with respect to employment in connection with the business
21 activities of the employer exceeds \$50,000.

22 2. The tax imposed by this section:

23 (a) Does not apply to any person or other entity or any wages
24 this State is prohibited from taxing under the Constitution, laws or
25 treaties of the United States or the Nevada Constitution.

26 (b) Must not be deducted, in whole or in part, from any wages of
27 persons in the employment of the employer.

28 3. Each employer shall, on or before the last day of the month
29 immediately following each calendar quarter for which the
30 employer is required to pay a contribution pursuant to
31 NRS 612.535:

32 (a) File with the Department a return on a form prescribed by
33 the Department; and

34 (b) Remit to the Department any tax due pursuant to this chapter
35 for that calendar quarter.

36 4. In determining the amount of the tax due pursuant to this
37 section, an employer is entitled to subtract from the amount
38 calculated pursuant to subsection 1 a credit in an amount equal to 50
39 percent of the amount of the commerce tax paid by the employer
40 pursuant to chapter 363C of NRS for the preceding taxable year.
41 The credit may only be used for any of the 4 calendar quarters
42 immediately following the end of the taxable year for which the
43 commerce tax was paid. The amount of credit used for a calendar
44 quarter may not exceed the amount calculated pursuant to
45 subsection 1 for that calendar quarter. Any unused credit may not be



1 carried forward beyond the fourth calendar quarter immediately
2 following the end of the taxable year for which the commerce tax
3 was paid, and a taxpayer is not entitled to a refund of any unused
4 credit.

5 5. An employer who makes a donation of money to a
6 scholarship organization during the calendar quarter for which a
7 return is filed pursuant to this section is entitled, in accordance with
8 NRS 363B.119, to a credit equal to the amount authorized pursuant
9 to NRS 363B.119 against any tax otherwise due pursuant to this
10 section. As used in this subsection, "scholarship organization" has
11 the meaning ascribed to it in ~~NRS 388D.260.~~ *section 44 of this*
12 *act.*

13 **Sec. 83.** NRS 363B.119 is hereby amended to read as follows:

14 363B.119 1. Any taxpayer who is required to pay a tax
15 pursuant to NRS 363B.110 may receive a credit against the tax
16 otherwise due for any donation of money made by the taxpayer to a
17 scholarship organization in the manner provided by this section.

18 2. To receive the credit authorized by subsection 1, a taxpayer
19 who intends to make a donation of money to a scholarship
20 organization must, before making such a donation, notify the
21 scholarship organization of the taxpayer's intent to make the
22 donation and to seek the credit authorized by subsection 1. A
23 scholarship organization shall, before accepting any such donation,
24 apply to the Department of Taxation for approval of the credit
25 authorized by subsection 1 for the donation. The Department of
26 Taxation shall, within 20 days after receiving the application,
27 approve or deny the application and provide to the scholarship
28 organization notice of the decision and, if the application is
29 approved, the amount of the credit authorized. Upon receipt of
30 notice that the application has been approved, the scholarship
31 organization shall provide notice of the approval to the taxpayer
32 who must, not later than 30 days after receiving the notice, make the
33 donation of money to the scholarship organization. If the taxpayer
34 does not make the donation of money to the scholarship
35 organization within 30 days after receiving the notice, the
36 scholarship organization shall provide notice of the failure to
37 the Department of Taxation and the taxpayer forfeits any claim to
38 the credit authorized by subsection 1.

39 3. The Department of Taxation shall approve or deny
40 applications for the credit authorized by subsection 1 in the order in
41 which the applications are received.

42 4. Except as otherwise provided in subsection 5, the
43 Department of Taxation may, for each fiscal year, approve
44 applications for the credit authorized by subsection 1 until the total
45 amount of the credits authorized by subsection 1 and approved by



1 the Department of Taxation pursuant to this subsection, ~~and~~
2 subsection 4 of NRS 363A.139, *subsection 4 of section 84 of this*
3 *act and subsection 4 of section 87 of this act* is ~~[\$6,655,000.]~~:

4 (a) *For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent*
5 *of all money deposited for credit to the State Education Fund in*
6 *the fiscal year pursuant to subsection 2 of NRS 387.1212.*

