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SECOND REPRINT

A.B. 400

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.

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

AN ACT relating to education; creating the Early Childhood Literacy and Readiness Account and authorizing grants from the Account for certain purposes; revising various provisions relating to the Commission on School Funding; authorizing, under certain circumstances, the State Public Charter School Authority to award money to a charter school for the transportation of pupils; authorizing a city or county to sponsor a charter school; requiring a city or county that sponsors a charter school to annually report certain information; 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; making appropriations; 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 **93.5** of this bill makes an appropriation to the Account.
- 7 Existing law creates the Commission on School Funding and establishes the
- 8 duties of the Commission. (NRS 387.1246, 387.12463) **Section 22** of this bill:



9 (1) requires the Department to engage in certain activities to support the  
10 Commission; and (2) authorizes the Commission to meet at any time. **Section 23** of  
11 this bill expands the duties of the Commission by requiring the Commission to: (1)  
12 review the academic progress made by pupils in each public school in this State;  
13 and (2) review and consider strategies to improve the accessibility of existing and  
14 new programs within and between public schools. **Section 23** also eliminates the  
15 power of the Joint Interim Standing Committee on Education to review  
16 the recommendations of the Commission and determine whether to transmit the  
17 recommendations to the Governor or the Legislature and instead requires the  
18 Commission to transmit its recommendations to the Governor and the Legislature  
19 after considering the recommendations of the Joint Interim Standing Committee on  
20 Education. **Section 93** of this bill makes an appropriation to the Department to  
21 support the operations of the Commission.

22 Existing law requires each school district and each public school to create a  
23 report on or before October 1 of each year that includes certain information about  
24 the number and kinds of personnel and services provided by the school district or  
25 public school, respectively, during the immediately preceding school year and any  
26 changes anticipated by the school district or public school. (NRS 387.12468)  
27 **Section 24** of this bill requires the Department to prepare any reports or provide  
28 any data necessary for a school district or public school to produce such reports.  
29 **Section 93** makes an appropriation to the Department to support the completion of  
30 such reports.

31 Existing law: (1) requires the State Public Charter School Authority to sponsor  
32 charter schools; and (2) authorizes the board of trustees of a school district or a  
33 college or university within the Nevada System of Higher Education to apply to the  
34 Department for authorization to sponsor charter schools. (NRS 388A.220) **Section**  
35 **32** of this bill: (1) authorizes a city or county to apply to the Department for  
36 authorization to sponsor charter schools; (2) prohibits a city or county from  
37 sponsoring a new charter school or expanding the enrollment or authorizing an  
38 additional campus of an existing charter school sponsored by the city or county if  
39 the total number of pupils enrolled in charter schools sponsored by the city or  
40 county exceeds a certain percentage of pupils in public schools in the city or county  
41 other than charter schools that are not sponsored by the city or county; and (3)  
42 limits a city or county to sponsoring a charter school within the territory of the city  
43 or county. **Section 34** of this bill makes conforming changes to refer to provisions  
44 that have been renumbered by **section 32**. **Sections 1-5, 7, 8, 28, 29-31, 33-39, 50-**  
45 **52 and 75** of this bill authorize a city or county approved by the Department to, in  
46 general, sponsor charter schools in the same manner as the board of trustees of a  
47 school district or a college or university within the Nevada System of Higher  
48 Education.

49 Existing law imposes certain reporting requirements on the governing body of  
50 each charter school or the sponsor of a charter school. (NRS 388A.345-388A.355)  
51 **Section 28.7** of this bill requires a city or county that sponsors a charter school to  
52 report annually to the Department, the State Public Charter School Authority and  
53 the Director of the Legislative Counsel Bureau certain information relating to the  
54 charter school and pupils enrolled in the charter school.

55 **Section 28.5** of this bill: (1) authorizes, under certain circumstances, the State  
56 Public Charter School Authority to award money to a charter school for the  
57 transportation of pupils to the extent money has been appropriated for that purpose;  
58 and (2) requires a charter school that wishes to receive such money to submit a  
59 transportation plan to the State Public Charter School Authority. **Section 28.5**  
60 authorizes the State Public Charter School Authority to approve the transportation  
61 plan of a charter school if it makes certain determinations. **Section 93.3** of this bill  
62 makes an appropriation to the State Public Charter School Authority to award  
63 money to charter schools for the transportation of pupils.



64 Existing law establishes the Teach Nevada Scholarship Program, which awards  
65 grants to public or private universities, colleges or other providers of an alternative  
66 licensure program in this State to award scholarships to students who attend the  
67 university, college or provider to complete a program which is approved by the  
68 State Board of Education and upon completion: (1) makes a student eligible to  
69 obtain a license to teach kindergarten, any grade from grades 1 through 12 or in the  
70 subject of special education; or (2) allows a student to specialize in early childhood  
71 education. (NRS 391A.580) **Section 56** of this bill requires the State Board to  
72 annually review and report on the Teach Nevada Scholarship Program. **Section 67**  
73 of this bill makes a conforming change to indicate the proper placement of **section**  
74 **56** in the Nevada Revised Statutes. **Section 68** of this bill: (1) revises provisions  
75 relating to the priority of grant awards for the Teach Nevada Scholarship Program;  
76 and (2) requires a student to have graduated from a high school in this State or a  
77 county that borders this State and accepts pupils from this State or who have  
78 successfully completed the high school equivalency assessment selected by the  
79 State Board before 20 years of age to be eligible for a Teach Nevada Scholarship.  
80 **Section 69** of this bill increases the maximum amount of a Teach Nevada  
81 Scholarship to match the cost of receiving a bachelor's degree at a public university  
82 in this State.

83 **Sections 57-66** of this bill create the Nevada Teacher Advancement  
84 Scholarship Program, which, in general, is structured similarly to the Teach Nevada  
85 Scholarship Program. **Section 63** of this bill allows a Nevada Teacher  
86 Advancement Scholarship to be used to obtain a master's degree in education or a  
87 related field of study. **Section 63** similarly requires 25 percent of an award of a  
88 Nevada Teacher Advancement Scholarship to be retained by the State Board, and  
89 **section 64** allows this amount to be released to a scholarship recipient if he or she  
90 maintains employment as a teacher at a public school in this State for 3 consecutive  
91 school years immediately following completion of the program for which the  
92 Nevada Teacher Advancement Scholarship was awarded. **Section 93.7** of this bill  
93 makes an appropriation to the Nevada Teacher Advancement Scholarship Program  
94 Account.

95 Existing law requires an elementary school to provide intervention services and  
96 intensive instruction to a pupil during the time the pupil attends the school if the  
97 pupil does not obtain a score in the subject area of reading on the criterion-  
98 referenced examination in reading that meets the score prescribed by the State  
99 Board. Existing law also authorizes the principal of such a school to retain the  
100 pupil, rather than promote the pupil to the next grade, in certain circumstances, in  
101 consultation with a literacy specialist and certain other persons. (NRS 388A.487,  
102 392.760) **Sections 71 and 72** of this bill require a pupil enrolled in grade 3 to be  
103 retained in grade 3, rather than promoted to grade 4, if the pupil does not obtain the  
104 score in the subject area of reading on a uniform examination in reading that meets  
105 the score prescribed by the State Board or receive an exemption by the  
106 superintendent of schools of the school district or governing body of the charter  
107 school. **Sections 71 and 72** also authorize a pupil to receive a good-cause  
108 exemption to allow the pupil to be promoted to grade 4 without obtaining such a  
109 score and require the State Board to prescribe an alternative examination for pupils  
110 who do not obtain such a score. **Section 40** of this bill requires a pupil enrolled in a  
111 charter school to be retained in grade 3 under similar circumstances. **Section 76** of  
112 this bill revises the information that must be included in a written notice provided  
113 to the parent or legal guardian of a pupil enrolled in kindergarten or grade 1, 2 or 3  
114 who exhibits a deficiency in the subject area of reading. **Section 77** of this bill  
115 requires a school to provide certain intervention services and intensive instruction  
116 to a pupil who does not obtain a passing score in the subject area of reading  
117 regardless of whether the pupil is retained in grade 3. **Section 77** additionally: (1)  
118 requires literacy specialists and personnel with knowledge and expertise relating to



119 providing intervention services and intensive instruction to pupils who are deficient  
120 in the subject area of reading to, in addition to any other duties, provide such  
121 services and instruction to such pupils; and (2) requires each public school to offer  
122 summer school to a pupil in second or third grade who is deficient in the subject  
123 area of reading. **Sections 40 and 78** of this bill require certain information relating  
124 to pupils with a deficiency in reading who were retained in grade 3 or not retained  
125 due to a good-cause exemption to be included in the annual report of pupils  
126 receiving intervention services and intensive instruction to address a deficiency in  
127 reading. **Sections 6 and 74** of this bill make conforming changes to refer to  
128 provisions that have been renumbered by this bill.

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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;

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

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

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

27 6. Identify the manner in which the level of parental  
28 involvement and family engagement affects the performance,  
29 attendance and discipline of pupils;

30 7. Identify methods to communicate effectively with and  
31 provide outreach to parents, legal guardians and families of pupils  
32 who are English learners;



1 8. Determine the necessity for the appointment of a statewide  
2 parental involvement and family engagement coordinator or a  
3 parental involvement and family engagement coordinator in each  
4 school district, or both;

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

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

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

14 385A.070 1. The board of trustees of each school district in  
15 this State, in cooperation with associations recognized by the State  
16 Board as representing licensed educational personnel in the district,  
17 shall adopt a program providing for the accountability of the school  
18 district to the residents of the district and to the State Board for the  
19 quality of the schools and the educational achievement of the pupils  
20 in the district, including, without limitation, pupils enrolled in  
21 charter schools sponsored by the school district. The board of  
22 trustees of each school district shall report the information required  
23 by NRS 385A.070 to 385A.320, inclusive, for each charter school  
24 sponsored by the school district. The information for charter schools  
25 must be reported separately.

26 2. The board of trustees of each school district shall, on or  
27 before December 31 of each year, prepare for the immediately  
28 preceding school year a single annual report of accountability  
29 concerning the educational goals and objectives of the school  
30 district, the information prescribed by NRS 385A.070 to 385A.320,  
31 inclusive, and such other information as is directed by the  
32 Superintendent of Public Instruction. A separate reporting for a  
33 group of pupils must not be made pursuant to NRS 385A.070 to  
34 385A.320, inclusive, if the number of pupils in that group is  
35 insufficient to yield statistically reliable information or the results  
36 would reveal personally identifiable information about an individual  
37 pupil. The Department shall use the mechanism approved by the  
38 United States Department of Education for the statewide system of  
39 accountability for public schools for determining the minimum  
40 number of pupils that must be in a group for that group to yield  
41 statistically reliable information.

42 3. The State Public Charter School Authority , ~~and~~ each  
43 college or university within the Nevada System of Higher Education  
44 *and each city or county* that sponsors a charter school shall, on or  
45 before December 31 of each year, prepare for the immediately



1 preceding school year an annual report of accountability of the  
2 charter schools sponsored by the State Public Charter School  
3 Authority or institution, as applicable, concerning the accountability  
4 information prescribed by the Department pursuant to this section.  
5 The Department, in consultation with the State Public Charter  
6 School Authority , ~~and~~ each college or university within the  
7 Nevada System of Higher Education *and each city or county* that  
8 sponsors a charter school, shall prescribe by regulation the  
9 information that must be prepared by the State Public Charter  
10 School Authority and institution, as applicable, which must include,  
11 without limitation, the information contained in subsection 2 and  
12 NRS 385A.070 to 385A.320, inclusive, as applicable to charter  
13 schools. The Department shall provide for public dissemination of  
14 the annual report of accountability prepared pursuant to this section  
15 by posting a copy of the report on the Internet website maintained  
16 by the Department.

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

21 **Sec. 3.** NRS 385A.080 is hereby amended to read as follows:

22 385A.080 1. The Superintendent of Public Instruction shall:

23 (a) Prescribe forms for the reports required pursuant to NRS  
24 385A.070 and provide the forms to the respective school districts,  
25 the State Public Charter School Authority , ~~and~~ each college or  
26 university within the Nevada System of Higher Education *and each*  
27 *city or county* that sponsors a charter school.

28 (b) Provide statistical information and technical assistance to the  
29 school districts, the State Public Charter School Authority , ~~and~~  
30 each college or university within the Nevada System of Higher  
31 Education *and each city or county* that sponsors a charter school to  
32 ensure that the reports provide comparable information with respect  
33 to each school in each district, each charter school and among the  
34 districts and charter schools throughout this State.

35 (c) Consult with a representative of the:

- 36 (1) Nevada State Education Association;
- 37 (2) Nevada Association of School Boards;
- 38 (3) Nevada Association of School Administrators;
- 39 (4) Nevada Parent Teacher Association;
- 40 (5) Budget Division of the Office of Finance;
- 41 (6) Legislative Counsel Bureau; and
- 42 (7) Charter School Association of Nevada,

43 ↪ concerning the program adopted pursuant to subsection 1 of NRS  
44 385A.070 and consider any advice or recommendations submitted  
45 by the representatives with respect to the program.