7 (b) *For Fiscal Years 2025-2026 and 2026-2027, 1 percent of*
8 *all money deposited for credit to the State Education Fund in the*
9 *fiscal year pursuant to subsection 2 of NRS 387.1212.*

10 (c) *For Fiscal Years 2027-2028 and 2028-2029, 2 percent of*
11 *all money deposited for credit to the State Education Fund in the*
12 *fiscal year pursuant to subsection 2 of NRS 387.1212.*

13 (d) *For Fiscal Years 2029-2030 and 2030-2031, 4 percent of*
14 *all money deposited for credit to the State Education Fund in the*
15 *fiscal year pursuant to subsection 2 of NRS 387.1212.*

16 (e) *For Fiscal Year 2031-2032 and each fiscal year thereafter,*
17 *5 percent of all money deposited for credit to the State Education*
18 *Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.*

19 ↪ The amount of any credit which is forfeited pursuant to
20 subsection 2 must not be considered in calculating the amount of
21 credits authorized for any fiscal year.

22 5. ~~In addition to the amount of credits authorized by~~
23 ~~subsection 4 for Fiscal Years 2019-2020, 2020-2021 and 2021-~~
24 ~~2022, the Department of Taxation may approve applications for the~~
25 ~~credit authorized by subsection 1 for each of those fiscal years until~~
26 ~~the total amount of the credits authorized by subsection 1 and~~
27 ~~approved by the Department of Taxation pursuant to this subsection~~
28 ~~and subsection 5 of NRS 363A.139 is \$4,745,000. The provisions of~~
29 ~~subsection 4 do not apply to the amount of credits authorized by this~~
30 ~~subsection and the amount of credits authorized by this subsection~~
31 ~~must not be considered when determining the amount of credits~~
32 ~~authorized for a fiscal year pursuant to subsection 4.] If, in [Fiscal~~
33 ~~Year 2019-2020, 2020-2021 or 2021-2022,] any fiscal year, the~~
34 amount of credits authorized by subsection 1 and approved pursuant
35 to ~~this~~ subsection ~~and~~ 4, subsection ~~5~~ 4 of NRS 363A.139,
36 *subsection 4 of section 84 of this act and subsection 4 of section 87*
37 *of this act* is less than ~~[\$4,745,000.]~~ *the amount of credits*
38 *authorized for that fiscal year,* the remaining amount of credits
39 pursuant to ~~this~~ subsection ~~and~~ 4, subsection ~~5~~ 4 of NRS
40 363A.139, *subsection 4 of section 84 of this act and subsection 4*
41 *of section 87 of this act* must be carried forward and made available
42 for approval during subsequent fiscal years until the total amount of
43 credits authorized by subsection 1 and approved pursuant to ~~this~~
44 subsection 4, and subsection ~~5~~ 4 of NRS 363A.139, *subsection 4*
45 *of section 84 of this act and subsection 4 of section 87 of this act* is



1 equal to ~~[\$14,235,000.]~~ *5 percent of all money deposited for credit*
2 *to the State Education Fund in the fiscal year pursuant to*
3 *subsection 2 of NRS 387.1212.* The amount of any credit which is
4 forfeited pursuant to subsection 2 must not be considered in
5 calculating the amount of credits authorized pursuant to this
6 subsection.

7 6. If a taxpayer applies to and is approved by the Department
8 of Taxation for the credit authorized by subsection 1, the amount of
9 the credit provided by this section is equal to the amount approved
10 by the Department of Taxation pursuant to subsection 2, which must
11 not exceed the amount of the donation made by the taxpayer to a
12 scholarship organization. The total amount of the credit applied
13 against the taxes described in subsection 1 and otherwise due from a
14 taxpayer must not exceed the amount of the donation.

15 7. If the amount of the tax described in subsection 1 and
16 otherwise due from a taxpayer is less than the credit to which the
17 taxpayer is entitled pursuant to this section, the taxpayer may, after
18 applying the credit to the extent of the tax otherwise due, carry the
19 balance of the credit forward for not more than 5 years after the end
20 of the calendar year in which the donation is made or until the
21 balance of the credit is applied, whichever is earlier.