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

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

8 385A.090 1. On or before September 30 of each year:

9 (a) The board of trustees of each school district, the State Public  
10 Charter School Authority, ~~and~~ each college or university within  
11 the Nevada System of Higher Education *and each city or county*  
12 that sponsors a charter school shall provide written notice that the  
13 report required pursuant to NRS 385A.070 is available on the  
14 Internet website maintained by the school district, State Public  
15 Charter School Authority, ~~or~~ institution ~~or~~ *or city or county*, if  
16 any, or otherwise provide written notice of the availability of the  
17 report. The written notice must be provided to the:

- 18 (1) Governor;
- 19 (2) State Board;
- 20 (3) Department;
- 21 (4) Committee;
- 22 (5) Bureau; and

23 (6) The Attorney General, with a specific reference to the  
24 information that is reported pursuant to paragraph (e) of subsection  
25 1 of NRS 385A.250.

26 (b) The board of trustees of each school district, the State Public  
27 Charter School Authority, ~~and~~ each college or university within  
28 the Nevada System of Higher Education *and each city or county*  
29 that sponsors a charter school shall provide for public dissemination  
30 of the annual report of accountability prepared pursuant to NRS  
31 385A.070 by posting a copy of the report on the Internet website  
32 maintained by the school district, the State Public Charter School  
33 Authority, ~~or~~ the institution ~~or~~ *or the city or county*, if any. If a  
34 school district does not maintain a website, the district shall  
35 otherwise provide for public dissemination of the annual report by  
36 providing a copy of the report to the schools in the school district,  
37 including, without limitation, each charter school sponsored by the  
38 district, the residents of the district, and the parents and guardians of  
39 pupils enrolled in schools in the district, including, without  
40 limitation, each charter school sponsored by the district. If the State  
41 Public Charter School Authority, ~~or~~ the institution, *the city or the*  
42 *county* does not maintain a website, the State Public Charter School  
43 Authority, ~~or~~ the institution, *the city or the county*, as applicable,  
44 shall otherwise provide for public dissemination of the annual report  
45 by providing a copy of the report to each charter school it sponsors



1 and the parents and guardians of pupils enrolled in each charter  
2 school it sponsors.

3 2. Upon the request of the Governor, the Attorney General, an  
4 entity described in paragraph (a) of subsection 1 or a member of the  
5 general public, the board of trustees of a school district, the State  
6 Public Charter School Authority, ~~for~~ a college or university within  
7 the Nevada System of Higher Education *or a city or county* that  
8 sponsors a charter school, as applicable, shall provide a portion or  
9 portions of the report required pursuant to NRS 385A.070.

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

11 385A.240 1. The annual report of accountability prepared  
12 pursuant to NRS 385A.070 must include information on the  
13 attendance, truancy and transiency of pupils, including, without  
14 limitation:

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

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

20 (2) For each elementary school, middle school and junior  
21 high school in the district, including, without limitation, each charter  
22 school sponsored by the district that provides instruction to pupils  
23 enrolled in a grade level other than high school, information that  
24 compares the attendance of the pupils enrolled in the school with the  
25 attendance of pupils throughout the district and throughout this  
26 State. The information required by this subparagraph must be  
27 provided in consultation with the Department to ensure the accuracy  
28 of the comparison.

29 (b) The number of pupils in each grade who are retained in the  
30 same grade pursuant to NRS 392.033, 392.125 or 392.760, for each  
31 school in the district and the district as a whole, including, without  
32 limitation, each charter school sponsored by the district.

33 (c) The transiency rate of pupils for each school in the district  
34 and the district as a whole, including, without limitation, each  
35 charter school sponsored by the district. For the purposes of this  
36 paragraph, a pupil is not transient if the pupil is transferred to a  
37 different school within the school district as a result of a change in  
38 the zone of attendance by the board of trustees of the school district  
39 pursuant to NRS 388.040.

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

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





1 (2) Referred to an advisory board to review school  
2 attendance pursuant to paragraph (b) of subsection 2 of NRS  
3 392.144; and

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

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

8 (a) Pupils who are economically disadvantaged;

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

10 (c) Pupils with disabilities;

11 (d) Pupils who are English learners;

12 (e) Pupils who are migratory children;

13 (f) Gender;

14 (g) Pupils who are homeless;

15 (h) Pupils in foster care; and

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

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

20 (a) The board of trustees of each school district shall submit to  
21 each advisory board to review school attendance created in the  
22 county pursuant to NRS 392.126 the information required by  
23 paragraph (a) of subsection 1.

24 (b) The State Public Charter School Authority , ~~and~~  
25 college or university within the Nevada System of Higher Education  
26 *and each city or county* that sponsors a charter school shall submit  
27 to each advisory board to review school attendance created in a  
28 county pursuant to NRS 392.126 the information regarding the  
29 records of the attendance and truancy of pupils enrolled in  
30 the charter school located in that county, if any, in accordance with  
31 the regulations prescribed by the Department pursuant to subsection  
32 3 of NRS 385A.070.

33 **Sec. 5.5.** NRS 385A.240 is hereby amended to read as  
34 follows:

35 385A.240 1. The annual report of accountability prepared  
36 pursuant to NRS 385A.070 must include information on the  
37 attendance, truancy and transiency of pupils, including, without  
38 limitation:

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

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

44 (2) For each elementary school, middle school and junior  
45 high school in the district, including, without limitation, each charter



1 school sponsored by the district that provides instruction to pupils  
2 enrolled in a grade level other than high school, information that  
3 compares the attendance of the pupils enrolled in the school with the  
4 attendance of pupils throughout the district and throughout this  
5 State. The information required by this subparagraph must be  
6 provided in consultation with the Department to ensure the accuracy  
7 of the comparison.

8 (b) The number of pupils in each grade who are retained in the  
9 same grade pursuant to NRS 392.033 ~~or~~ or 392.125 or ~~392.760,~~  
10 *section 71 of this act*, for each school in the district and the district  
11 as a whole, including, without limitation, each charter school  
12 sponsored by the district.

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

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

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

26 (2) Referred to an advisory board to review school  
27 attendance pursuant to paragraph (b) of subsection 2 of NRS  
28 392.144; and

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

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

33 (a) Pupils who are economically disadvantaged;

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

35 (c) Pupils with disabilities;

36 (d) Pupils who are English learners;

37 (e) Pupils who are migratory children;

38 (f) Gender;

39 (g) Pupils who are homeless;

40 (h) Pupils in foster care; and

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

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



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

5 (b) The State Public Charter School Authority, each college or  
6 university within the Nevada System of Higher Education and each  
7 city or county that sponsors a charter school shall submit to each  
8 advisory board to review school attendance created in a county  
9 pursuant to NRS 392.126 the information regarding the records of  
10 the attendance and truancy of pupils enrolled in the charter school  
11 located in that county, if any, in accordance with the regulations  
12 prescribed by the Department pursuant to subsection 3 of  
13 NRS 385A.070.

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

15 385A.450 The annual report of accountability prepared by the  
16 State Board pursuant to NRS 385A.400 must include information on  
17 the attendance, truancy and transiency of pupils, including, without  
18 limitation:

19 1. For all elementary schools, junior high schools and middle  
20 schools, the rate of attendance, reported for each school district,  
21 including, without limitation, each charter school in the district, and  
22 for this State as a whole.

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

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

35 4. The number of habitual truants reported for each school  
36 district, including, without limitation, each charter school in the  
37 district, and for this State as a whole, including, without limitation,  
38 the number who are:

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

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

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



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

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

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

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

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

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

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

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

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

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



1 4. If an irregularity in testing administration or an irregularity  
2 in testing security occurs at a school and the irregularity invalidates  
3 the test scores of pupils, those test scores must be included in the  
4 scores of pupils reported for the school, the attendance of those  
5 pupils must be counted towards the total number of pupils who took  
6 the examinations and the pupils must be included in the total  
7 number of pupils who were required to take the examinations.

8 5. As used in this section:

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

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

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

14 385A.720 1. Except as otherwise provided in subsection 3:

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

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

25 (c) The Department shall make preliminary ratings for all  
26 charter schools sponsored by the State Public Charter School  
27 Authority, ~~and~~ all charter schools sponsored by a college or  
28 university within the Nevada System of Higher Education ~~or~~ *and all*  
29 *charter schools sponsored by a city or county.*

30 2. Except as otherwise provided in subsection 3:

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

35 (b) If the school is a public school of the school district or a  
36 charter school sponsored by the board of trustees, the board of  
37 trustees of the school district shall, in consultation with the  
38 Department, make a final determination concerning the rating for  
39 the school on September 15.

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



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

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

**Sec. 9.** (Deleted by amendment.)

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

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

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

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

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

*(b) Unexpended appropriations made to the Account from the State General Fund, must be credited to the Account.*

**3.** *Except as otherwise provided in subsection 4, the balance remaining in the Account that has not been committed for expenditure on or before June 30 of each fiscal year reverts to the State General Fund.*

**4.** *The Department may accept gifts and grants of money from any source for deposit in the Account. All money received pursuant to this subsection:*

*(a) Must be accounted for separately in the Account;*

*(b) Must be expended in accordance with the terms of the gift or grant; and*

*(c) Does not revert to the State General Fund and must be carried over into the next fiscal year.*

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

**Sec. 13. 1.** *The Department shall, to the extent money is available, award grants of money to school districts, sponsors of charter schools and nonprofit organizations to support early*



1 *childhood literacy and readiness programs. Each program*  
2 *supported by a grant awarded pursuant to this section must:*

- 3 (a) *Serve children who are less than 6 years of age;*
- 4 (b) *Be evidence-based;*
- 5 (c) *Provide for appropriate individualized accommodations*  
6 *and supports for children with disabilities; and*
- 7 (d) *Include a plan of reporting and accountability for the*  
8 *performance of the program.*

9 2. *A school district, sponsor of a charter school or nonprofit*  
10 *organization that wishes to receive a grant pursuant to this section*  
11 *must submit an application to the Department. The Department*  
12 *may approve such an application if the Department determines*  
13 *that the application:*

- 14 (a) *Includes an implementation plan which is financially*  
15 *sound; and*
- 16 (b) *Proposes to use all money available from the grant within 2*  
17 *years or such shorter period of time as the Department determines*  
18 *appropriate.*

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

- 23 (a) *Receives money from a private source;*
- 24 (b) *Receives money from a federal grant;*
- 25 (c) *Has demonstrated sustained success in improving the*  
26 *literacy and readiness for elementary school of children less than*  
27 *6 years of age; or*
- 28 (d) *Provides services to geographical areas with a higher*  
29 *proportion of children entering kindergarten who have*  
30 *demonstrated a deficit across early learning domains during the*  
31 *immediately preceding 2 years.*

32 **Sec. 14.** *On or before November 1 of each year, the*  
33 *Department shall:*

34 1. *Review all grants awarded pursuant to section 13 of this*  
35 *act during the immediately preceding year;*

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

38 (a) *The number of applications for a grant received pursuant*  
39 *to section 13 of this act;*

40 (b) *The number of grants awarded pursuant to section 13 of*  
41 *this act;*

42 (c) *The total cost of all grants awarded pursuant to section 13*  
43 *of this act; and*

44 (d) *Such other information as may be prescribed by the*  
45 *Department to demonstrate the effectiveness of recipients of a*



1 *grant awarded pursuant to section 13 of this act in improving the*  
2 *literacy and readiness for elementary school of children less than*  
3 *6 years of age.*

4 **Sec. 15.** (Deleted by amendment.)

5 **Sec. 16.** (Deleted by amendment.)

6 **Sec. 17.** (Deleted by amendment.)

7 **Sec. 18.** (Deleted by amendment.)

8 **Sec. 19.** (Deleted by amendment.)

9 **Sec. 20.** (Deleted by amendment.)

10 **Sec. 21.** (Deleted by amendment.)

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

12 387.1246 1. The Commission on School Funding, consisting  
13 of 11 members, is hereby created.

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

16 (a) One member appointed by the Governor, who serves as  
17 Chair;

18 (b) Two members appointed by the Majority Leader of the  
19 Senate;

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

21 (d) One member appointed by the Minority Leader of the  
22 Senate;

23 (e) One member appointed by the Minority Leader of the  
24 Assembly;

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

30 (g) Two members appointed by the Governor, each of whom is  
31 the chief financial officer of a school district in this State which has  
32 40,000 or fewer pupils enrolled in its public schools, nominated by  
33 the Nevada Association of School Superintendents or its successor  
34 organization.

35 ↪ In making appointments to the Commission, the appointing  
36 authorities shall consider whether the membership generally reflects  
37 the geographic distribution of pupils in the State.

38 3. Each member of the Commission must:

39 (a) Be a resident of this State;

40 (b) Not have been registered as a lobbyist pursuant to NRS  
41 218H.200 for a period of at least 2 years immediately preceding  
42 appointment to the Commission;

43 (c) Have relevant experience in public education;

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





1 (e) Have the education, experience and skills necessary to  
2 effectively execute the duties and responsibilities of a member of  
3 the Commission; and

4 (f) Have demonstrated ability in the field of economics, taxation  
5 or other discipline necessary to school finance and be able to bring  
6 knowledge and professional judgment to the deliberations of the  
7 Commission.