22 8. As used in this section, "scholarship organization" has the
23 meaning ascribed to it in ~~[NRS 388D.260.]~~ *section 44 of this act.*

24 **Sec. 84.** Chapter 463 of NRS is hereby amended by adding
25 thereto a new section to read as follows:

26 *1. Any taxpayer who is required to pay a tax pursuant to NRS*
27 *463.370 may receive a credit against the tax otherwise due for any*
28 *donation of money made by the taxpayer to a scholarship*
29 *organization in the manner provided by this section.*

30 *2. To receive the credit authorized by subsection 1, a taxpayer*
31 *who intends to make a donation of money to a scholarship*
32 *organization must, before making such a donation, notify the*
33 *scholarship organization of the taxpayer's intent to make the*
34 *donation and to seek the credit authorized by subsection 1. A*
35 *scholarship organization shall, before accepting any such*
36 *donation, apply to the Department of Taxation for approval of the*
37 *credit authorized by subsection 1 for the donation. The*
38 *Department of Taxation shall, within 20 days after receiving the*
39 *application, approve or deny the application and provide to*
40 *the scholarship organization notice of the decision and, if the*
41 *application is approved, the amount of the credit authorized. Upon*
42 *receipt of notice that the application has been approved, the*
43 *scholarship organization shall provide notice of the approval to*
44 *the taxpayer who must, not later than 30 days after receiving the*
45 *notice, make the donation of money to the scholarship*



1 organization. If the taxpayer does not make the donation of money
2 to the scholarship organization within 30 days after receiving the
3 notice, the scholarship organization shall provide notice of the
4 failure to the Department of Taxation and the taxpayer forfeits
5 any claim to the credit authorized by subsection 1.

6 3. The Department of Taxation shall approve or deny
7 applications for the credit authorized by subsection 1 in the order
8 in which the applications are received.

9 4. The Department of Taxation may, for each fiscal year,
10 approve applications for the credit authorized by subsection 1 until
11 the amount of the credits authorized by subsection 1 and approved
12 by the Department of Taxation pursuant to this subsection,
13 subsection 4 of NRS 363A.139, subsection 4 of NRS 363B.119 and
14 subsection 4 of section 87 of this act is:

15 (a) For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent
16 of all money deposited for credit to the State Education Fund in
17 the fiscal year pursuant to subsection 2 of NRS 387.1212.

18 (b) For Fiscal Years 2025-2026 and 2026-2027, 1 percent of
19 all money deposited for credit to the State Education Fund in the
20 fiscal year pursuant to subsection 2 of NRS 387.1212.

21 (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of
22 all money deposited for credit to the State Education Fund in the
23 fiscal year pursuant to subsection 2 of NRS 387.1212.

24 (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of
25 all money deposited for credit to the State Education Fund in the
26 fiscal year pursuant to subsection 2 of NRS 387.1212.

27 (e) For Fiscal Year 2031-2032 and each fiscal year thereafter,
28 5 percent of all money deposited for credit to the State Education
29 Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.

30 ↪ The amount of any credit which is forfeited pursuant to
31 subsection 2 must not be considered in calculating the amount of
32 credits authorized for any fiscal year.

33 5. If, in any fiscal year, the amount of credits authorized by
34 subsection 1 and approved pursuant to subsection 4, subsection 4
35 of NRS 363A.139, subsection 4 of NRS 363B.119 and subsection 4
36 of section 87 of this act is less than the amount of credits
37 authorized for that fiscal year, the remaining amount of credits
38 pursuant to subsection 4, subsection 4 of NRS 363A.139,
39 subsection 4 of NRS 363B.119 and subsection 4 of section 87 of
40 this act must be carried forward and made available for approval
41 during subsequent fiscal years until the total amount of credits
42 authorized by subsection 1 and approved pursuant to subsection 4,
43 subsection 4 of NRS 363A.139, subsection 4 of NRS 363B.119 and
44 subsection 4 of section 87 of this act is equal to 5 percent of all
45 money deposited for credit to the State Education Fund in the



1 *fiscal year pursuant to subsection 2 of NRS 387.1212. The amount*
2 *of any credit which is forfeited pursuant to subsection 2 must not*
3 *be considered in calculating the amount of credits authorized*
4 *pursuant to this subsection.*