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

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

13 6. The Commission shall:

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

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

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

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

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

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

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

38 **Sec. 23.** NRS 387.12463 is hereby amended to read as  
39 follows:

40 387.12463 1. The Commission shall:

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

43 (b) Monitor the implementation of the Pupil-Centered Funding  
44 Plan and make any recommendations to the Joint Interim Standing  
45 Committee on Education that the Commission determines would,



1 within the limits of appropriated funding, improve the  
2 implementation of the Pupil-Centered Funding Plan or correct any  
3 deficiencies of the Department or any school district or public  
4 school in carrying out the Pupil-Centered Funding Plan.

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

20 (d) Review the laws and regulations of this State relating to  
21 education, make recommendations to the Joint Interim Standing  
22 Committee on Education for any revision of such laws and  
23 regulations that the Commission determines would improve the  
24 efficiency or effectiveness of public education in this State and  
25 notify each school district of each such recommendation.

26 (e) Review and recommend to the Department revisions of the  
27 cost adjustment factors for each county established pursuant to NRS  
28 387.1215 and the method for calculating the attendance area  
29 adjustment established pursuant to NRS 387.1218.

30 *(f) Review the academic progress made by pupils in each*  
31 *public school since the implementation of the Pupil-Centered*  
32 *Funding Plan, including, without limitation, any changes to the*  
33 *academic progress of such pupils as the result of any additional*  
34 *money provided to each such school by the Pupil-Centered*  
35 *Funding Plan. In performing such a review, the Commission*  
36 *shall:*

37 *(I) Use metrics to measure the academic achievement of*  
38 *pupils which include, without limitation:*

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

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

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



1 (IV) The number of pupils who earn a passing score on  
2 an advanced placement examination;

3 (V) The number of pupils who earn a passing score on  
4 an international baccalaureate examination;

5 (VI) The percentage of pupils in each school who lack a  
6 sufficient number of credits to graduate by the end of their 12th  
7 grade year;

8 (VII) The percentage of pupils in each school who drop  
9 out;

10 (VIII) The number of pupils who enroll in higher  
11 education upon graduation;

12 (IX) The number of pupils who enroll in a vocational or  
13 technical school or apprenticeship training program;

14 (X) The attendance rate for pupils;

15 (XI) The number of violent acts by pupils and  
16 disciplinary actions against pupils; and

17 (XII) Any other metric prescribed by the Commission;

18 (2) Use metrics to measure the improvement of pupils  
19 enrolled in elementary school in literacy which include, without  
20 limitation:

21 (I) The literacy rate for pupils in first, third and fifth  
22 grades;

23 (II) The number of pupils in elementary school who  
24 were promoted to the next grade after testing below proficient in  
25 reading in the immediately preceding school year, separated by  
26 grade level and by level of performance on the relevant test;

27 (III) The number of schools that employ a licensed  
28 teacher designated to serve as a literacy specialist pursuant to NRS  
29 388.159 and the number of schools that fail to employ and  
30 designate such a licensed teacher; and

31 (IV) Any other metric prescribed by the Commission;

32 (3) Use metrics to measure the ability of public schools to  
33 hire and retain sufficient staff to meet the needs of the public  
34 schools which include, without limitation:

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

37 (II) The attendance rate for teachers;

38 (III) The retention rate for teachers;

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

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

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



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

5           (I) The results of an annual survey of satisfaction of  
6 school employees;

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

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

10          (5) Identify the progress made by each school, school  
11 district and charter school on improving the literacy of pupils  
12 enrolled in elementary school;

13          (6) Make recommendations for strategies to increase the  
14 efficacy, efficiency, transparency and accountability of public  
15 schools; and

16          (7) Make recommendations to the Department, school  
17 districts and charter schools to improve the reporting, tracking,  
18 monitoring, analyzing and dissemination of data relating to pupil  
19 achievement and financial accountability, including, without  
20 limitation, revisions to the metrics identified in subparagraphs (1)  
21 to (4), inclusive.

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

25          2. Each school district and each charter school shall submit a  
26 quarterly report to the Commission that identifies how funding  
27 from the Pupil-Centered Funding Plan is being used to improve  
28 the academic performance and progress of pupils and includes,  
29 without limitation, all data or metrics collected by the school  
30 district or charter school to demonstrate such improvement. The  
31 Commission shall review the reports submitted pursuant to this  
32 subsection and transmit the reports, along with any commentary  
33 or recommendations relating to the reports, to the Governor, the  
34 Director of the Legislative Counsel Bureau, the Joint Interim  
35 Standing Committee on Education and the Interim Finance  
36 Committee.

37          3. After receiving the reports submitted to the Commission  
38 pursuant to subsection 2, the Governor may, with the approval of  
39 the Legislature or Interim Finance Committee if the Legislature is  
40 not in session, direct a school district or charter school to take  
41 such remedial actions as the Governor determines to be necessary  
42 and appropriate to address any deficiency identified in the reports  
43 submitted pursuant to subsection 2.

44          4. The Commission shall **[present]** :



1 (a) *Present* any recommendations pursuant to paragraphs (a) to  
2 ~~[(d)]~~ (g), inclusive, of subsection 1 at a meeting of the Joint Interim  
3 Standing Committee on Education for consideration and ~~[revision]~~  
4 *recommendations* by the Committee ~~[- The Joint Interim Standing~~  
5 ~~Committee on Education shall review each recommendation of the~~  
6 ~~Commission and determine whether to]; and~~

7 (b) *After consideration of the recommendations of the Joint*  
8 *Interim Standing Committee on Education*, transmit the  
9 ~~[recommendation]~~ *recommendations* or a revised version of the  
10 ~~[recommendation]~~ *recommendations* to the Governor ~~[or]~~ *and*  
11 *the Director of the Legislative Counsel Bureau for distribution to*  
12 the Legislature.

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

15 387.12468 1. On or before October 1 of each year, each  
16 school district shall create a report that includes a description of the  
17 personnel employed and services provided by the school district  
18 during the immediately preceding school year and any changes that  
19 the school district anticipates making to the personnel and services  
20 during the current school year. The school district shall post a copy  
21 of the report on the Internet website maintained by the school  
22 district.

23 2. On or before October 1 of each year, each public school  
24 shall create a report that includes a description of the personnel  
25 employed and services provided by the school during the  
26 immediately preceding school year and any changes the school  
27 anticipates making to the personnel and services during the current  
28 school year. The public school shall post a copy of the report on the  
29 Internet website maintained by the public school or, if the public  
30 school does not maintain an Internet website, on the Internet website  
31 maintained by the school district or the governing body or sponsor  
32 of the public school, as applicable.

33 3. The Department shall prescribe by regulation the format and  
34 contents of the information to be provided to create the report  
35 created by each school district pursuant to subsection 1 and each  
36 public school pursuant to subsection 2. The reports must include, as  
37 applicable and without limitation:

- 38 (a) Each grade level at which the public school enrolls pupils;  
39 (b) The number of pupils attending the public school;  
40 (c) The average class size at the public school;  
41 (d) The number of persons employed by the public school to  
42 provide instruction, support to pupils, administrative support and  
43 other personnel including, without limitation, the number of  
44 employees in any subgroup of each type or classification of  
45 personnel as prescribed by the Department;



1 (e) The professional development provided by the public school;  
2 (f) The amount of money spent per pupil for supplies, materials,  
3 equipment and textbooks;

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

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

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

13 (3) The number of persons employed to provide instruction,  
14 support to pupils, administrative support and other personnel  
15 employed by the public school and dedicated to providing services  
16 to each category or subcategory of pupils, including, without  
17 limitation, any subgroup of each kind of personnel prescribed by the  
18 Department;

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

22 (i) The total amount of money received by the public school as  
23 adjusted base per pupil funding, divided by the number of pupils  
24 enrolled in the public school and expressed as a per pupil amount;  
25 and

26 (j) The amount of money received by the public school as  
27 weighted funding for each category of pupils supported by weighted  
28 funding, divided by the number of pupils enrolled in the public  
29 school who are identified in the appropriate category and expressed  
30 as a per pupil amount for each category.

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

34 **Sec. 25.** (Deleted by amendment.)

35 **Sec. 26.** (Deleted by amendment.)

36 **Sec. 27.** (Deleted by amendment.)

37 **Sec. 28.** NRS 388.795 is hereby amended to read as follows:

38 388.795 1. The Commission shall establish a plan for the use  
39 of educational technology in the public schools of this State. In  
40 preparing the plan, the Commission shall consider:

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

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

44 (c) The information reported pursuant to NRS 385A.310 and  
45 similar information included in the annual report of accountability



1 information prepared by the State Public Charter School Authority ,  
2 ~~and~~ a college or university within the Nevada System of Higher  
3 Education *and a city or county* that sponsors a charter school  
4 pursuant to subsection 3 of NRS 385A.070;

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

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

9 2. The plan established by the Commission must include  
10 recommendations for methods to:

11 (a) Incorporate educational technology into the public schools of  
12 this State;

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

15 (c) Increase the availability of educational technology to assist  
16 licensed teachers and other educational personnel in complying with  
17 the requirements of continuing education, including, without  
18 limitation, the receipt of credit for college courses completed  
19 through the use of educational technology;

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

22 (e) Address the needs of teachers in incorporating the use of  
23 educational technology in the classroom, including, without  
24 limitation, the completion of training that is sufficient to enable the  
25 teachers to instruct pupils in the use of educational technology.

26 3. The Department shall provide:

27 (a) Administrative support;

28 (b) Equipment; and

29 (c) Office space,

30 ↗ as is necessary for the Commission to carry out the provisions of  
31 this section.

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

34 (a) The State Board.

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

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

37 (d) The Department.

38 5. The Commission shall:

39 (a) Develop technical standards for educational technology and  
40 any electrical or structural appurtenances necessary thereto,  
41 including, without limitation, uniform specifications for computer  
42 hardware and wiring, to ensure that such technology is compatible,  
43 uniform and can be interconnected throughout the public schools of  
44 this State.



1 (b) Allocate money to the school districts from the Trust Fund  
2 for Educational Technology created pursuant to NRS 388.800 and  
3 any money appropriated by the Legislature for educational  
4 technology, subject to any priorities for such allocation established  
5 by the Legislature.

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

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

9 (2) Upgrade and improve computer hardware and software  
10 and other educational technology.

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

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

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

18 (f) In addition to the recommendations set forth in the plan  
19 pursuant to subsection 2, make further recommendations to the  
20 Committee and the Department as the Commission deems  
21 necessary.

22 6. During the spring semester of each even-numbered school  
23 year, the Commission shall conduct an assessment of the needs of  
24 each school district relating to educational technology. In  
25 conducting the assessment, the Commission shall consider:

26 (a) The recommendations set forth in the plan pursuant to  
27 subsection 2;

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

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

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

33 ↪ The Commission shall submit a final written report of the  
34 assessment to the Superintendent of Public Instruction on or before  
35 April 1 of each even-numbered year.

36 7. The Superintendent of Public Instruction shall prepare a  
37 written compilation of the results of the assessment conducted by  
38 the Commission and transmit the written compilation on or before  
39 June 1 of each even-numbered year to the Committee and to the  
40 Director of the Legislative Counsel Bureau for transmission to the  
41 next regular session of the Legislature.

42 8. The Commission may appoint an advisory committee  
43 composed of members of the Commission or other qualified persons  
44 to provide recommendations to the Commission regarding standards  
45 for the establishment, coordination and use of a telecommunications





1 network in the public schools throughout the various school districts  
2 in this State. The advisory committee serves at the pleasure of the  
3 Commission and without compensation unless an appropriation or  
4 other money for that purpose is provided by the Legislature.

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

9 **Sec. 28.3.** Chapter 388A of NRS is hereby amended by adding  
10 thereto the provisions set forth as sections 28.5 and 28.7 of this act.