5 6. *If a taxpayer applies to and is approved by the Department*
6 *of Taxation for the credit authorized by subsection 1, the amount*
7 *of the credit provided by this section is equal to the amount*
8 *approved by the Department of Taxation pursuant to subsection 2,*
9 *which must not exceed the amount of the donation made by the*
10 *taxpayer to the scholarship organization. The total amount of the*
11 *credit applied against the taxes described in subsection 1 and*
12 *otherwise due from a taxpayer must not exceed the amount of the*
13 *donation.*

14 7. *If the amount of the tax described in subsection 1 and*
15 *otherwise due from a taxpayer is less than the credit to which the*
16 *taxpayer is entitled pursuant to this section, the taxpayer may,*
17 *after applying the credit to the extent of the tax otherwise due,*
18 *carry the balance of the credit forward for not more than 5 years*
19 *after the end of the calendar year in which the donation is made*
20 *or until the balance of the credit is applied, whichever is earlier.*

21 8. *As used in this section:*

22 (a) *“Scholarship organization” has the meaning ascribed to it*
23 *in section 44 of this act.*

24 (b) *“Taxpayer” means any person liable for a tax imposed by*
25 *NRS 463.370.*

26 **Sec. 85.** NRS 679A.160 is hereby amended to read as follows:

27 679A.160 Except as otherwise provided by specific statute, no
28 provision of this Code applies to:

29 1. Fraternal benefit societies, as identified in chapter 695A of
30 NRS, except as stated in chapter 695A of NRS.

31 2. Hospital, medical or dental service corporations, as
32 identified in chapter 695B of NRS, except as stated in chapter 695B
33 of NRS.

34 3. Motor clubs, as identified in chapter 696A of NRS, except as
35 stated in chapter 696A of NRS.

36 4. Bail agents, as identified in chapter 697 of NRS, except as
37 stated in NRS 680B.025 to 680B.039, inclusive, *and sections 87*
38 *and 88 of this act* and chapter 697 of NRS.

39 5. Risk retention groups, as identified in chapter 695E of NRS,
40 except as stated in chapter 695E of NRS.

41 6. Captive insurers, as identified in chapter 694C of NRS, with
42 respect to their activities as captive insurers, except as stated in
43 chapter 694C of NRS.

44 7. Health and welfare plans arising out of collective bargaining
45 under chapter 288 of NRS, except that the Commissioner may



1 review the plan to ensure that the benefits are reasonable in relation
2 to the premiums and that the fund is financially sound.

3 8. Programs established pursuant to subsection 1 of NRS
4 315.725 and the entities administering those programs, except as
5 stated in NRS 315.725.

6 **Sec. 86.** Chapter 680B of NRS is hereby amended by adding
7 thereto the provisions set forth as sections 87 and 88 of this act.

8 **Sec. 87. 1.** *Any taxpayer who is required to pay a tax*
9 *pursuant to NRS 680B.027 may receive a credit against the tax*
10 *otherwise due for any donation of money made by the taxpayer to*
11 *a scholarship organization in the manner provided by this section.*

12 *2. To receive the credit authorized by subsection 1, a taxpayer*
13 *who intends to make a donation of money to a scholarship*
14 *organization must, before making such a donation, notify the*
15 *scholarship organization of the taxpayer's intent to make the*
16 *donation and to seek the credit authorized by subsection 1. A*
17 *scholarship organization shall, before accepting any such*
18 *donation, apply to the Department of Taxation for approval of the*
19 *credit authorized by subsection 1 for the donation. The*
20 *Department of Taxation shall, within 20 days after receiving the*
21 *application, approve or deny the application and provide to*
22 *the scholarship organization notice of the decision and, if the*
23 *application is approved, the amount of the credit authorized. Upon*
24 *receipt of notice that the application has been approved, the*
25 *scholarship organization shall provide notice of the approval to*
26 *the taxpayer who must, not later than 30 days after receiving the*
27 *notice, make the donation of money to the scholarship*
28 *organization. If the taxpayer does not make the donation of money*
29 *to the scholarship organization within 30 days after receiving the*
30 *notice, the scholarship organization shall provide notice of the*
31 *failure to the Department of Taxation and the taxpayer forfeits*
32 *any claim to the credit authorized by subsection 1.*

33 *3. The Department of Taxation shall approve or deny*
34 *applications for the credit authorized by subsection 1 in the order*
35 *in which the applications are received.*