11 **Sec. 28.5. 1. *The State Public Charter School Authority***  
12 ***may award money to a charter school for the transportation of***  
13 ***pupils to the extent money has been appropriated for that purpose.***

14 ***2. A charter school must not receive money pursuant to***  
15 ***subsection 1 unless the State Public Charter School Authority has***  
16 ***approved a transportation plan for the charter school.***

17 ***3. Each charter school that wishes to receive money pursuant***  
18 ***to subsection 1 must submit a transportation plan to the State***  
19 ***Public Charter School Authority. The State Public Charter School***  
20 ***Authority may approve the transportation plan of a charter school***  
21 ***if it determines:***

22 ***(a) The transportation plan is comprehensive and likely to be***  
23 ***successfully implemented;***

24 ***(b) The transportation plan will materially improve access to***  
25 ***education in the region served by the transportation plan;***

26 ***(c) The transportation plan demonstrates that the charter***  
27 ***school will be able to comply with statutory and regulatory***  
28 ***transportation requirements, including, without limitation, the***  
29 ***certification of bus drivers and vehicle safety;***

30 ***(d) The transportation plan is financially viable;***

31 ***(e) The transportation plan would not cost more, on a per***  
32 ***pupil basis, than the average cost for transportation for other***  
33 ***public schools operating in the school district in which the charter***  
34 ***school is located; and***

35 ***(f) The academic, financial and organizational performance of***  
36 ***the charter school indicate that the transportation plan is in the***  
37 ***interest of pupils who will be served by the transportation plan.***

38 **Sec. 28.7. 1. *On or before February 1 of each year, a city***  
39 ***or county that sponsors a charter school shall submit a report to***  
40 ***the Department, the State Public Charter School Authority and the***  
41 ***Director of the Legislative Counsel Bureau for transmission to the***  
42 ***next regular session of the Legislature, if the report is submitted in***  
43 ***an odd-numbered year, or to the Legislative Commission, if the***  
44 ***report is submitted in an even-numbered year. The report must set***  
45 ***forth:***



- 1 (a) *The location of the charter school;*
- 2 (b) *The geographic area of the city or county served by the*
- 3 *charter school;*
- 4 (c) *The total number of pupils enrolled in the charter school;*
- 5 (d) *The number and percentage of pupils enrolled in the*
- 6 *charter school by each zip code of the city or county served by the*
- 7 *charter school;*
- 8 (e) *The number and percentage of pupils enrolled in the*
- 9 *charter school from major racial and ethnic groups;*
- 10 (f) *The number and percentage of pupils enrolled in the*
- 11 *charter school whose household has a household income which:*
- 12 (1) *Is less than 100 percent of the federally designated level*
- 13 *signifying poverty;*
- 14 (2) *Is more than 100 percent but not more than 200 percent*
- 15 *of the federally designated level signifying poverty;*
- 16 (3) *Is more than 200 percent but not more than 300 percent*
- 17 *of the federally designated level signifying poverty; and*
- 18 (4) *Is more than 300 percent of the federally designated*
- 19 *level signifying poverty;*
- 20 (g) *The number and percentage of pupils enrolled in the*
- 21 *charter school who are eligible for free or reduced-priced lunches*
- 22 *pursuant to 42 U.S.C. §§ 1751 et. seq.;*
- 23 (h) *The number and percentage of pupils enrolled in the*
- 24 *charter school who have individualized education programs;*
- 25 (i) *The number and percentage of pupils enrolled in the*
- 26 *charter school who are English learners;*
- 27 (j) *The number and percentage of pupils enrolled in the*
- 28 *charter school who were previously enrolled in a Title I school;*
- 29 *and*
- 30 (k) *The number and percentage of pupils enrolled in the*
- 31 *charter school who have disabilities.*

32 **2. The report required pursuant to this section must not**

33 **include any personally identifiable information of pupils.**

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

35 388A.105 The Department shall adopt regulations that

36 prescribe:

37 1. The process for submission of an application pursuant to

38 NRS 388A.220 by the board of trustees of a school district , ~~for~~

39 a college or university within the Nevada System of Higher Education

40 **or a city or county** to the Department for authorization to sponsor

41 charter schools, the contents of the application, the process for the

42 Department to review the application and the timeline for review;

43 2. The process for submission of an application to form a

44 charter school to the board of trustees of a school district , ~~and~~ a



1 college or university within the Nevada System of Higher Education  
2 ~~[and]~~ *and a city or county*, and the contents of the application;

3 3. The process for submission of an application to renew a  
4 charter contract to the board of trustees of a school district, ~~[and]~~ a  
5 college or university within the Nevada System of Higher Education  
6 ~~[and]~~ *and a city or county*, and the contents of the application;

7 4. The criteria and type of investigation that must be applied by  
8 the board of trustees of a school district, ~~[and]~~ a college or  
9 university within the Nevada System of Higher Education *and a city*  
10 *or county* in determining whether to approve an application to form  
11 a charter school, an application to renew a charter contract or a  
12 request for an amendment of a charter contract;

13 5. The process for submission of an amendment of a charter  
14 contract to the board of trustees of a school district, ~~[and]~~ a college  
15 or university within the Nevada System of Higher Education *and a*  
16 *city or county* pursuant to NRS 388A.276 and the contents of the  
17 application; and

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

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

24 (b) Ethics requirements for the governing bodies of charter  
25 schools.

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

27 388A.159 1. The State Public Charter School Authority is  
28 hereby deemed a local educational agency for all purposes,  
29 including, without limitation:

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

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

36 (c) Directing the proportionate share of any money available  
37 from federal and state categorical grant programs to charter schools  
38 which are sponsored by the State Public Charter School Authority,  
39 ~~[or]~~ a college or university within the Nevada System of Higher  
40 Education *or a city or county* that are eligible to receive such  
41 money.

42 2. A college or university within the Nevada System of Higher  
43 Education *or a city or county* that sponsors a charter school shall  
44 enter into an agreement with the State Public Charter School  
45 Authority for the provision of any necessary functions of a local



1 educational agency. A charter school that receives money pursuant  
2 to such a grant program shall comply with any applicable reporting  
3 requirements to receive the grant.

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

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

7 388A.171 The State Public Charter School Authority shall:

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

9 (a) In consultation with the Department and each board of  
10 trustees of a school district, ~~and~~ college or university within the  
11 Nevada System of Higher Education *and city or county* that  
12 sponsors a charter school, review all statutes and regulations from  
13 which charter schools are not exempt and determine whether such  
14 statutes and regulations assisted or impeded the charter schools in  
15 achieving their academic, fiscal and organizational goals and  
16 objectives;

17 (b) Make recommendations to the Joint Interim Standing  
18 Committee on Education concerning any legislation that would  
19 assist charter schools in achieving their academic, fiscal and  
20 organizational goals; and

21 (c) Make recommendations to the State Board and the  
22 Department concerning any changes to regulations that would assist  
23 charter schools in achieving their academic, fiscal and  
24 organizational goals.

25 2. Make available information concerning the formation and  
26 operation of charter schools in this State and the academic, fiscal  
27 and organizational performance of each charter school in this State  
28 to pupils, parents and legal guardians of pupils, teachers and other  
29 educational personnel and members of the general public. The State  
30 Public Charter School Authority shall update such information  
31 annually.

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

33 388A.220 1. The board of trustees of a school district may  
34 apply to the Department for authorization to sponsor charter schools  
35 within the school district in accordance with the regulations adopted  
36 by the Department pursuant to NRS 388A.105 or 388A.110. An  
37 application must be approved by the Department before the board of  
38 trustees may sponsor a charter school. Not more than 180 days after  
39 receiving approval to sponsor charter schools, the board of trustees  
40 shall provide public notice of its ability to sponsor charter schools  
41 and solicit applications for charter schools.

42 2. The State Public Charter School Authority shall sponsor  
43 charter schools whose applications have been approved by the State  
44 Public Charter School Authority pursuant to NRS 388A.255. Except  
45 as otherwise provided by specific statute, if the State Public Charter



1 School Authority sponsors a charter school, the State Public Charter  
2 School Authority is responsible for the evaluation, monitoring and  
3 oversight of the charter school.

4 3. A college or university within the Nevada System of Higher  
5 Education may submit an application to the Department to sponsor  
6 charter schools in accordance with the regulations adopted by the  
7 Department pursuant to NRS 388A.105 or 388A.110. An  
8 application must be approved by the Department before a college or  
9 university within the Nevada System of Higher Education may  
10 sponsor charter schools.

11 4. *A city or county may submit an application to the*  
12 *Department to sponsor charter schools in accordance with the*  
13 *regulations adopted by the Department pursuant to NRS 388A.105*  
14 *or 388A.110. An application must be approved by the Department*  
15 *before a city or county may sponsor charter schools. A city or*  
16 *county:*

17 (a) *May not sponsor a new charter school or allow an existing*  
18 *charter school sponsored by the city or county to increase*  
19 *enrollment or operate an additional campus of an existing charter*  
20 *school sponsored by the city or county if the total number of pupils*  
21 *enrolled in charter schools sponsored by the city or county is 7*  
22 *percent or more of the number of pupils enrolled in public schools*  
23 *in the city or county other than charter schools that are not*  
24 *sponsored by the city or county.*

25 (b) *May only sponsor a charter school which is located entirely*  
26 *within the incorporated area of the city or the unincorporated area*  
27 *of the county, as applicable.*

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

35 ~~5.~~ 6. Before a board of trustees of a school district , ~~or~~  
36 a college or university within the Nevada System of Higher Education  
37 *or a city or county* that is approved to sponsor charter schools  
38 approves an application to form a charter school, the board of  
39 trustees , ~~or~~ college or university ~~or~~ *or city or county*, as  
40 applicable, shall prepare, in collaboration with the Department and,  
41 to the extent practicable, the school district in which the proposed  
42 charter school will be located and any other sponsor of a charter  
43 school located in that school district, an evaluation of *the*  
44 demographic information of pupils, the academic needs of pupils



1 and the needs of any pupils who are at risk of dropping out of school  
2 in the geographic areas served by the sponsor.

3 ~~16.1~~ 7. On or before January 31 of each year, the State Public  
4 Charter School Authority shall prepare, in collaboration with the  
5 Department and, to the extent practicable, the board of trustees of  
6 each school district in this State and any other sponsor of a charter  
7 school in this State, an evaluation of *the* demographic information  
8 of pupils, the academic needs of pupils and the needs of any pupils  
9 who are at risk of dropping out of school in this State.

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

11 388A.229 1. The sponsor of a charter school shall ensure the  
12 collection, analysis and reporting of all data from the results of  
13 pupils enrolled in the charter school on statewide examinations to  
14 determine whether the charter school is meeting the performance  
15 indicators, measures and metrics for the achievement and  
16 proficiency of pupils as set forth in the performance framework for  
17 the charter school in a manner that complies with all applicable  
18 federal and state laws.

19 2. The sponsor of the charter school may aggregate data  
20 reported by the State and collected by the sponsor concerning pupil  
21 achievement and school performance at separate facilities operated  
22 by the same governing body or charter management organization  
23 and across all grades served by the charter school for the purpose of  
24 evaluating and reporting pupil achievement and school performance.  
25 Such an aggregation of data may include, without limitation, a  
26 weighted average of data concerning pupil achievement and school  
27 performance of each elementary school, junior high school, middle  
28 school or high school program operated by the charter school. The  
29 sponsor may also disaggregate such data by facility and by grade  
30 level or group of grade levels to provide greater transparency and  
31 accountability. The sponsor may also adopt policies for determining  
32 pupil achievement and school performance at a charter school. Any  
33 data reported pursuant to this subsection must be reported in a  
34 manner that complies with the Family Educational Rights and  
35 Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations  
36 adopted pursuant thereto.

37 3. The State Board may adopt regulations to place  
38 requirements on the manner in which data is reported by the board  
39 of trustees of a school district, ~~or~~ a college or university within the  
40 Nevada System of Higher Education *or a city or county* that  
41 sponsors a charter school including, without limitation, the manner  
42 in which data must be aggregated or disaggregated in any report.

43 4. The State Public Charter School Authority may adopt  
44 regulations establishing requirements concerning the manner in



1 which it reports data, including, without limitation, the manner in  
2 which data must be aggregated or disaggregated in any report.

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

4 388A.249 1. A committee to form a charter school or charter  
5 management organization may submit the application to the  
6 proposed sponsor of the charter school. If an application proposes to  
7 convert an existing public school, homeschool or other program of  
8 home study into a charter school, the proposed sponsor shall deny  
9 the application.

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

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

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

22 (c) Consider the degree to which the proposed charter school  
23 will address the needs identified in the evaluation prepared by the  
24 proposed sponsor pursuant to subsection ~~5 or 6~~ 6 or 7 of NRS  
25 388A.220, as applicable;

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

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

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

33 (g) Consider the academic, financial and organizational  
34 performance of any charter schools that currently hold a contract  
35 with the proposed operators, including, without limitation, a charter  
36 management organization or educational management organization,  
37 of the proposed charter school.

38 3. The proposed sponsor of a charter school may approve an  
39 application to form a charter school only if the proposed sponsor  
40 determines that:

41 (a) The application:

42 (1) Complies with this chapter and the regulations applicable  
43 to charter schools; and

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



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

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

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

13 4. The identity of each member of the team of reviewers  
14 assembled by a proposed sponsor of a charter school is confidential  
15 for 5 years after the review of an application to form a charter  
16 school is complete and must not be disclosed unless ordered by a  
17 district court in an action brought pursuant to subsection 3 of  
18 NRS 388A.255.

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

23 (a) A list of each application to form a charter school that was  
24 submitted to the board of trustees of a school district, the State  
25 Public Charter School Authority, a college or a university *or a city*  
26 *or county* during the immediately preceding biennium;

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

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

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

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

32 388A.252 1. If the board of trustees of a school district, ~~or~~  
33 a college or a university within the Nevada System of Higher  
34 Education ~~[, as applicable,]~~ *or a city or county* receives an  
35 application to form a charter school, the board of trustees, ~~or~~ the  
36 institution ~~[,]~~ *or the city or county*, as applicable, shall consider the  
37 application at a meeting that must be held not later than 60 days  
38 after the receipt of the application, or a later period mutually agreed  
39 upon by the committee to form the charter school and the board of  
40 trustees of the school district, ~~or~~ the institution ~~[,]~~ *or the city or*  
41 *county*, as applicable, and ensure that notice of the meeting has been  
42 provided pursuant to chapter 241 of NRS. The board of trustees, the  
43 college or ~~[the]~~ university ~~[,]~~ *or the city or county*, as applicable,  
44 shall review an application in accordance with the requirements for  
45 review set forth in subsections 2 and 3 of NRS 388A.249.