36 *4. The Department of Taxation may, for each fiscal year,*
37 *approve applications for the credit authorized by subsection 1 until*
38 *the amount of the credits authorized by subsection 1 and approved*
39 *by the Department of Taxation pursuant to this subsection,*
40 *subsection 4 of NRS 363A.139, subsection 4 of NRS 363B.119 and*
41 *subsection 4 of section 84 of this act is:*

42 *(a) For Fiscal Years 2023-2024 and 2024-2025, 0.50 percent*
43 *of all money deposited for credit to the State Education Fund in*
44 *the fiscal year pursuant to subsection 2 of NRS 387.1212.*



1 (b) For Fiscal Years 2025-2026 and 2026-2027, 1 percent of
2 all money deposited for credit to the State Education Fund in the
3 fiscal year pursuant to subsection 2 of NRS 387.1212.

4 (c) For Fiscal Years 2027-2028 and 2028-2029, 2 percent of
5 all money deposited for credit to the State Education Fund in the
6 fiscal year pursuant to subsection 2 of NRS 387.1212.

7 (d) For Fiscal Years 2029-2030 and 2030-2031, 4 percent of
8 all money deposited for credit to the State Education Fund in the
9 fiscal year pursuant to subsection 2 of NRS 387.1212.

10 (e) For Fiscal Year 2031-2032 and each fiscal year thereafter,
11 5 percent of all money deposited for credit to the State Education
12 Fund in the fiscal year pursuant to subsection 2 of NRS 387.1212.

13 ↪ The amount of any credit which is forfeited pursuant to
14 subsection 2 must not be considered in calculating the amount of
15 credits authorized for any fiscal year.

16 5. If, in any fiscal year, the amount of credits authorized by
17 subsection 1 and approved pursuant to subsection 4, subsection 4
18 of NRS 363A.139, subsection 4 of NRS 363B.119 and subsection 4
19 of section 84 of this act is less than the amount of credits
20 authorized for that fiscal year, the remaining amount of credits
21 pursuant to subsection 4, subsection 4 of NRS 363A.139,
22 subsection 4 of NRS 363B.119 and subsection 4 of section 84 of
23 this act must be carried forward and made available for approval
24 during subsequent fiscal years until the total amount of credits
25 authorized by subsection 1 and approved pursuant to subsection 4,
26 subsection 4 of NRS 363A.139, subsection 4 of NRS 363B.119 and
27 subsection 4 of section 84 of this act is equal to 5 percent of all
28 money deposited for credit to the State Education Fund in the
29 fiscal year pursuant to subsection 2 of NRS 387.1212. The amount
30 of any credit which is forfeited pursuant to subsection 2 must not
31 be considered in calculating the amount of credits authorized
32 pursuant to this subsection.

33 6. If a taxpayer applies to and is approved by the Department
34 of Taxation for the credit authorized by subsection 1, the amount
35 of the credit provided by this section is equal to the amount
36 approved by the Department of Taxation pursuant to subsection 2,
37 which must not exceed the amount of the donation made by the
38 taxpayer to the scholarship organization. The total amount of the
39 credit applied against the taxes described in subsection 1 and
40 otherwise due from a taxpayer must not exceed the amount of the
41 donation.

42 7. If the amount of the tax described in subsection 1 and
43 otherwise due from a taxpayer is less than the credit to which the
44 taxpayer is entitled pursuant to this section, the taxpayer may,
45 after applying the credit to the extent of the tax otherwise due,



1 *carry the balance of the credit forward for not more than 5 years*
2 *after the end of the calendar year in which the donation is made*
3 *or until the balance of the credit is applied, whichever is earlier.*

4 8. *As used in this section:*

5 (a) *“Scholarship organization” has the meaning ascribed to it*
6 *in section 44 of this act.*

7 (b) *“Taxpayer” means any person liable for a tax imposed by*
8 *this chapter.*

9 **Sec. 88.** 1. *An insurer who makes a donation of money to a*
10 *scholarship organization during the calendar quarter for which a*
11 *report is filed pursuant to NRS 680B.032 or during a calendar*
12 *year in which a report is filed pursuant to NRS 680B.030 is*
13 *entitled, in accordance with section 87 of this act, to a credit equal*
14 *to the amount authorized pursuant to section 87 of this act against*
15 *any tax otherwise due pursuant to NRS 680B.027.*

16 2. *As used in this section, “scholarship organization” has the*
17 *meaning ascribed to it in section 44 of this act.*

18 **Sec. 89.** NRS 680B.025 is hereby amended to read as follows:
19 680B.025 For the purposes of NRS 680B.025 to 680B.039,
20 inclusive ~~H~~, *and sections 87 and 88 of this act:*

21 1. *“Total income derived from direct premiums written”:*

22 (a) *Does not include premiums written or considerations*
23 *received from life insurance policies or annuity contracts issued in*
24 *connection with the funding of a pension, annuity or profit-sharing*
25 *plan qualified or exempt pursuant to sections 401, 403, 404, 408,*
26 *457 or 501 of the United States Internal Revenue Code as*
27 *renumbered from time to time.*

28 (b) *Does not include payments received by an insurer from the*
29 *Secretary of Health and Human Services pursuant to a contract*
30 *entered into pursuant to section 1876 of the Social Security Act, 42*
31 *U.S.C. § 1395mm.*

32 (c) *As to title insurance, consists of the total amount charged by*
33 *the company for the sale of policies of title insurance.*

34 2. *Money accepted by a life insurer pursuant to an agreement*
35 *which provides for an accumulation of money to purchase annuities*
36 *at future dates may be considered as “total income derived from*
37 *direct premiums written” either upon receipt or upon the actual*
38 *application of the money to the purchase of annuities, but any*
39 *interest credited to money accumulated while under the latter*
40 *alternative must also be included in “total income derived from*
41 *direct premiums written,” and any money taxed upon receipt,*
42 *including any interest later credited thereto, is not subject to taxation*
43 *upon the purchase of annuities. Each life insurer shall signify on its*
44 *return covering premiums for the calendar year 1971 or for the first*
45 *calendar year it transacts business in this State, whichever is later,*



1 its election between those two alternatives. Thereafter an insurer
2 shall not change his or her election without the consent of the
3 Commissioner. Any such money taxed as "total income derived
4 from direct premiums written" is, in the event of withdrawal of the
5 money before its actual application to the purchase of annuities,
6 eligible to be included as "return premiums" pursuant to the
7 provisions of NRS 680B.030.

8 **Sec. 90.** NRS 680B.0395 is hereby amended to read as
9 follows:

10 680B.0395 An insurer who holds a certificate of authority as a
11 reinsurer is exempt from the requirements of NRS 680B.025 to
12 680B.039, inclusive **H**, and sections 87 and 88 of this act.

13 **Sec. 91.** NRS 695B.320 is hereby amended to read as follows:

14 695B.320 1. Nonprofit hospital and medical or dental service
15 corporations are subject to the provisions of this chapter, and to the
16 provisions of chapters 679A and 679B of NRS, subsections 2, 4, 18,
17 19 and 31 of NRS 680B.010, NRS 680B.025 to 680B.060,
18 inclusive, and sections 87 and 88 of this act, chapter 681B of
19 NRS, NRS 686A.010 to 686A.315, inclusive, 686B.010 to
20 686B.175, inclusive, 687B.010 to 687B.040, inclusive, 687B.070
21 to 687B.140, inclusive, 687B.150, 687B.160, 687B.180, 687B.200
22 to 687B.255, inclusive, 687B.270, 687B.310 to 687B.380, inclusive,
23 687B.410, 687B.420, 687B.430, 687B.500 and chapters 692B,
24 692C, 693A and 696B of NRS, to the extent applicable and not in
25 conflict with the express provisions of this chapter.

26 2. For the purposes of this section and the provisions set forth
27 in subsection 1, a nonprofit hospital and medical or dental service
28 corporation is included in the meaning of the term "insurer."

29 **Sec. 92.** NRS 695F.090 is hereby amended to read as follows:

30 695F.090 1. Prepaid limited health service organizations are
31 subject to the provisions of this chapter and to the following
32 provisions, to the extent reasonably applicable:

33 (a) NRS 686B.010 to 686B.175, inclusive, concerning rates and
34 essential insurance.

35 (b) NRS 687B.310 to 687B.420, inclusive, concerning
36 cancellation and nonrenewal of policies.

37 (c) NRS 687B.122 to 687B.128, inclusive, concerning
38 readability of policies.