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

4 3. The board of trustees, the college or ~~the~~ university ~~or~~  
5 *the city or county*, as applicable, shall provide written notice to the  
6 applicant of its approval or denial of the application. If the board of  
7 trustees, the college or ~~the~~ university ~~or~~ *the city or county*, as  
8 applicable, denies an application, it shall include in the written  
9 notice the reasons for the denial and the deficiencies. The applicant  
10 must be granted 30 days after receipt of the written notice to correct  
11 any deficiencies identified in the written notice and resubmit the  
12 application.

13 4. If the board of trustees, the college or ~~the~~ university ~~or~~  
14 *the city or county*, as applicable, denies an application after it has  
15 been resubmitted pursuant to subsection 3, the applicant may submit  
16 a written request for sponsorship by the State Public Charter School  
17 Authority not more than 30 days after receipt of the written notice of  
18 denial. Any request that is submitted pursuant to this subsection  
19 must be accompanied by the application to form the charter school.

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

21 388A.258 Notwithstanding the provisions of NRS 388A.249,  
22 388A.252 and 388A.255, the State Public Charter School Authority  
23 may adopt regulations establishing timelines and procedures by  
24 which the State Public Charter School Authority will review  
25 applications and the board of trustees of a school district , ~~that is~~  
26 ~~approved to sponsor charter schools or~~ a college or university  
27 within the Nevada System of Higher Education *or city or county*  
28 that is approved to sponsor charter schools may adopt policies  
29 establishing timelines and procedures by which the board of trustees  
30 , ~~or~~ college or university ~~or~~ *city or county*, as applicable, will  
31 review applications. These regulations or policies may:

32 1. Establish different timelines and review procedures for  
33 different types of applicants; and

34 2. Authorize or require an applicant to submit an abbreviated  
35 application, the contents of such an application and criteria that the  
36 State Public Charter School Authority will use to determine whether  
37 to invite the applicant to submit a full application that meets the  
38 requirements of NRS 388A.243 and 388A.246 or deny the  
39 abbreviated application and recommend that the applicant make  
40 substantial revisions and submit the application during another  
41 application cycle.

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

43 388A.270 1. If the proposed sponsor of a charter school  
44 approves an application to form a charter school, it shall negotiate,  
45 develop and execute a charter contract with the governing body of



1 the charter school. A charter contract must be executed not later  
2 than 60 days before the charter school commences operation. The  
3 charter contract must be in writing and incorporate, without  
4 limitation:

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

6 (b) A description of the administrative relationship between the  
7 sponsor of the charter school and the governing body of the charter  
8 school, including, without limitation, the rights and duties of the  
9 sponsor and the governing body; and

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

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

16 (a) If the board of trustees of a school district is the sponsor of  
17 the charter school, the superintendent of schools of the school  
18 district;

19 (b) If the State Public Charter School Authority is the sponsor of  
20 the charter school, the Chair of the State Public Charter School  
21 Authority; ~~or~~

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

25 *(d) If a city or county is the sponsor of the charter school, the*  
26 *mayor of the city or the chair of the board of county*  
27 *commissioners, as applicable.*

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

31 4. The sponsor of the charter school shall, not later than 10  
32 days after the execution of the charter contract, provide to the  
33 Department:

34 (a) Written notice of the charter contract and the date of  
35 execution; and

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

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

40 6. If the State Public Charter School Authority approves the  
41 application:

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

44 (b) Neither the State of Nevada, the State Board, the State  
45 Public Charter School Authority nor the Department is an employer



1 of the members of the governing body of the charter school or any  
2 of the employees of the charter school.

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

5 (a) That institution shall be deemed the sponsor of the charter  
6 school.

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

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

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

13 (b) *Neither the State of Nevada, the State Board nor the*  
14 *Department is an employer of the members of the governing body*  
15 *of the charter school or any of the employees of the charter*  
16 *school.*

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

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

25 388A.279 1. The State Public Charter School Authority, the  
26 board of trustees of the school district, ~~or~~ a college or university  
27 within the Nevada System of Higher Education ~~or~~ *or a city or*  
28 *county*, as applicable, which sponsors a charter school may hold a  
29 public hearing concerning any request to amend a charter contract of  
30 the charter school it sponsors, including, without limitation, a  
31 request to amend a charter contract for the purpose of:

32 (a) Expanding the charter school to offer instruction in grade  
33 levels for which the charter school does not already offer  
34 instruction.

35 (b) Increasing the total enrollment of a charter school or the  
36 enrollment of pupils in a particular grade level in the charter school  
37 for a school year to more than 120 percent of the enrollment  
38 prescribed in the charter contract for that school year.

39 (c) Reducing the total enrollment of a charter school or the  
40 enrollment of pupils in a particular grade level in the charter school  
41 for a school year to less than 80 percent of the enrollment prescribed  
42 in the charter contract for that school year.

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



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

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

8 3. The State Public Charter School Authority, the board of  
9 trustees of the school district, ~~or~~ a college or university within the  
10 Nevada System of Higher Education ~~or~~ *or a city or county*, as  
11 applicable, must deny a request to amend a charter contract in the  
12 manner described in paragraph (d) or (e) of subsection 1 if the State  
13 Public Charter School Authority, the board of trustees, ~~or~~ a  
14 college or university within the Nevada System of Higher Education  
15 ~~or~~ *or a city or county*, as applicable, determines that:

16 (a) Except as otherwise provided in subsection 6 of NRS  
17 388A.274, the charter school is not meeting the requirements of the  
18 performance framework concerning academics, finances or  
19 organization established pursuant to NRS 388A.273; or

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

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

23 388A.378 1. The governing body of a charter school may  
24 contract with the board of trustees of the school district in which the  
25 charter school is located or in which a pupil enrolled in the charter  
26 school resides, ~~or~~ with the Nevada System of Higher Education *or*  
27 *with a city or county* for the provision of facilities to operate the  
28 charter school or to perform any service relating to the operation of  
29 the charter school, including, without limitation, transportation, the  
30 provision of health services for the pupils who are enrolled in  
31 the charter school and the provision of school police officers. If the  
32 board of trustees of a school district, ~~or~~ a college or university  
33 within the Nevada System of Higher Education *or a city or county*  
34 is the sponsor of the charter school, the governing body and the  
35 sponsor must enter into a service agreement pursuant to NRS  
36 388A.381 before the provision of such services other than for the  
37 provision of school police officers when the provisions of NRS  
38 388A.384 apply. If the board of trustees of a school district provides  
39 services to a charter school pursuant to this section or NRS  
40 388A.474, it shall not charge more than its cost for providing such  
41 services determined on a cost per pupil basis.

42 2. A charter school may use any public facility located within  
43 the school district in which the charter school is located. A charter  
44 school may use school buildings owned by the school district only  
45 upon approval of the board of trustees of the school district.



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

4 4. A charter school may:

5 (a) Acquire by construction, purchase, devise, gift, exchange or  
6 lease, or any combination of those methods, and construct,  
7 reconstruct, improve, maintain, equip and furnish any building,  
8 structure or property to be used for any of its educational purposes  
9 and the related appurtenances, easements, rights-of-way,  
10 improvements, paving, utilities, landscaping, parking facilities and  
11 lands;

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

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

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

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

18 388A.487 1. The governing body of a charter school that  
19 operates as an elementary school shall adopt rules for the provision  
20 of intervention services and intensive instruction to *and the*  
21 *academic retention of* pupils who are enrolled in the charter school  
22 that are consistent with NRS 392.750, 392.760 and 392.765 ~~§~~ *and*  
23 *section 71 of this act.* The rules must:

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

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

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

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

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

39 (1) ~~{Designated}~~ *Were designated* in grade 3 to be provided  
40 intervention services and intensive instruction while enrolled in an  
41 elementary school of a charter school pursuant to NRS 392.760 for a  
42 deficiency in the subject area of reading, including whether or not  
43 any such pupils were previously provided intervention services and  
44 intensive instruction while enrolled in an elementary school of a  
45 charter school; ~~{and}~~



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

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

7 (II) Improved at a rate prescribed by the governing body  
8 of a charter school, indicating growth toward performing at a level  
9 determined by a statewide assessment to be within the level  
10 established by the State Board for pupils enrolled in the same grade  
11 in which the pupils are enrolled; ~~and~~

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

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

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

21 (c) Post the report on the Internet website maintained by the  
22 charter school and otherwise make the report available to the parents  
23 and legal guardians of pupils enrolled in the charter school and the  
24 general public.

25 **Sec. 41.** (Deleted by amendment.)

26 **Sec. 42.** (Deleted by amendment.)

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

28 **Sec. 44.** (Deleted by amendment.)

29 **Sec. 45.** (Deleted by amendment.)

30 **Sec. 46.** (Deleted by amendment.)

31 **Sec. 47.** (Deleted by amendment.)

32 **Sec. 48.** (Deleted by amendment.)

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

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

35 388G.130 1. Except as otherwise provided in subsection 10,  
36 the empowerment team of a public school, other than a charter  
37 school that is sponsored by the State Public Charter School  
38 Authority, ~~for~~ by a college or university within the Nevada System  
39 of Higher Education ~~it~~ *or by a city or county*, that develops an  
40 empowerment plan pursuant to NRS 388G.120 shall submit the  
41 proposed empowerment plan to the designee of the board of trustees  
42 appointed pursuant to this subsection for review and approval  
43 pursuant to this section. The board of trustees shall designate a  
44 person to review each proposed empowerment plan and recommend  
45 the approval or denial of the plan to the board of trustees.



1 2. The board of trustees shall approve or deny the  
2 empowerment plan. The approval or denial of an empowerment plan  
3 must be based solely upon the contents of the plan and may not  
4 consider the amount of money required to carry out the  
5 empowerment plan if the plan is within the limits of the total  
6 apportionment to the school pursuant to subsection 4 of  
7 NRS 388G.120.

8 3. Except as otherwise provided in subsection 10, if the board  
9 of trustees approves an empowerment plan, the president of the  
10 board of trustees, the principal of the public school and the chair of  
11 the empowerment team, if the principal is not the chair, shall each  
12 sign the plan. The empowerment plan is effective for 3 years unless  
13 the empowerment team determines that the school will no longer  
14 operate under the plan or the board of trustees of the school district  
15 revokes the plan.

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

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

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

24 5. Except as otherwise provided in subsection 10, an  
25 empowerment plan for a public school is not effective and a public  
26 school shall not operate as an empowerment school unless the plan  
27 is signed by the president of the board of trustees of the school  
28 district, the principal of the public school and the chair of the  
29 empowerment team, if the principal is not the chair. If an  
30 empowerment plan includes a request for a waiver from a statute  
31 contained in this title or a regulation of the State Board or the  
32 Department, a public school may operate under the approved plan  
33 but the requested waivers from state law are not effective unless  
34 approved by the State Board pursuant to subsection 7.

35 6. Except as otherwise provided in subsection 10, the  
36 empowerment team may submit a written request to the board of  
37 trustees for an amendment to the empowerment plan approved  
38 pursuant to this section, including an explanation of the reason for  
39 the amendment. An amendment must be approved in the same  
40 manner as the empowerment plan was approved.

41 7. If the empowerment plan includes a request for a waiver  
42 from a statute or regulation, the board of trustees shall forward the  
43 approved empowerment plan to the State Board for review of the  
44 request for a waiver. The State Board shall review the empowerment  
45 plan and may approve or deny the request for a waiver from a



1 statute or regulation unless the statute or regulation is required by  
2 federal law or is required to carry out federal law.

3 8. If the State Board approves the request for a waiver for a  
4 school, the Department shall provide written notice of the approval  
5 to the board of trustees of the school district that submitted the  
6 empowerment plan on behalf of the school.

7 9. If the State Board denies a request for a waiver, the State  
8 Board shall:

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

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

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

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

22 388G.140 1. Except as otherwise provided in subsection 7,  
23 the empowerment team of a charter school that is sponsored by the  
24 State Public Charter School Authority, ~~for~~ by a college or  
25 university within the Nevada System of Higher Education *or by a*  
26 *city or county* which develops an empowerment plan pursuant to  
27 NRS 388G.120 shall submit the proposed plan to the Department  
28 for transmission to the State Board for review and approval pursuant  
29 to this section.

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

39 3. Except as otherwise provided in subsection 7, if the State  
40 Board approves an empowerment plan, the President of the State  
41 Board, the principal of the charter school and the chair of the  
42 empowerment team, if the principal is not the chair, shall each sign  
43 the plan. The empowerment plan is effective for 3 years unless the  
44 empowerment team determines that the school will no longer  
45 operate under the plan or the State Board revokes the plan.





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

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

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

9 5. Except as otherwise provided in subsection 7, an  
10 empowerment plan for a charter school that is sponsored by the  
11 State Public Charter School Authority, ~~for~~ by a college or  
12 university within the Nevada System of Higher Education *or by a*  
13 *city or county* is not effective and a charter school shall not operate  
14 as an empowerment school unless the plan is signed by the President  
15 of the State Board, the principal of the charter school and the chair  
16 of the empowerment team, if the principal is not the chair.

17 6. Except as otherwise provided in subsection 7, the  
18 empowerment team may submit a written request to the Department  
19 for an amendment to the empowerment plan approved pursuant to  
20 this section, including an explanation of the reason for the  
21 amendment. An amendment must be approved in the same manner  
22 as the empowerment plan was approved.

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

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

28 388G.200 1. Each empowerment school, other than a charter  
29 school that is sponsored by the State Public Charter School  
30 Authority, ~~for~~ by a college or university within the Nevada System  
31 of Higher Education ~~for~~ *or by a city or county*, shall, on a quarterly  
32 basis, submit to the board of trustees of the school district in which  
33 the school is located a report that includes:

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

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

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

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

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



1 3. The board of trustees of a school district shall conduct a  
2 financial audit of each empowerment school within the school  
3 district, other than a charter school that is sponsored by the State  
4 Public Charter School Authority , ~~{or}~~ by a college or university  
5 within the Nevada System of Higher Education ~~{ }~~ *or by a city or*  
6 *county*. Each financial audit must be conducted on an annual basis  
7 and more frequently if determined necessary by the board of  
8 trustees.

9 4. The Department shall conduct a financial audit of each  
10 charter school that is sponsored by the State Public Charter School  
11 Authority , ~~{or}~~ by a college or university within the Nevada System  
12 of Higher Education *or by a city or county* which operates as an  
13 empowerment school on an annual basis and more frequently if  
14 determined necessary by the Department.

15 5. On or before July 1 of each year, the board of trustees of  
16 each school district shall compile the reports and audits required  
17 pursuant to subsections 1 and 3, if any, and forward the compilation  
18 to the:

- 19 (a) Governor;
- 20 (b) Department; and
- 21 (c) Joint Interim Standing Committee on Education.

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

- 25 (a) Governor; and
- 26 (b) Joint Interim Standing Committee on Education.

27 **Sec. 53.** (Deleted by amendment.)

28 **Sec. 54.** (Deleted by amendment.)

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

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

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

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

38 *(a) The number of students who applied for a Teach Nevada*  
39 *Scholarship;*

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

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

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

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

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



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

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

7 (f) *The percentage of scholarship recipients who graduated*  
8 *and became employed as a teacher at a public school in this State;*  
9 *and*

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

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

15 **Sec. 57.** *As used in sections 57 to 66, inclusive, of this act,*  
16 *unless the context otherwise requires, the words and terms defined*  
17 *in sections 58 to 61, inclusive, of this act have the meanings*  
18 *ascribed to them in those sections.*

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

21 **Sec. 59.** *“Nevada Teacher Advancement Scholarship” means*  
22 *a scholarship awarded by a university, college or other provider of*  
23 *an alternative licensure program to a student pursuant to section*  
24 *64 of this act.*

25 **Sec. 60.** *“Other provider of an alternative licensure*  
26 *program” means an entity, other than a university or college,*  
27 *which has been approved by the Commission on Professional*  
28 *Standards in Education in accordance with the regulations*  
29 *adopted pursuant to NRS 391.019 to provide education and*  
30 *training to a student which will lead to an alternative route to*  
31 *licensure for the student.*

32 **Sec. 61.** *“Scholarship recipient” means the recipient of a*  
33 *Nevada Teacher Advancement Scholarship awarded pursuant to*  
34 *section 64 of this act.*

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

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

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

41 (b) *Unexpended appropriations made to the Account from the*  
42 *State General Fund,*

43 *↪ must be credited to the Account.*

44 3. *Any money remaining in the Account at the end of a fiscal*  
45 *year, including, without limitation, any unexpended*



1 *appropriations made to the Account from the State General Fund,*  
2 *does not revert to the State General Fund, and the balance in the*  
3 *Account must be carried forward to the next fiscal year.*

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

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

7 (a) *Award grants to universities, colleges and other providers*  
8 *of an alternative licensure program that are approved to award*  
9 *Nevada Teacher Advancement Scholarships pursuant to section*  
10 *64 of this act.*

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

14 **Sec. 63.** 1. *A public or private university or college or other*  
15 *provider of an alternative licensure program in this State is*  
16 *eligible to apply to the State Board for a grant from the Account to*  
17 *award scholarships to students who attend the university, college*  
18 *or other provider of an alternative licensure program to complete*  
19 *a program offered by the university, college or other provider of*  
20 *an alternative licensure program that has been approved by the*  
21 *State Board and which results in a master's degree in education or*  
22 *a related field of study.*

23 2. *The State Board shall:*

24 (a) *Establish the number of Nevada Teacher Advancement*  
25 *Scholarships that will be available each year based upon the*  
26 *amount of money available in the Account.*

27 (b) *Review all applications submitted pursuant to subsection 1*  
28 *and award a grant of money from the Account to an approved*  
29 *university, college or other provider of an alternative licensure*  
30 *program to the extent that money is available in an amount*  
31 *determined by the State Board. The State Board shall retain 25*  
32 *percent of such an award in the Account for disbursement to a*  
33 *scholarship recipient who meets the requirements of subsection 4*  
34 *of section 64 of this act.*

35 3. *The State Board:*

36 (a) *Shall prioritize the award of grants from the Account to a*  
37 *university, college or other provider of an alternative licensure*  
38 *program that demonstrates the university, college or other*  
39 *provider of an alternative licensure program will provide*  
40 *scholarships to a greater number of recipients who:*

41 (1) *Have successfully completed a teacher preparatory*  
42 *program at a public school established pursuant to subsection 4 of*  
43 *NRS 388.380;*



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

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

5 (b) May prioritize the award of grants from the Account to a  
6 university, college or other provider of an alternative licensure  
7 program that demonstrates the university, college or other  
8 provider of an alternative licensure program will provide  
9 scholarships to a greater number of recipients who:

10 (1) Agree to complete the requirements to obtain an  
11 endorsement to teach English as a second language or an  
12 endorsement to teach special education;

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

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

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

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

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

28 (b) The student has taught in a public school in this State for  
29 not less than 2 of the immediately preceding 5 years.

30 5. An application submitted by the student must identify the  
31 program to be completed and the date by which the student must  
32 complete the program to finish on schedule.

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

35 **Sec. 64.** 1. Each university, college or other provider of an  
36 alternative licensure program that is awarded a grant of money  
37 from the Account pursuant to section 63 of this act shall use the  
38 money to award Nevada Teacher Advancement Scholarships to  
39 students who will attend the university, college or other provider of  
40 an alternative licensure program with the intent to complete a  
41 program described in subsection 1 of section 63 of this act. Such  
42 students may include, without limitation, students who have  
43 completed a bachelor's degree and taught in a public school in  
44 this State for at least 2 years.



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

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

7 (b) Equal to the difference between the amount of tuition,  
8 registration fees and other mandatory fees charged to the student  
9 for the program described in subsection 1 of section 63 of this act,  
10 excluding any amount of the tuition and fees that is waived by the  
11 university, college or other provider of an alternative licensure  
12 program, and the total amount of any other gift aid received by the  
13 student.

14 3. A university, college or other provider of an alternative  
15 licensure program that awards a Nevada Teacher Advancement  
16 Scholarship shall, at the beginning of each semester disburse to  
17 the scholarship recipient 75 percent of the scholarship money  
18 awarded to the scholarship recipient for the semester.

19 4. A scholarship recipient may only receive the 25 percent of  
20 the scholarship money that is retained by the State Board pursuant  
21 to paragraph (b) of subsection 2 of section 63 of this act if the  
22 scholarship recipient:

23 (a) Completes the program for which he or she was awarded  
24 the scholarship;

25 (b) Maintains employment as a teacher at a public school in  
26 this State for 3 consecutive school years immediately following  
27 completion of the program unless the State Board waives this  
28 requirement for good cause shown; and

29 (c) Meets any other requirements established by the State  
30 Board.

31 5. To receive the 25 percent of the scholarship money  
32 retained by the State Board pursuant to paragraph (b) of  
33 subsection 2 of section 63 of this act, a scholarship recipient who  
34 meets the requirements set forth in subsection 4 must request the  
35 State Board to disburse the money within 1 year after the 2-year  
36 anniversary of the date on which the scholarship recipient meets  
37 the requirements of subsection 4.

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

41 **Sec. 65.** 1. If a scholarship recipient does not complete the  
42 program for which the scholarship was awarded for any reason,  
43 including, without limitation, withdrawing from the university,  
44 college or other provider of an alternative licensure program or  
45 pursuing another course of study, the university, college or other



1 *provider of an alternative licensure program that awarded the*  
2 *scholarship must pay to the State Board for credit to the Account:*

3 (a) *Any amount of money that the university, college or other*  
4 *provider of an alternative licensure program has received but has*  
5 *not yet disbursed to the scholarship recipient pursuant to section*  
6 *64 of this act; and*

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

10 2. *If a scholarship recipient completes the program for which*  
11 *the scholarship was awarded on schedule, as described in the*  
12 *application for the scholarship submitted pursuant to section 63 of*  
13 *this act, to the extent that money is available for this purpose, the*  
14 *State Board shall pay \$1,000 to the university, college or other*  
15 *provider of an alternative licensure program that awarded the*  
16 *scholarship. Any money received by a university, college or other*  
17 *provider of an alternative licensure program pursuant to this*  
18 *section must be used to pay costs associated with providing a*  
19 *program described in subsection 1 of section 63 of this act.*

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

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

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

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

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

29 (c) *The total cost of all Nevada Teacher Advancement*  
30 *Scholarships;*

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

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

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

36 (2) *Did not graduate by the end of the academic year that*  
37 *immediately precedes the year which is the subject of the report;*  
38 *and*

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

41 (f) *The percentage of scholarship recipients who graduated*  
42 *and became employed as teachers at a public school in this State;*  
43 *and*



1 *(g) The number of scholarship recipients who subsequently*  
2 *fulfilled the requirements of subsection 4 of section 64 of this act;*  
3 *and*

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

7 **Sec. 67.** NRS 391A.550 is hereby amended to read as follows:  
8 391A.550 As used in NRS 391A.550 to 391A.590, inclusive,  
9 *and section 56 of this act*, unless the context otherwise requires, the  
10 words and terms defined in NRS 391A.555 to 391A.570, inclusive,  
11 have the meanings ascribed to them in those sections.

12 **Sec. 68.** NRS 391A.580 is hereby amended to read as follows:  
13 391A.580 1. A public or private university, college or other  
14 provider of an alternative licensure program in this State is eligible  
15 to apply to the State Board for a grant from the Account to award  
16 scholarships to students who attend the university, college or other  
17 provider of an alternative licensure program to complete a program  
18 offered by the university, college or other provider of an alternative  
19 licensure program that has been approved by the State Board and  
20 which:

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

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

26 2. The State Board shall:

27 (a) Establish the number of Teach Nevada Scholarships that will  
28 be available each year based upon the amount of money available in  
29 the Account.

30 (b) Review all applications submitted pursuant to subsection 1  
31 and award a grant of money from the Account to an approved  
32 university, college or other provider of an alternative licensure  
33 program to the extent that money is available in an amount  
34 determined by the State Board. The State Board shall retain 25  
35 percent of such an award in the Account for disbursement to a  
36 scholarship recipient who meets the requirements of subsection 4 of  
37 NRS 391A.585.

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

39 *(a) Shall prioritize the award of grants from the Account to a*  
40 *university, college or other provider of an alternative licensure*  
41 *program will provide scholarships to a greater number of*  
42 *recipients who:*

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





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

2 (b) *May* prioritize the award of grants from the Account to a  
3 university, college or other provider of an alternative licensure  
4 program that demonstrates the university, college or other provider  
5 of an alternative licensure program will provide scholarships to a  
6 greater number of recipients who:

7 ~~[(a) Are veterans or the spouses of veterans;]~~

8 (1) *Agree to complete the requirements to obtain an*  
9 *endorsement to teach English as a second language or an*  
10 *endorsement to teach special education;*

11 ~~[(b)]~~ (2) Intend to teach in public schools in this State which  
12 have the highest shortage of teachers;

13 ~~[(c)]~~ (3) Have been economically disadvantaged or belong to a  
14 racial or ethnic minority group; or

15 ~~[(d)]~~ (4) Will be eligible to teach in a subject area for which  
16 there is a shortage of teachers. Such a subject area may include,  
17 without limitation, science, technology, engineering, mathematics,  
18 special education or English as a second language.

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

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

25 (b) The student ~~[agrees to complete the requirements to obtain~~  
26 ~~an endorsement to teach English as a second language or an~~  
27 ~~endorsement to teach special education.]~~ *obtained a high school*  
28 *diploma awarded by a public or private high school located in this*  
29 *State or public high school that is located in a county that borders*  
30 *this State and accepts pupils who are residents of this State or*  
31 *successfully completed the high school equivalency assessment*  
32 *selected by the State Board pursuant to NRS 390.055 before 20*  
33 *years of age.*

34 5. An application submitted by the student must identify the  
35 program to be completed and the date by which the student must  
36 complete the program to finish on schedule.

37 6. The State Board may adopt any regulations necessary to  
38 carry out the provisions of NRS 391A.550 to 391A.590, inclusive ~~[(~~  
39 *, and section 56 of this act.*

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

41 391A.585 1. Each university, college or other provider of an  
42 alternative licensure program that is awarded a grant of money from  
43 the Account pursuant to NRS 391A.580 shall use the money to  
44 award Teach Nevada Scholarships to students who will attend the  
45 university, college or other provider of an alternative licensure



1 program with the intent to complete a program described in  
2 subsection 1 of NRS 391A.580. Such students may include, without  
3 limitation:

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

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

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

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

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

16 (f) Students who have had some experience working in a  
17 classroom, including, without limitation, as a paraprofessional or  
18 substitute teacher.