39 (d) The requirements of NRS 679B.152.

40 (e) The fees imposed pursuant to NRS 449.465.

41 (f) NRS 686A.010 to 686A.310, inclusive, concerning trade
42 practices and frauds.

43 (g) The assessment imposed pursuant to NRS 679B.700.

44 (h) Chapter 683A of NRS.



1 (i) To the extent applicable, the provisions of NRS 689B.340 to
2 689B.580, inclusive, and chapter 689C of NRS relating to the
3 portability and availability of health insurance.

4 (j) NRS 689A.035, 689A.0463, 689A.410, 689A.413 and
5 689A.415.

6 (k) NRS 680B.025 to 680B.060, inclusive, *and sections 87 and*
7 *88 of this act* concerning premium tax, premium tax rate, annual
8 report and estimated quarterly tax payments. For the purposes of this
9 paragraph, unless the context otherwise requires that a section apply
10 only to insurers, any reference in those sections to “insurer” must be
11 replaced by a reference to “prepaid limited health service
12 organization.”

13 (l) Chapter 692C of NRS, concerning holding companies.

14 (m) NRS 689A.637, concerning health centers.

15 (n) Chapter 681B of NRS, concerning assets and liabilities.

16 (o) NRS 682A.400 to 682A.468, inclusive, concerning
17 investments.

18 2. For the purposes of this section and the provisions set forth
19 in subsection 1, a prepaid limited health service organization is
20 included in the meaning of the term “insurer.”

21 **Sec. 93.** 1. There is hereby appropriated from the State
22 General Fund to the Department of Education the sum of
23 \$1,000,000 for the cost of supporting the operations of the
24 Commission on School Funding and the completion of reports
25 pursuant to NRS 387.12468, as amended by section 24 of this act.

26 2. Any remaining balance of the appropriation made by
27 subsection 1 must not be committed for expenditure after June 30,
28 2025, by the entity to which the appropriation is made or any entity
29 to which money from the appropriation is granted or otherwise
30 transferred in any manner, and any portion of the appropriated
31 money remaining must not be spent for any purpose after
32 September 19, 2025, by either the entity to which the money was
33 appropriated or the entity to which the money was subsequently
34 granted or transferred, and must be reverted to the State General
35 Fund on or before September 19, 2025.

36 **Sec. 94.** Notwithstanding the provisions of subsection 3 of
37 NRS 387.1213, as amended by section 15 of this act, if the balance
38 in the Education Stabilization Account created by NRS 387.1213 at
39 the end of Fiscal Year 2024-2025 exceeds 15 percent of the total of
40 all appropriations and authorizations from the State Education Fund,
41 excluding the Education Stabilization Account, for the immediately
42 preceding fiscal year, the money in excess of such amount must be
43 transferred as follows:

44 1. Fifty percent to the State Teacher Pipeline Account created
45 by section 54 of this act; and



1 2. Fifty percent to the Early Childhood Literacy and Readiness
2 Account created by section 12 of this act.

3 **Sec. 95.** The provisions of subsection 1 of NRS 218D.380 do
4 not apply to any provision of this act which adds or revises a
5 requirement to submit a report to the Legislature.

6 **Sec. 96.** The provisions of NRS 354.599 do not apply to any
7 additional expenses of a local government that are related to the
8 provisions of this act.

9 **Sec. 97.** 1. This section and sections 95 and 96 of this act
10 become effective upon passage and approval.

11 2. Sections 1 to 4, inclusive, 7, 8, 10 to 24, inclusive, 26 to 39,
12 inclusive, 41 to 70, inclusive, 73, 75 and 79 to 94, inclusive, of this
13 act become effective:

14 (a) Upon passage and approval for the purpose of adopting any
15 regulations and performing any other preparatory administrative
16 tasks that are necessary to carry out the provisions of this act; and

17 (b) On July 1, 2023, for all other purposes.

18 3. Sections 5, 6, 9, 25, 40, 71, 72, 74, 76, 77 and 78 of this act
19 become effective:

20 (a) Upon passage and approval for the purpose of adopting any
21 regulations and performing any other preparatory administrative
22 tasks that are necessary to carry out the provisions of this act; and

23 (b) On July 1, 2024, for all other purposes.