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

22 (a) ~~Not to exceed [\$3,000 per semester or \$24,000 in the~~  
23 ~~aggregate.]~~ *the cost of receiving a bachelor's degree at a public*  
24 *university in this State prorated over the number of semesters*  
25 *required for the student to complete the program; and*

26 (b) *Equal to the difference between the amount of tuition,*  
27 *registration fees and other mandatory fees charged to the student*  
28 *for the program described in subsection 1 of NRS 391A.580,*  
29 *excluding any amount of the tuition and fees that is waived by the*  
30 *university, college or other provider of an alternative licensure*  
31 *program, and the total amount of any other gift aid received by the*  
32 *student.*

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

38 4. A scholarship recipient may only receive the 25 percent of  
39 the scholarship money that is retained by the State Board pursuant to  
40 paragraph (b) of subsection 2 of NRS 391A.580 if the scholarship  
41 recipient:

42 (a) Completes the program for which he or she was awarded the  
43 scholarship;

44 (b) Maintains employment as a teacher at a public school in this  
45 State for 5 consecutive school years immediately following



1 completion of the program unless the State Board waives this  
2 requirement for good cause shown; and

3 (c) Meets any other requirements established by the State Board.

4 5. To receive the 25 percent of the scholarship money retained  
5 by the State Board pursuant to paragraph (b) of subsection 2 of NRS  
6 391A.580, a scholarship recipient who meets the requirements set  
7 forth in subsection 4 must request the State Board to disburse the  
8 money within 1 year after the 5-year anniversary of the date on  
9 which the scholarship recipient meets the requirements of  
10 subsection 4.

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

14 **Sec. 70.** Chapter 392 of NRS is hereby amended by adding  
15 thereto the provisions set forth as sections 70.5, 71 and 72 of this  
16 act.

17 **Sec. 70.5.** *As used in NRS 392.750 to 392.775, inclusive, and*  
18 *sections 70.5, 71 and 72 of this act, unless the context otherwise*  
19 *requires, "subject area of reading" includes, without limitation,*  
20 *phonological and phonemic awareness, decoding skills, reading*  
21 *fluency and vocabulary and reading comprehension.*

22 **Sec. 71. 1.** *Except as otherwise provided in this section, a*  
23 *pupil enrolled in grade 3 must be retained in grade 3, rather than*  
24 *promoted to grade 4, if the pupil does not obtain a score in the*  
25 *subject area of reading on the uniform examination administered*  
26 *pursuant to paragraph (a) of subsection 5 that meets the passing*  
27 *score prescribed by the State Board.*

28 2. *If a pupil will be retained in grade 3 pursuant to this*  
29 *section, the principal of the school must provide written notice to*  
30 *the parent or legal guardian of the pupil that the pupil will be*  
31 *retained in grade 3.*

32 3. *The board of trustees of each school district and the*  
33 *governing body of a charter school, as applicable, shall develop a*  
34 *policy by which the principal of a school may promote a pupil who*  
35 *is retained in grade 3 pursuant to this section to grade 4 at any*  
36 *time during the school year if the pupil demonstrates adequate*  
37 *proficiency in the subject area of reading. The policy must include*  
38 *the specific criteria a pupil must satisfy to be eligible for*  
39 *promotion, including, without limitation, a reasonable expectation*  
40 *that the pupil's progress will allow him or her to sufficiently*  
41 *master the requirements for a fourth-grade reading level. If a*  
42 *pupil is promoted after November 1 of a school year, he or she*  
43 *must demonstrate proficiency in reading at a level prescribed by*  
44 *the State Board.*



1       4. *If a principal of a school determines that a pupil is not*  
2 *academically ready for promotion to grade 4 after being retained*  
3 *in grade 3 and the pupil received intensive instructional services*  
4 *pursuant to NRS 392.760, the school district in which the pupil is*  
5 *enrolled must allow the parent or legal guardian of the pupil to*  
6 *decide, in consultation with the principal of the school, whether*  
7 *to place the pupil in a transitional setting which is designed to*  
8 *produce learning gains sufficient for the pupil to meet the*  
9 *performance standards required for grade 4, while continuing to*  
10 *receive remediation in the subject area of reading.*

11       5. *The State Board shall prescribe by regulation:*

12       (a) *A uniform examination for administration in kindergarten*  
13 *and grades 1, 2 and 3 to measure the proficiency of pupils in the*  
14 *subject area of reading;*

15       (b) *The score which a pupil enrolled in grade 3 must obtain in*  
16 *the subject area of reading on the uniform examination*  
17 *administered pursuant to paragraph (a) to be promoted to grade 4*  
18 *without a good-cause exemption; and*

19       (c) *An alternative examination for administration to pupils*  
20 *enrolled in grade 3 who do not obtain the passing score in the*  
21 *subject area of reading on the uniform examination administered*  
22 *pursuant to paragraph (a) and the passing score such a pupil must*  
23 *obtain on the alternative examination to be promoted to grade 4*  
24 *without the approval for a good-cause exemption pursuant to*  
25 *section 72 of this act.*

26       **Sec. 72.** 1. *The superintendent of schools of a school*  
27 *district or the governing body of a charter school, as applicable,*  
28 *may authorize the promotion of a pupil to grade 4 who would*  
29 *otherwise be retained in grade 3 only if the superintendent or*  
30 *governing body, as applicable, approves a good-cause exemption*  
31 *for the pupil upon a determination by the principal of the school*  
32 *pursuant to subsection 3 that the pupil is eligible for such an*  
33 *exemption.*

34       2. *A good-cause exemption must be approved for a pupil who*  
35 *previously was retained in grade 3. Any other pupil is eligible for a*  
36 *good-cause exemption if the pupil:*

37       (a) *Demonstrates an acceptable level of proficiency in reading*  
38 *on an alternative standardized reading assessment approved by the*  
39 *State Board;*

40       (b) *Demonstrates, through a portfolio of the pupil's work,*  
41 *proficiency in reading at grade level, as evidenced by*  
42 *demonstration of mastery of the academic standards in reading*  
43 *beyond grade 3;*



1 (c) *Is an English learner and has received not less than 2 years*  
2 *of instruction in a program of instruction that teaches English as*  
3 *a second language;*

4 (d) *Received intensive remediation in the subject area of*  
5 *reading for 2 or more years but still demonstrates a deficiency in*  
6 *reading and was previously retained in kindergarten or grade 1 or*  
7 *2 for a total of 2 years;*

8 (e) *Is a pupil with a disability and his or her individualized*  
9 *education program indicates that the pupil's participation in the*  
10 *uniform examination administered pursuant to paragraph (a) of*  
11 *subsection 5 of section 71 of this act is not appropriate; or*

12 (f) *Is a pupil with a disability and:*

13 (1) *He or she participates in the uniform examination*  
14 *administered pursuant to paragraph (a) of subsection 5 of section*  
15 *71 of this act;*

16 (2) *His or her individualized education program or plan*  
17 *developed in accordance with section 504 of the Rehabilitation Act*  
18 *of 1973, 29 U.S.C. § 794, documents that the pupil has received*  
19 *intensive remediation in reading for more than 2 years, but he or*  
20 *she still demonstrates a deficiency in reading; and*

21 (3) *He or she was previously retained in kindergarten or*  
22 *grade 1, 2 or 3.*

23 3. *The principal of a school in which a pupil who may be*  
24 *retained in grade 3 pursuant to subsection 1 is enrolled shall*  
25 *consider the factors set forth in subsection 2 and determine*  
26 *whether the pupil is eligible for a good-cause exemption. In*  
27 *making the determination, the principal must consider*  
28 *documentation provided by the pupil's teacher indicating whether*  
29 *the promotion of the pupil is appropriate based upon the record of*  
30 *the pupil. Such documentation must only consist of the existing*  
31 *plan for monitoring the progress of the pupil, the pupil's*  
32 *individualized education program, if applicable, and the pupil's*  
33 *plan developed in accordance with section 504 of the*  
34 *Rehabilitation Act of 1973, 29 U.S.C. § 794, if applicable. If the*  
35 *principal determines that promotion of the pupil to grade 4 is*  
36 *appropriate, the principal must submit a written recommendation*  
37 *to the superintendent of schools of the school district or to the*  
38 *governing body of the charter school, as applicable. The*  
39 *superintendent of schools or the governing body of the charter*  
40 *school, as applicable, shall approve or deny the recommendation*  
41 *of the principal and provide written notice to the principal of the*  
42 *approval or denial.*

43 4. *A principal who determines that a pupil is eligible for a*  
44 *good-cause exemption pursuant to subsection 3 shall notify the*  
45 *parent or legal guardian of the pupil if the superintendent of*



1 *schools of the school district or the governing body of the charter*  
2 *school, as applicable, has approved the good-cause exemption.*

3 5. *The principal of a school in which a pupil for whom a*  
4 *good-cause exemption is approved pursuant to subsection 3 and*  
5 *who is promoted to grade 4 must ensure that the pupil continues to*  
6 *be provided intervention services and intensive instruction in the*  
7 *subject area of reading pursuant to NRS 392.760.*

8 6. *As used in this section, "individualized education*  
9 *program" has the meaning ascribed to it in 20 U.S.C. §*  
10 *1414(d)(1)(A).*

11 **Sec. 73.** (Deleted by amendment.)

12 **Sec. 74.** NRS 392.125 is hereby amended to read as follows:

13 392.125 1. Except as otherwise provided in subsection 4 ~~§~~  
14 *and section 71 of this act*, before any pupil enrolled in a public  
15 school may be retained in the same grade rather than promoted to  
16 the next higher grade for the succeeding school year, the pupil's  
17 teacher and principal must make a reasonable effort to arrange a  
18 meeting and to meet with the pupil's parents or guardian to discuss  
19 the reasons and circumstances.

20 2. Except as otherwise provided in ~~NRS 392.760;~~ *section 71*  
21 *of this act*, the teacher and the principal in joint agreement have the  
22 final authority to retain a pupil in the same grade for the succeeding  
23 school year.

24 3. Except as otherwise provided in subsection 2 of NRS  
25 392.033 for the promotion of a pupil to high school ~~§~~ *and in*  
26 *section 71 of this act*, no pupil may be retained more than one time  
27 in the same grade.

28 4. Except as otherwise provided in NRS 388A.487, this section  
29 does not apply to the academic retention of pupils who are enrolled  
30 in a charter school.

31 **Sec. 75.** NRS 392.128 is hereby amended to read as follows:

32 392.128 1. Each advisory board to review school attendance  
33 created pursuant to NRS 392.126 shall:

34 (a) Review the records of the attendance and truancy of pupils  
35 submitted to the advisory board to review school attendance by the  
36 board of trustees of the school district, ~~for~~ the State Public Charter  
37 School Authority or a college or university within the Nevada  
38 System of Higher Education *or a city or county* that sponsors a  
39 charter school pursuant to subsection 3 of NRS 385A.240;

40 (b) Identify factors that contribute to the truancy of pupils in the  
41 school district;

42 (c) Establish programs to reduce the truancy of pupils in the  
43 school district, including, without limitation, the coordination of  
44 services available in the community to assist with the intervention,  
45 diversion and discipline of pupils who are truant;



1 (d) At least annually, evaluate the effectiveness of those  
2 programs;

3 (e) Establish a procedure for schools and school districts for the  
4 reporting of the status of pupils as habitual truants; and

5 (f) Inform the parents and legal guardians of the pupils who are  
6 enrolled in the schools within the district of the policies and  
7 procedures adopted pursuant to the provisions of this section.

8 2. The chair of an advisory board may divide the advisory  
9 board into subcommittees. The advisory board may delegate one or  
10 more of the duties of the advisory board to a subcommittee of the  
11 advisory board, including, without limitation, holding hearings  
12 pursuant to NRS 392.147. If the chair of an advisory board divides  
13 the advisory board into subcommittees, the chair shall notify the  
14 board of trustees of the school district of this action. Upon receipt of  
15 such a notice, the board of trustees shall establish rules and  
16 procedures for each such subcommittee. A subcommittee shall abide  
17 by the applicable rules and procedures when it takes action or makes  
18 decisions.

19 3. An advisory board to review school attendance may work  
20 with a family resource center or other provider of community  
21 services to provide assistance to pupils who are truant. The advisory  
22 board shall identify areas within the school district in which  
23 community services are not available to assist pupils who are truant.  
24 As used in this subsection, "family resource center" has the meaning  
25 ascribed to it in NRS 430A.040.

26 4. An advisory board to review school attendance created in a  
27 county pursuant to NRS 392.126 may use money appropriated by  
28 the Legislature and any other money made available to the advisory  
29 board for the use of programs to reduce the truancy of pupils in the  
30 school district. The advisory board to review school attendance  
31 shall, on a quarterly basis, provide to the board of trustees of the  
32 school district an accounting of the money used by the advisory  
33 board to review school attendance to reduce the truancy of pupils in  
34 the school district.

35 **Sec. 76.** NRS 392.750 is hereby amended to read as follows:

36 392.750 If a pupil enrolled at a public elementary school in  
37 kindergarten or grade 1, 2 or 3 or who newly enrolls in a public  
38 elementary school exhibits a deficiency in the subject area of  
39 reading based upon state or local assessments and the observations  
40 of the pupil's teacher, the principal of the school must provide  
41 written notice of the deficiency to the parent or legal guardian of the  
42 pupil within 30 days after the date on which the deficiency is  
43 discovered. The written notice must, without limitation:

44 1. Identify the educational programs and services that the pupil  
45 will receive to improve the pupil's proficiency in the subject area of



1 reading, including, without limitation, the programs and services  
2 included in the plan to improve the literacy of pupils enrolled in  
3 elementary school that has been approved by the Department  
4 pursuant to NRS 388.157;

5 2. Explain that if the pupil does not achieve adequate  
6 proficiency in the subject area of reading before the completion of  
7 grade 3, *the pupil will be retained in grade 3, rather than promoted*  
8 *to grade 4, unless the pupil receives a good-cause exemption*  
9 *pursuant to section 72 of this act, and* the school will provide the  
10 pupil with intervention services and intensive instruction each year  
11 that the pupil is enrolled in the elementary school, unless it is  
12 determined that such services and instruction are no longer  
13 necessary;

14 3. Describe, explain and, if appropriate, demonstrate the  
15 strategies which the parent or legal guardian may use at home to  
16 help improve the proficiency of the pupil in the subject area of  
17 reading;

18 4. Explain that the ~~[/riterion-referenced]~~ *uniform* examination  
19 in ~~[only]~~ the subject area of reading administered pursuant to ~~[NRS~~  
20 ~~390.105]~~ *paragraph (a) of subsection 5 of section 71 of this act* is  
21 not the only factor used to determine whether the pupil will be  
22 ~~[provided intervention services and intensive instruction while the~~  
23 ~~pupil is enrolled in an elementary school;]~~ *retained in grade 3 and*  
24 *that other options are available for the pupil to demonstrate*  
25 *proficiency if the pupil is eligible for a good-cause exemption*  
26 *pursuant to section 72 of this act;*

27 5. Describe the policy and specific criteria adopted by the  
28 board of trustees of the school district or governing body of a  
29 charter school, as applicable, pursuant to NRS 392.765 regarding  
30 ~~[the]~~ :

31 *(a) The provision of intervention services and intensive*  
32 *instruction to a pupil enrolled in an elementary school; and*

33 *(b) The promotion of a pupil to grade 4 at any time during the*  
34 *school year if the pupil is retained in grade 3 pursuant to section*  
35 *71 of this act;*

36 6. Include information regarding the English literacy  
37 development of a pupil who is an English learner;

38 7. Describe, explain and, if appropriate, demonstrate the  
39 strategies which the parent or legal guardian may use at home to  
40 help improve the English literacy of a pupil who is an English  
41 learner;

42 8. To the extent practicable, be provided in a language that the  
43 parent or legal guardian can understand;

44 9. Explain that a plan to monitor the growth of the pupil in the  
45 subject area of reading will regularly assess the pupil and the





1 elementary school will provide notice to the parent or legal guardian  
2 the status of the growth of the pupil; and

3 10. Explain that services and the programs provided to the  
4 pupil will be adjusted to improve the deficiency in the subject area  
5 of reading.

6 **Sec. 77.** NRS 392.760 is hereby amended to read as follows:

7 392.760 1. Except as otherwise provided in this section, an  
8 elementary school must provide to a pupil enrolled in the school  
9 intervention services and intensive instruction if the pupil does not  
10 obtain a score in ~~{only}~~ the subject area of reading on the ~~{criterion-~~  
11 ~~referenced}~~ *uniform* examination administered pursuant to ~~{NRS~~  
12 ~~390.105}~~ *paragraph (a) of subsection 5 of section 71 of this act*  
13 that meets the passing score prescribed by the State Board. *The*  
14 *school must provide such services and instruction to a pupil,*  
15 *regardless of whether the pupil is retained in grade 3 pursuant to*  
16 *section 71 of this act or is not retained in grade 3 because a good-*  
17 *cause exemption was approved pursuant to section 72 of this act.*

18 2. The principal of a school, in consultation with the literacy  
19 specialist designated pursuant to NRS 388.159 and any teacher or  
20 other person with knowledge and expertise related to providing  
21 intervention services and intensive instruction to the pupil ~~[-~~  
22 ~~-(a) Shall}~~ *shall* ensure that the pupil continues to be provided  
23 intervention services and intensive instruction in the subject area of  
24 reading for as long as it is determined to be necessary while the  
25 pupil is enrolled at the elementary school. Such instruction must  
26 include, without limitation, strategies based upon evidence-based  
27 research that will improve proficiency in the subject area of reading.

28 ~~{(b) May retain the pupil in grade 3 rather than promote the~~  
29 ~~pupil to grade 4 when authorized pursuant to NRS 392.125.}~~

30 3. *Each literacy specialist designated pursuant to NRS*  
31 *388.159 and any teacher or other person with knowledge and*  
32 *expertise relating to providing intervention services and intensive*  
33 *instruction to a pupil in the subject area of reading shall, in*  
34 *addition to any other duties or responsibilities assigned to him or*  
35 *her, provide intervention services and intensive instruction directly*  
36 *to pupils who do not obtain a score in the subject area of reading*  
37 *on the uniform examination administered pursuant to paragraph*  
38 *(a) of subsection 5 of section 71 of this act that meets the passing*  
39 *score prescribed by the State Board.*

40 4. *Each public school shall offer a pupil who is enrolled in*  
41 *grade 2 or grade 3 in the school and does not obtain a score in the*  
42 *subject area of reading on the uniform examination administered*  
43 *pursuant to paragraph (a) of subsection 5 of section 71 of this act*  
44 *that meets the passing score prescribed by the State Board the*  
45 *opportunity to enroll in summer school at the public school.*



1       **Sec. 78.** NRS 392.775 is hereby amended to read as follows:  
2       392.775 On or before October 15 of each year, the board of  
3 trustees of each school district shall:

4       1. Prepare a report concerning the number and percentage of  
5 pupils at each public elementary school within the school district  
6 who:

7       (a) Were designated in grade 3 to be provided intervention  
8 services and intensive instruction while enrolled in an elementary  
9 school pursuant to NRS 392.760 for a deficiency in the subject area  
10 of reading, including whether or not any such pupils were  
11 previously provided intervention services and intensive instruction;  
12 ~~and~~

13       (b) Received educational programs or services identified  
14 pursuant to subsection 1 of NRS 392.750 at each grade level and  
15 whose proficiency in the subject area of reading:

16       (1) Did not improve at a rate prescribed by the board of  
17 trustees of the school district, indicating a need for more intensive or  
18 different interventions; and

19       (2) Improved at a rate prescribed by the board of trustees of  
20 the school district, indicating progress toward performing at a level  
21 determined by a statewide assessment to be within the level  
22 established by the State Board for pupils enrolled in the same grade  
23 in which the pupils are enrolled ~~and~~;

24       (c) *Were retained in grade 3 pursuant to section 71 of this act*  
25 *for a deficiency in the subject area of reading, including whether*  
26 *or not any such pupils were previously retained in kindergarten or*  
27 *grade 1 or 2; and*

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

32       2. Submit a copy of the report to the Department ~~and~~ *and* the  
33 Legislature. ~~and sponsor of the charter school.~~

34       3. Post the report on the Internet website maintained by the  
35 school district and otherwise make the report available to the parents  
36 and legal guardians of pupils enrolled in the school district and the  
37 general public.

38       **Sec. 79.** (Deleted by amendment.)

39       **Sec. 80.** (Deleted by amendment.)

40       **Sec. 81.** (Deleted by amendment.)

41       **Sec. 82.** (Deleted by amendment.)

42       **Sec. 83.** (Deleted by amendment.)

43       **Sec. 84.** (Deleted by amendment.)

44       **Sec. 85.** (Deleted by amendment.)

45       **Sec. 86.** (Deleted by amendment.)



1      **Sec. 87.** (Deleted by amendment.)

2      **Sec. 88.** (Deleted by amendment.)

3      **Sec. 89.** (Deleted by amendment.)

4      **Sec. 90.** (Deleted by amendment.)

5      **Sec. 91.** (Deleted by amendment.)

6      **Sec. 92.** (Deleted by amendment.)

7      **Sec. 93.** 1. There is hereby appropriated from the State  
8 General Fund to the Department of Education the sum of  
9 \$1,000,000 for the cost of supporting the operations of the  
10 Commission on School Funding and the completion of reports  
11 pursuant to NRS 387.12468, as amended by section 24 of this act.

12      2. Any remaining balance of the appropriation made by  
13 subsection 1 must not be committed for expenditure after June 30,  
14 2025, by the entity to which the appropriation is made or any entity  
15 to which money from the appropriation is granted or otherwise  
16 transferred in any manner, and any portion of the appropriated  
17 money remaining must not be spent for any purpose after  
18 September 19, 2025, by either the entity to which the money was  
19 appropriated or the entity to which the money was subsequently  
20 granted or transferred, and must be reverted to the State General  
21 Fund on or before September 19, 2025.

22      **Sec. 93.3.** 1. There is hereby appropriated from the State  
23 General Fund to the State Public Charter School Authority for  
24 awards of money to charter schools for the transportation of pupils  
25 pursuant to section 28.5 of this act the following sums:

26             For the Fiscal Year 2023-2024 ..... \$7,000,000

27             For the Fiscal Year 2024-2025 ..... \$7,000,000

28      2. Any balance of the sums appropriated by subsection 1  
29 remaining at the end of the respective fiscal years must not be  
30 committed for expenditure after June 30 of the respective fiscal  
31 years by the entity to which the appropriation is made or any entity  
32 to which money from the appropriation is granted or otherwise  
33 transferred in any manner, and any portion of the appropriated  
34 money remaining must not be spent for any purpose after  
35 September 20, 2024, and September 19, 2025, respectively, by  
36 either the entity to which the money was appropriated or the entity  
37 to which the money was subsequently granted or transferred, and  
38 must be reverted to the State General Fund on or before  
39 September 20, 2024, and September 19, 2025, respectively.

40      **Sec. 93.5.** 1. There is hereby appropriated from the State  
41 General Fund to the Early Childhood Literacy and Readiness  
42 Account created by section 12 of this act the following sums:

43             For the Fiscal Year 2023-2024 ..... \$70,000,000

44             For the Fiscal Year 2024-2025 ..... \$70,000,000



1 2. Any balance of the sums appropriated by subsection 1  
2 remaining at the end of the respective fiscal years must not be  
3 committed for expenditure after June 30 of the respective fiscal  
4 years by the entity to which the appropriation is made or any entity  
5 to which money from the appropriation is granted or otherwise  
6 transferred in any manner, and any portion of the appropriated  
7 money remaining must not be spent for any purpose after  
8 September 20, 2024, and September 19, 2025, respectively, by  
9 either the entity to which the money was appropriated or the entity  
10 to which the money was subsequently granted or transferred, and  
11 must be reverted to the State General Fund on or before  
12 September 20, 2024, and September 19, 2025, respectively.

13 **Sec. 93.7.** 1. There is hereby appropriated from the State  
14 General Fund to the Nevada Teacher Advancement Scholarship  
15 Program Account created by section 62 of this act the following  
16 sums:

17 For the Fiscal Year 2023-2024..... \$2,000,000  
18 For the Fiscal Year 2024-2025..... \$2,000,000

19 2. Any balance of the sums appropriated by subsection 1  
20 remaining at the end of the respective fiscal years must not be  
21 committed for expenditure after June 30 of the respective fiscal  
22 years by the entity to which the appropriation is made or any entity  
23 to which money from the appropriation is granted or otherwise  
24 transferred in any manner, and any portion of the appropriated  
25 money remaining must not be spent for any purpose after  
26 September 20, 2024, and September 19, 2025, respectively, by  
27 either the entity to which the money was appropriated or the entity  
28 to which the money was subsequently granted or transferred, and  
29 must be reverted to the State General Fund on or before  
30 September 20, 2024, and September 19, 2025, respectively.

31 **Sec. 94.** (Deleted by amendment.)

32 **Sec. 95.** The provisions of subsection 1 of NRS 218D.380 do  
33 not apply to any provision of this act which adds or revises a  
34 requirement to submit a report to the Legislature.

35 **Sec. 96.** (Deleted by amendment.)

36 **Sec. 97.** 1. This section and sections 95 and 96 of this act  
37 become effective upon passage and approval.

38 2. Sections 1 to 5, inclusive, 7, 8, 10 to 24, inclusive, 26 to 39,  
39 inclusive, 41 to 70, inclusive, 73, 75 and 79 to 94, inclusive, of this  
40 act become effective:

41 (a) Upon passage and approval for the purpose of adopting any  
42 regulations and performing any other preparatory administrative  
43 tasks that are necessary to carry out the provisions of this act; and

44 (b) On July 1, 2023, for all other purposes.



1       3. Sections 5.5, 6, 9, 25, 40, 70.5, 71, 72, 74, 76, 77 and 78 of  
2 this act become effective:

3       (a) Upon passage and approval for the purpose of adopting any  
4 regulations and performing any other preparatory administrative  
5 tasks that are necessary to carry out the provisions of this act; and

6       (b) On July 1, 2028, for all other purposes.

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